

**UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA**

TANEA PRATT,	:	
individually and on behalf of all	:	CIVIL ACTION
others similarly situated,	:	NO.:
Plaintiff	:	
	:	
v.	:	
	:	
NORTHERN CHILDREN’S SERVICES,	:	
Defendant	:	

COLLECTIVE AND CLASS ACTION COMPLAINT

Plaintiff Tanea Pratt (“Plaintiff”), individually and on behalf of all other similarly situated current and former employees of Northern Children’s Services, and on behalf of the members of the proposed Pennsylvania Rule 23 Class, bring this action against Defendant for damages and other relief relating to violations of the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.* (“FLSA”), the Pennsylvania Minimum Wage Act of 1968, 43 P.S. § 333.104 *et seq.* (“PMWA”) and/or Pennsylvania Wage Payment and Collection Law, 43 P.S. § 260.1 *et seq.* (“PWPCCL”). Plaintiff further alleges Defendant was unjustly enriched by its unlawful actions. Plaintiff states the following as her claims against Defendant:

I.

OVERVIEW

1. Plaintiff brings claims to recover unpaid overtime compensation under § 216(b) of the FLSA. She brings these claims as a putative collective action, individually, and on behalf of and all current or former hourly therapeutic staff support workers employed by Defendant from three years prior to the time of filing to the present.

2. Plaintiff also brings claims to recover unpaid wages under the PMWA and PWPCCL, and for unjust enrichment. Plaintiff brings these claims as a class pursuant to Rule 23 of the Federal Rules of Civil Procedure.

II.

THE PARTIES

Plaintiff

3. Plaintiff Tanea Pratt is a citizen of the United States domiciled in the City of Philadelphia, State of Pennsylvania. Plaintiff has been employed by Defendant, specifically as an hourly therapeutic staff support worker (“TSS”), since approximately 2013.

4. Pursuant to 29 U.S.C. § 216(b), Plaintiff Pratt consents in writing to be a party to the FLSA claims asserted. Her consent form is attached as Exhibit A. As this case proceeds, it is likely other individuals will file consent forms and join as opt-in plaintiffs.

5. Plaintiff, those similarly situated, and the proposed Pennsylvania Rule 23 Class are or were employees of Defendant within the meaning of the FLSA, PMWA and PWPCL.

6. This action is brought as a putative collective action under the FLSA for failure to pay federally mandated overtime compensation.

7. This action is also brought as a class action pursuant to Fed. R. Civ. P. 23 to remedy violations of the PMWA and PWPCL, for failure to pay and promptly pay employees proper overtime wages for all hours worked each week over forty. Plaintiff seeks redress for Defendant's unjust enrichment.

8. Defendant has willfully engaged in a pattern, policy, and practice of unlawful conduct for the actions alleged in this Complaint, in violation of the federal and state rights of Plaintiff, those similarly situated, and members of the proposed Pennsylvania Rule 23 Class.

Defendant

9. Defendant Northern Children's Services is a Pennsylvania non-profit corporation with its principal place of business located in Philadelphia, Pennsylvania. Defendant offers school therapeutic services to support children and youth who have emotional and/or behavioral problems.

10. Defendant is or has been an enterprise engaged in commerce or in the production of goods or services for commerce within the meaning of 29 U.S.C. § 203(s)(1), and, upon information and belief, Defendant has had an annual gross volume of sales made or business done of not less than \$500,000 at all relevant times.

11. Plaintiff, and all those similarly situated, are or were individual employees engaged in commerce or in the production of goods or services for commerce as required by 29 U.S.C. § 207.

12. At all relevevant times, Defendant is, and has been, employers of Plaintiff, those similarly situated, and the proposed Pennsylvania Rule 23 Class within the meaning of the FLSA, 29 U.S.C. § 203(d), PMWA, 43 P.S. § 333 *et seq.*, and PWPCL, § 260.1 *et seq.*

III.

