

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION

EDWARD SCOTT, SHANNON)	
AKIN, and DEBBIE RICHARDS,)	
<i>et al.</i> , on behalf of themselves and all)	CIVIL ACTION FILE NO.
others similarly situated,)	
)	5:18-cv-6
Plaintiffs,)	
)	COLLECTIVE ACTION COMPLAINT
v.)	
)	For Violations of the Fair Labor
NORTH AMERICAN INNS, LLC,)	Standards Act of 1938, As Amended
PAUL D. SHARMA, and SHAUN B.)	
SHARMA,)	JURY TRIAL DEMANDED
)	
Defendants.)	

COLLECTIVE ACTION COMPLAINT

COME NOW the Plaintiffs Edward Scott, Shannon Akin, and Debbie Richards (hereinafter "Plaintiffs") by and through their undersigned counsel, and pursuant to Federal Rule of Civil Procedure 15(a) file this Complaint on behalf of themselves and all others similarly situated against the Defendants North American Inns, LLC (d/b/a Comfortel Suites)("NAI") Paul D. Sharma, and Shaun B. Sharma (hereinafter collectively referred to as "Defendants") pursuant to § 216(b) of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. § 201, *et seq.*)(hereinafter "the FLSA"), and in support thereof would state as follows:

I. INTRODUCTION

1. The instant action to remedy violations of the provisions of the FLSA by Defendants which have deprived the named Plaintiffs of their lawful regular and overtime wages.
2. Other current and former employees of Defendants are also entitled to receive regular and overtime compensation for the reasons alleged in this Complaint. The above-named Plaintiffs are permitted to maintain this action “for and on behalf of themselves and other employees similarly situated.” 29 U.S.C. § 216(b). Any similarly situated employee wishing to become a party plaintiff to this action must provide “his consent in writing to become such a party,” and such consent must be filed with this Court. 29 U.S.C. § 216(b).
3. This action is brought to recover unpaid regular and overtime compensation owed to the Plaintiffs and all current and former employees of Defendants who are similarly situated to the Plaintiffs, pursuant to the FLSA. The Plaintiffs and the similarly situated collective group are or have been employed by Defendants, working as staff at a hotel owned and operated by Paul Sharma and Shaun Sharma.
4. During the applicable three-year statute of limitations prior to the filing of this Complaint, Defendants have willfully committed widespread violations of the

FLSA by failing to compensate employees at proper straight and overtime rate for hours worked in excess of 40 hours in a given workweek.

5. Defendants offered Plaintiffs residency at Defendants' hotel and \$37.50-\$50.00 per week in exchange for the Plaintiffs' agreement to perform the equivalent of full-time employment (40 hours per week) for the hotel. However, Defendants failed to meet a number of requirements necessary to qualify for credit towards wages pursuant to Section 3(m) of the FLSA.
6. Defendants exceeded the deductible credit allowed pursuant to Section 3(m) of the FLSA by charging Plaintiffs substantially more than the "reasonable cost" of the lodging provided to Plaintiffs as defined in 29 C.F.R. 531.3(a), disqualifying Defendants from credit under Section 3(m) of the FLSA.
7. Plaintiffs who cohabit are paid no more in regular wages than individuals living in Defendants' hotel rooms by themselves. Pursuant to Section 3(m) of the FLSA, cohabitation should halve the amount of work performed by each individual provided in lieu of rent for one room by the Plaintiffs, but because Defendants failed to properly acknowledge cohabitation or compensate cohabitating employees accordingly, Defendants are disqualified from utilizing Section 3(m) of the FLSA and are liable for unpaid straight time to Plaintiffs.
8. Once Plaintiffs took residency at Defendants' hotel, Defendants' forced Plaintiffs to work overtime, without compensation, by threatening to kick them,

their families, and their belongings out on the street if they refused to work in excess of 40 hours per week without compensation. True to their word, on January 20, 2018, within 24 hours of Plaintiff Scott complaining to Defendants that he was working overtime without compensation, Defendants removed the lock from Plaintiff Scott's residence (an on-site hotel room which he shared with his fiancé, and co-Plaintiff, Shannon Akin), called the Douglas Police Department, and had Plaintiffs Scott and Akin forcibly evicted (in violation of O.C.G.A. §§ 44-7-1(a), 44-7-6, and 44-7-7). A number of Plaintiff Scott's and Akin's personal possessions were confiscated and/or discarded by Defendants following their unlawful eviction. When Plaintiff Debbie Richards refused to acquiesce to Defendants' demand that she have no personal contact with Plaintiffs Scott or Akin, she was also terminated and evicted within 12 hours.