JURISDICTION

13. This Court has subject matter jurisdiction under 29 U.S.C. § 216(b) and 28 U.S.C. § 1331. Plaintiff's claims arise under § 207(a) of the FLSA. Additionally, this Court has personal jurisdiction over Defendant, since Defendant conducts business in the District of Pennsylvania.

14. The Court also has supplemental jurisdiction, pursuant to 29 U.S.C. § 1367, over the state law claims asserted, as the state and federal claims derive from a common nucleus of operative fact.

IV.

VENUE

15. Venue is proper in this District under 28 U.S.C. § 1391(b)(1) as Defendant is domiciled within this District and under 28 U.S.C. § 1391(b)(2), as a substantial part of the events giving rise the claims occurred in this District.

V.

COLLECTIVE AND CLASS ACTION DEFINITIONS

16. The group of similarly situated employees sought to be certified under the FLSA, 29 U.S.C. § 216(b), as a collective action is defined as:

All current or former hourly therapeutic staff support workers employed by Northern Children's Services at any time since three years prior to filing this Complaint (the "FLSA Collective").

17. The class of similarly situated employees sought to be certified under Fed. R. Civ. P. 23(a) and 23(b) as a class action for violations of the PMWA and PWPCCL, and for unjust enrichment, is defined as:

All current and former hourly therapeutic staff support workers employed by Northern Children's Services at any time since three years prior to filing this Complaint (the "Pennsylvania Rule 23 Class").

VI.

FACTS

18. Plaintiff re-alleges and incorporates by reference the above paragraphs as if fully set forth herein.

19. Plaintiff, those similarly situated, and the members of the proposed FLSA Collective and Pennsylvania Rule 23 Class are or were employed by Defendant as therapeutic support staff workers to behavioral support services to school children.

20. Defendant has suffered and permitted Plaintiff to regularly work more than forty (40) in certain workweeks. Upon information and belief, Defendant has also suffered and permitted the members of the FLSA Collective, and members of the Pennsylvania Rule 23 Class to work regularly work more than forty (40) in certain workweeks.

21. Plaintiff and those similarly situated were not compensated in accordance with the FLSA, PMWA and/or PWPCL because they were not paid proper overtime wages for all hours worked in excess of forty (40) hours per workweek. Specifically, rather than paying them 1.5 times their regular rate of pay for all hours worked over forty (40) in a workweek, Defendant paid them “straight time” for all of their overtime hours worked.

22. Defendant is aware, or should have been aware, that Plaintiff, the FLSA Collective, and members of the Pennsylvania Rule 23 Class performed work that required them to work overtime. Defendant assigns Plaintiff’s work schedule and requires Plaintiff, those similarly situated, and members of the Pennsylvania Rule 23 Class to report their work hours via weekly timesheets, which routinely reflect overtime hours.

23. During her employment with Defendant, Plaintiff’s hours have varied from week to week.

24. Upon information and belief, other similarly situated hourly therapeutic support staff workers have recorded and submitted their hours on Defendant’s standardized forms which reflected overtime hours.

VI.

COLLECTIVE ACTION ALLEGATIONS

25. Plaintiff re-alleges and incorporates by reference all allegations in all preceding paragraphs.

26. Plaintiff brings Count I of this action individually and on behalf and all similarly situated individuals. As mentioned above, the proposed FLSA Collective is defined as follows:

All current or former hourly therapeutic staff support workers employed by Northern Children's Services at any time since three years prior to filing this Complaint.

27. Pursuant to the FLSA, 29 U.S.C. § 207, employers are generally required to pay overtime compensation at an hourly rate of 1.5 times an employee's regular rate of pay for hours worked over forty (40) in a workweek.

28. Plaintiff and the FLSA Collective have routinely worked in excess of forty (40) hours per workweek without receiving proper overtime compensation for their overtime hours worked.

29. As an example, for the two-week pay period ending on November 18, 2016, Defendant paid Plaintiff a regular rate of \$14.50 per hour for the 116.25 hours she worked. No overtime wages were paid.

30. Defendant has violated, and is violating, the provisions of the FLSA, 29 U.S.C. §§ 207 and 215(a)(2), by not paying hourly therapeutic support staff workers, like Plaintiff and the FLSA Collective, overtime as required by law.

31. Defendant is aware that it is and was not compensating Plaintiff, the FLSA Collective, and the members of the Pennsylvania Rule 23 Class properly for overtime.

32. Defendant knowingly, willfully, or in reckless disregard of the law, maintained an illegal practice of failing to pay Plaintiff and the FLSA Collective proper overtime compensation for all hours worked over forty (40).

VIII.

PENNSYLVANIA RULE 23 CLASS ACTION ALLEGATIONS

33. Plaintiff re-allege and incorporates by reference the above paragraphs as if fully set forth herein.

34. Pursuant to Fed. R. Civ. P. 23(a) and 23(b), Plaintiff brings Counts II, III and IV of this action individually and on behalf of all similarly situated individuals. As mentioned above, the proposed Pennsylvania Rule 23 Class is defined as follows:

All current or former hourly therapeutic staff support workers employed by Northern Children's Services at any time since three years prior to filing this Complaint.

35. The persons in the Pennsylvania Rule 23 Class are so numerous that joinder of all members of the proposed Pennsylvania Rule 23 Class is impracticable. While the precise number of class members has not been determined at this time, Defendant, on information and belief, has employed hundreds of individuals as therapeutic support staff workers during the applicable statute of limitations period. Plaintiff and the proposed Pennsylvania Rule 23 Class have been equally affected by Defendant's violations of law.

36. There are questions of law and fact common to the proposed Pennsylvania Rule 23 Class that predominate over and questions solely affecting individual members of the proposed Pennsylvania Rule 23 Class, including but not limited to the following:

- a. Whether Defendant violated Pennsylvania law for failure to pay all overtime wages due and owing;
- b. Whether Defendant has failed to keep true and accurate time records for all hours worked by its employees as required by Defendant's policies and the Pennsylvania Minimum Wage Act of 1968, 43 P.S. § 333.108;

- c. Whether Defendant violated the Pennsylvania Minimum Wage Act of 1968, 43 P.S. § 333.104;
- d. Whether Defendant violated the Pennsylvania Wage Payment and Collection Law, 43 P.S. § 260.1 *et seq.*;
- e. Whether Defendant was unjustly enriched from its actions;
- f. The proper measure and calculation of damages; and
- g. Whether Defendant's actions were willful or in good faith.

37. Plaintiff's claims are typical of those members of the Pennsylvania Rule 23 Class. Plaintiff, like other members of the proposed Pennsylvania Rule 23 Class, was subject to Defendant's practices and policies described in this Complaint. Further, Plaintiff's job duties are typical of the Pennsylvania Rule 23 Class, as all class members are or were hourly therapeutic support staff workers.

38. Plaintiff will fairly and adequately protect the interest of the proposed Pennsylvania Rule 23 Class, and has retained counsel experienced in complex wage and hour class and collective action litigation.

39. This action is properly maintainable as a class action under Fed. R. Civ. P. 23(b)(3) because questions of law or fact predominate over any questions affecting individual class members, and a class action is superior to other methods in order to ensure a fair and efficient adjudication of this controversy because, in the context of wage and hour litigation, individual plaintiffs lack the financial resources to vigorously prosecute separate lawsuits in federal court against large corporate defendants. Class litigation is also superior because it will preclude the need for unduly duplicative

litigation resulting in inconsistent judgments pertaining to Defendant's policies and practices. There do not appear to be any difficulties in managing this class action.

40. Plaintiff intends to send notice to all members of the proposed Pennsylvania Rule 23 Class to the extent required by Fed. R. Civ. P. 23.

IX.