9. Plaintiffs and all similarly situated employees who elect to participate in this action seek unpaid overtime compensation for work performed, an equal amount of liquidated damages to compensate them for the delay in payment of money due which Defendants instead used as working capital, attorneys' fees, and costs pursuant to 29 U.S.C. § 216(b). Plaintiffs Scott, Akin and Richards also seek compensation and punitive damages resulting from Defendants' retaliation in terminating their employment and evicting them from their

residences within 24 hours of Plaintiff Scott complaining to Defendants about unpaid overtime compensation.

II. JURISDICTION AND VENUE

10. This Court has original jurisdiction over this action pursuant to 28 U.S.C. § 1331 (federal question jurisdiction) as this action is being brought under the Federal Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.* (“FLSA”).
11. Venue is proper in the Southern District of Georgia under 28 U.S.C. § 1391 (b)-(c) because some of the acts complained of occurred within the State of Georgia and the jurisdiction of this Court and because Defendants maintain their principal place of business within this District.

III. PARTIES

12. Plaintiff EDWARD SCOTT resides in Douglas, Georgia (within this District) and is a citizen of the United States. Scott was employed by the Defendants within this District.
13. Plaintiff SHANNON AKIN resides in Douglas, Georgia (within this District) and is a citizen of the United States. Akin was employed by the Defendants within this District.
14. Plaintiff DEBBIE RICHARDS resides in Douglas, Georgia (within this District) and is a citizen of the United States. Richards was employed by the Defendants within this District.

15. At all times material to this action, the named Plaintiffs and all members of the collective action are and/or were “employees” of Defendants as defined by § 203(e)(1) of the FLSA, and worked for Defendants within the territory of the United States within ten years preceding the filing of this lawsuit. These same individuals are further covered by § 206 and § 207 of the FLSA for the period in which they were employed by Defendants. Plaintiffs bring this action on behalf of themselves and other similarly situated employees pursuant to 29 U.S.C. § 216(b). See Consent Forms attached hereto as “Exhibit 1.” Plaintiffs and the similarly situated employees are individuals who were, or are, employed by NAI as hotel staff.

16. Defendant North American Inns, LLC (“NAI”) is a corporation based in Georgia which conducts business within this State and District and maintains its principal place of business at 1007 North Peterson Avenue, Douglas, Georgia 31533 (within this District). NAI owns and operates a hotel, Comfortel Suites, located at 1007 North Peterson Avenue, Douglas, Georgia 31533.

17. NAI maintains either actual or constructive control, oversight and direction over the operation of its employees, including the practices of those operations.

18. NAI is subject to personal jurisdiction in the State of Georgia for purposes of this lawsuit and can be served through its designated registered agent, Paul D. Sharma located at 1007 North Peterson Avenue, Douglas, Georgia 31533.

19. At all times material to this action, NAI was an enterprise engaged in commerce, as defined by Section 203(s)(1) of the FLSA, and had an annual gross volume of sales which exceeded \$500,000.
20. Defendant Paul D. Sharma was an owner and operator of NAI during the applicable statute of limitations.
21. Defendant Shaun B. Sharma was an owner and operator of NAI during the applicable statute of limitations.
22. At all times material to this action, Defendants were “employers” of the named Plaintiffs and/or others similarly situated, as defined by § 203(d) of the FLSA.
23. The overtime provisions set forth in § 207 of the FLSA apply to Defendants.

IV. COLLECTIVE CLAIMS

24. During the period of time material to this action, Defendants employed Plaintiffs Edward Scott, Shannon Akin, Debbie Richards, and other similarly situated individuals.
25. During periods throughout the last three years Defendants failed to properly compensate Plaintiffs for overtime and regular hours worked in violation of the FLSA.

UNPAID STRAIGHT TIME

26. Throughout the last three years, Defendants took improper deductions from their employees’ paychecks in violation of Section 3(m) of the FLSA.