CAUSES OF ACTION

COUNT I – OVERTIME WAGES

FAIR LABOR STANDARDS ACT – 29 U.S.C. § 201, *et seq.* *On Behalf of Plaintiff and the FLSA Collective against Defendant*

41. Plaintiff individually, and on behalf of the FLSA Collective, re-alleges and incorporates by reference all allegations in all preceding paragraphs.

42. The FLSA, 29 U.S.C. § 207, requires employers to pay non-exempt employees 1.5 times the regular rate of pay for all hours worked over forty (40) hours per workweek.

43. Defendant suffered and permitted Plaintiffs and the FLSA Collective to routinely work more than forty (40) hours in a workweek without proper overtime compensation as required by the FLSA, 29 U.S.C. § 201 *et seq.* and its implementing regulations.

44. Defendant knew, or showed reckless disregard for the fact, that it failed to pay these individuals proper overtime compensation in violation of the FLSA.

45. Defendant's failure to comply with the FLSA overtime protections caused Plaintiff and the FLSA Collective to suffer loss of wages and interest thereon.

46. Plaintiff and the FLSA Collective are entitled to unpaid overtime, liquidated damages, and attorney's fees and costs under the FLSA.

COUNT II – OVERTIME WAGES

**VIOLATION OF THE PENNSYLVANIA
MINIMUM WAGE ACT OF 1968 – 43 P.S. § 333 *et seq.***

On Behalf of Plaintiff and the Proposed Pennsylvania Rule 23 Class against Defendant

47. Plaintiff, individually and on behalf of the proposed Pennsylvania Rule 23 Class, re-alleges and incorporates by reference the above paragraphs as if fully set forth herein.

48. the Pennsylvania Minimum Wage Act of 1968, § 333.104(c), provides in relevant part that: “Employers shall be paid for overtime not less than one and one-half times the employee’s regular rate . . .”

49. When Defendant paid Plaintiff and the Pennsylvania Rule 23 Class straight time, rather the required one and one-half times their regular hourly rate for hours worked over forty (40) in a workweek, it violated the PMWA.

50. The foregoing conduct constitutes a willful violation of the PMWA.

51. As a direct and proximate result of Defendant’s unlawful conduct, Plaintiff and the Pennsylvania Rule 23 Class were deprived of compensation in amounts to be determined at trial, and are entitled to recovery of such amounts together with costs and attorney’s fees.

COUNT III – PAYMENT OF WAGES

**VIOLATION OF THE PENNSYLVANIA
WAGE PAYMENT AND COLLECTION LAW – 43 P.S. § 260.1 *et seq.***

On Behalf of Plaintiff and the Pennsylvania Rule 23 Class against Defendant

52. Plaintiff, individually and on behalf of the proposed Pennsylvania Rule 23 Class, re-alleges and incorporates by reference the above paragraphs as if fully set forth herein.

53. Pursuant to the Pennsylvania Wage Payment and Collection Law, 43 P.S. § 260.3, Defendant is and was obligated to pay all wages due to its employees.

54. Defendant has intentionally failed to pay the wages due as set forth in the preceding paragraphs of this Complaint to Plaintiff and the Pennsylvania Rule 23 Class members in violation of 43 P.S. § 260.3.

55. Defendant is not permitted by state or federal law, or by order of a court of competent jurisdiction, to withhold or divert any portion of wages due Plaintiff and the Pennsylvania Rule 23 Class members.

56. Defendant does not have written authorization from Plaintiff or any Pennsylvania Rule 23 Class member to withhold, divert or deduct any portion of his or her wages that concern this lawsuit.

57. Pursuant to 43 P.S. § 260.9 and 260.10, Defendant, who intentionally failed to pay its employees their wages in conformance with the PWPCCL, is liable for the wages or expenses that were intentionally not paid, liquidated damages, court costs and attorney's fees.

58. Plaintiff, individually and on behalf of the proposed Pennsylvania Rule 23 Class, re-alleges and incorporates by reference the above paragraphs as if fully set forth herein.

59. Defendant devised and implemented a plan to increase its earnings by refusing to timely pay Plaintiff and the Pennsylvania Rule 23 Class members compensation for overtime work.

60. By reasons of having secured the overtime work and efforts of Plaintiff and the Pennsylvania Rule 23 Class members without compensation, Defendant realized additional earnings to its own benefit and the detriment of Plaintiff and the Pennsylvania Rule 23 Class members.

61. Defendant retained and continues to retain such benefits contrary to the fundamental principles of justice, equity and good conscience.

62. Further, by engaging in this practice, Defendant failed to pay on behalf of Plaintiff and the Pennsylvania Rule 23 Class members federal and state payroll and income taxes.

63. Defendant continues to engage in this practice.

64. Accordingly, Plaintiff and the Pennsylvania Rule 23 Class members are entitled to judgment in an amount equal to the benefits unjustly retained by Defendant. Plaintiff and the Pennsylvania Rule 23 Class members are further entitled to injunctive relief, prohibiting Defendant from continuing its unjust practice.

RELIEF SOUGHT

WHEREFORE, Plaintiff, individually and on behalf of the proposed FLSA Collective, prays for relief as follows:

1. Permitting this case to proceed as a collective action under § 216(b) of the FLSA and ordering notice to the putative plaintiffs at the earliest opportunity to ensure their claims are not lost to the FLSA statute of limitations;
2. Judgment that Plaintiff and those similarly situated are entitled to the overtime protections under the FLSA;
3. Judgment against Defendant for violation of the overtime provisions of the FLSA;
4. Judgment that Defendant's violations of the FLSA were willful;
5. An award to Plaintiff and those similarly situated in the amount of unpaid overtime wages and liquidated damages;
6. An award of any pre- and post-judgment interest;
7. An award of reasonable attorneys' fees and costs;
8. Leave to add additional plaintiffs and/or state law claims by motion, the filing of written consent forms, or any other method approved by the Court; and
9. Such further relief as may be necessary and appropriate.

WHEREFORE, Plaintiff further as a class representative, individually and on behalf of the proposed Pennsylvania Rule 23 Class, prays for relief as follows:

1. Certification of this action as a class action pursuant to Fed. R. Civ. P. 23 on behalf of the proposed Pennsylvania Rule 23 Class, and the appointment of Plaintiff as class representative and her counsel as class counsel;
2. Judgment against Defendant for an amount equal to Plaintiff's and the proposed Pennsylvania Rule 23 Class' unpaid overtime wages;

3. Judgment that Defendant's conduct as described herein be determined and adjudicated to be in violation of the PMWA and PWPCL;
4. A finding that Defendant's violations are willful;
5. Judgment against Defendant for liquidated damages;
6. An award of any pre- and post-judgment interest;
7. Judgment for injunctive relief;
8. An award of reasonable attorneys' fees and costs; and
9. Such further relief as the Court deems just and equitable.

Respectfully Submitted:

/s/ Kevin I. Lovitz

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ATTORNEYS FOR PLAINTIFF AND
THE PUTATIVE FLSA COLLECTIVE
AND PENNSYLVANIA RULE 23
CLASS

JS 44 (Rev. 2/12)

CIVIL COVER SHEET

17-R-1433

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

TANEA PRATT, individually and on behalf of others similarly situated

(b) County of Residence of First Listed Plaintiff PHILADELPHIA (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number) KEVIN I. LOVITZ, ESQUIRE LOVITZ LAW FIRM, P.C. 1650 MARKET STREET, 36TH FL., PHILA., PA 19103

DEFENDANTS

NORTHERN CHILDREN'S SERVICES

County of Residence of First Listed Defendant PHILADELPHIA (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
2 U.S. Government Defendant
3 Federal Question (U.S. Government Not a Party)
4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State
Citizen of Another State
Citizen or Subject of a Foreign Country
PTF DEF
1 1 Incorporated or Principal Place of Business In This State
2 2 Incorporated and Principal Place of Business In Another State
3 3 Foreign Nation
4 4
5 5
6 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Table with 5 columns: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes checkboxes for various legal categories like Personal Injury, Real Property, Labor, etc.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
2 Removed from State Court
3 Remanded from Appellate Court
4 Reinstated or Reopened
5 Transferred from Another District (specify)
6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 29 U.S.C § 201, et seq.