Specifically, Defendants only paid its employees \$37.50-\$50.00 per week for 40 hours of work. A table reflecting the lost straight wages of the three names Plaintiffs is attached hereto as "Exhibit 2." The formula for determining unpaid straight wages reflected in Exhibit 2 is:

$(\$7.25 \text{ [minimum wage]} \times 40 \text{ [hours per week]}) - \$37.50/\$50.00 \text{ [weekly amount paid by Defendants to Plaintiffs]} \times \text{[number of weeks employed]}$

UNPAID OVERTIME COMPENSATION

27. During periods throughout the last three years, Plaintiffs have frequently worked more than 40 hours per week without being paid overtime compensation. The amount of unpaid overtime due to the three named Plaintiffs is included in Exhibit 2. The formula for determining unpaid overtime wages reflected in Exhibit 2 is:

$\$7.25 \text{ [minimum wage]} \times 30 \text{ [overtime hours worked, on average, by Plaintiffs]} \times \text{[number of weeks employed]}$

V. INDIVIDUAL CLAIMS

RETALIATION

28. Defendants unlawfully retaliated against Plaintiffs Scott and Akin by terminating their employment, changing the locks, calling the police to forcefully remove Plaintiffs Scott and Akin (who are engaged to be married) from their residence under threat of arrest, and confiscating and/or discarding

personal items within 24 hours of Plaintiff Scott raising concerns about Defendants' failure to pay him overtime compensation.

29. Defendants unlawfully retaliated against Plaintiff Debbie Richards by terminating her employment after she refused Defendants demand not to communicate with Plaintiffs Scott and Akin following Plaintiffs Scott's and Akin's termination/eviction.

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

30. Defendants intentionally engaged in conduct which was extreme and outrageous and which was certain to cause emotional distress to Plaintiffs Scott, Akin and Richards and did in fact cause distress to Plaintiffs Scott, Akin and Richards in terminating Plaintiff Scott's, Akin's and Richards' employment and forcefully evicting them from their respective residences within 24 hours of Plaintiff Scott raising questions and concerns about his unpaid overtime compensation.

31. Defendants knew or reasonably should have known that its conduct would cause Plaintiffs Scott, Akin and Richards to suffer emotional distress.

32. Plaintiffs Scott, Akin and Richards have in fact suffered and continues to suffer emotional distress as a result of Defendants' wrongful conduct.

33. Plaintiffs Scott, Akin and Richards are entitled to recover both actual and punitive damages against Defendants, as well as attorneys' fees, for the

emotional distress the Ritz has inflicted upon her in an amount to be determined by the enlightened conscience of an impartial jury.

III. PRAYER FOR RELIEF

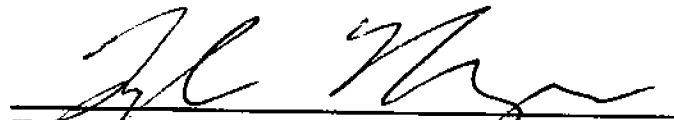
WHEREFORE, the named Plaintiffs, individually and on behalf of all other similarly situated persons, pursuant to § 216(b) of the FLSA, pray for the following relief:

- A. That, at the earliest possible time, they be allowed to give notice of this action, or that the Court issue such Notice, to all persons who are presently, or have at any time during the three years immediately preceding the filing of this suit, up through and including the date of this Court's issuance of Court-supervised Notice, been employed by Defendants for any NAI operation within the United States. Such notice shall inform them that this civil action has been filed and of the nature of the action, and of their right to opt into this lawsuit if they were not paid straight or regular overtime compensation by Defendants for all hours worked at any time during the preceding three years.
- B. That all Plaintiffs be awarded damages in the amount of their respective unpaid compensation, plus an equal amount of liquidated damages to compensate Plaintiffs for the delay in payment of regular and overtime

compensation due which the Defendants unlawfully used instead as personal capital or working capital of the business.

- C. That all Plaintiffs be awarded prejudgment interest;
- D. That all Plaintiffs be awarded reasonable attorneys' fees;
- E. That all Plaintiffs be awarded the costs and expenses of this action; and
- F. That all Plaintiffs be awarded such other, further legal and equitable relief, including but not limited to, any injunctive and/or declaratory relief to which they may be entitled.¹

Respectfully submitted this 30th day of January, 2018.