Brief description of cause: FAIR LABOR STANDARDS ACT - Claim for unpaid overtime wages

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ 150,000.00 CHECK YES only if demanded in complaint: JURY DEMAND [X] Yes [] No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE 3/29/17 SIGNATURE OF ATTORNEY OF RECORD

MAR 30 2017

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

UNITED STATES DISTRICT COURT

APPENDIX A

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: 4902 Saybrook Avenue, Philadelphia PA 19143

17 1433

Address of Defendant: 5301 Ridge Avnue, Philadelphia, PA 19128

Place of Accident, Incident or Transaction: 5301 Ridge Avenue, Philadelphia, PA 19128

(Use Reverse Side For Additional Space)

Does this case involve multidistrict litigation possibilities?

Yes [] No [x]

RELATED CASE, IF ANY:

Case Number: Judge Date Terminated:

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?

Yes [] No [x]

2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?

Yes [] No [x]

3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?

Yes [] No [x]

CIVIL: (Place [x] in ONE CATEGORY ONLY)

A. Federal Question Cases:

- 1. [] Indemnity Contract, Marine Contract, and All Other Contracts
2. [] FELA
3. [] Jones Act-Personal Injury
4. [] Antitrust
5. [] Patent
6. [] Labor-Management Relations
7. [] Civil Rights
8. [] Habeas Corpus
9. [] Securities Act(s) Cases
10. [] Social Security Review Cases
11. [x] All other Federal Question Cases (Please specify) 29 U.S.C § 201, et seq.

B. Diversity Jurisdiction Cases:

- 1. [] Insurance Contract and Other Contracts
2. [] Airplane Personal Injury
3. [] Assault, Defamation
4. [] Marine Personal Injury
5. [] Motor Vehicle Personal Injury
6. [] Other Personal Injury (Please specify)
7. [x] Products Liability
8. [] Products Liability — Asbestos
9. [] All other Diversity Cases (Please specify)

ARBITRATION CERTIFICATION

(Check appropriate Category)

I, Kevin I. Lovitz, Esquire, counsel of record do hereby certify:

- [x] Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;
[] Relief other than monetary damages is sought.

DATE: 3/29/17

Attorney-at-Law

70184

Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 3/29/17

Attorney-at-Law

70184

Attorney I.D.#

MAR 30 2017



IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

APPENDIX C

CASE MANAGEMENT TRACK DESIGNATION FORM

TANEA PRATT, individually and on behalf of others
similarly situated

CIVIL ACTION

v.

NORTHERN CHILDREN'S SERVICES

NO.

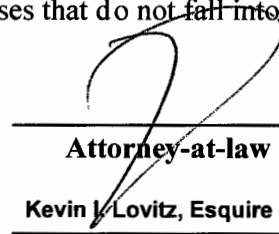
17 1433

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a case management track designation form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus -- Cases brought under 28 U.S.C. §2241 through §2255.
- (b) Social Security -- Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits.
- (c) Arbitration -- Cases required to be designated for arbitration under Local Civil Rule 53.2.
- (d) Asbestos -- Cases involving claims for personal injury or property damage from exposure to asbestos.
- (e) Special Management -- Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.)
- (f) Standard Management -- Cases that do not fall into any one of the other tracks.

3/29/17
Date



Attorney-at-law
Kevin J. Lovitz, Esquire

Attorney for TANEA PRATT,

MAR 30 2017

ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Lawsuit Alleges Northern Children's Services Denies Overtime Wages](#)