Tyler B. Kaspers, Ga. Bar No. 445708
THE KASPERS FIRM, LLC
152 New Street, Suite 109B
Macon, GA 31201
404-944-3128
tyler@kaspersfirm.com

Counsel for Plaintiff

¹ Plaintiffs have attached hereto a Civil Action Cover Sheet as "Exhibit 3" and a Summons for each defendant as "Exhibits 4-6."

OPT-IN CONSENT FORM

Edward Scott, et al. v. Comfortel Suites, et al.

**CONSENT TO JOIN COLLECTIVE ACTION
Pursuant to Fair Labor Standards Act
29 U.S.C. §216(b)**

1. I consent and agree to pursue my claims arising out of overtime work as an employee with Comfortel Suites and its related owners, affiliates and subsidiaries in connection with the above referenced lawsuit.
2. I worked at Comfortel Suites as a Maintenance Person (~~same as position~~) from on or about 08-17 (month, year) to on or about 01-20-18 (month, year).
3. During the above time period, I worked for Comfortel Suites without being compensated for my work.
4. During the above time period, also I worked in excess of forty (40) hours per week, but was not paid overtime compensation.
5. I understand that this lawsuit is brought under the Fair Labor Standards Act of 1938, as amended, 29 U.S.C. §201 et. seq. I hereby consent, agree and opt-in to become a Plaintiff herein and be bound to any judgment by the Court or any settlement of this action.
6. I hereby designate The Kaspers Firm, LLC to represent me for purposes of this action.
7. I also designate the class representative(s) as my agent(s) to make decisions on my behalf concerning the litigation, the method and manner of conducting this litigation, the entering of an agreement concerning attorneys' fees and costs, and all other matters pertaining to this lawsuit.

Signature

Edward J. Scott

Date Signed

01-25-18

Printed name

Edward J. Scott

OPT-IN CONSENT FORM

Edward Scott, et al. v. Comfortel Suites, et al.

**CONSENT TO JOIN COLLECTIVE ACTION
Pursuant to Fair Labor Standards Act
29 U.S.C. §216(b)**

1. I consent and agree to pursue my claims arising out of overtime work as an employee with Comfortel Suites and its related owners, affiliates and subsidiaries in connection with the above referenced lawsuit.
2. I worked at Comfortel Suites as a Housekeeper (title or position) from on or about 8/17 (month, year) to on or about 1-20-18 (month, year).
3. During the above time period, I worked for Comfortel Suites without being compensated for my work.
4. During the above time period, also I worked in excess of forty (40) hours per week, but was not paid overtime compensation.
5. I understand that this lawsuit is brought under the Fair Labor Standards Act of 1938, as amended, 29 U.S.C. §201 et. seq. I hereby consent, agree and opt-in to become a Plaintiff herein and be bound to any judgment by the Court or any settlement of this action.
6. I hereby designate The Kaspers Firm, LLC to represent me for purposes of this action.
7. I also designate the class representative(s) as my agent(s) to make decisions on my behalf concerning the litigation, the method and manner of conducting this litigation, the entering of an agreement concerning attorneys' fees and costs, and all other matters pertaining to this lawsuit.

Signature

Shannon Akin

Date Signed

1-25-18

Printed name

Shannon Akin

OPT-IN CONSENT FORM

Edward Scott, et al. v. Comfortel Suites, et al.

**CONSENT TO JOIN COLLECTIVE ACTION
Pursuant to Fair Labor Standards Act
29 U.S.C. §216(b)**

1. I consent and agree to pursue my claims arising out of overtime work as an employee with Comfortel Suites and its related owners, affiliates and subsidiaries in connection with the above referenced lawsuit.
2. I worked at Comfortel Suites as a Property Manager/Front Desk (title or position) from on or about 4 years (month, year) to on or about 2nd 12-18-2016 (month, year). (on two different occasions) 01-20-2018
3. During the above time period, I worked for Comfortel Suites without being compensated for my work.
4. During the above time period, also I worked in excess of forty (40) hours per week, but was not paid overtime compensation.
5. I understand that this lawsuit is brought under the Fair Labor Standards Act of 1938, as amended, 29 U.S.C. §201 et. seq. I hereby consent, agree and opt-in to become a Plaintiff herein and be bound to any judgment by the Court or any settlement of this action.
6. I hereby designate The Kaspers Firm, LLC to represent me for purposes of this action.
7. I also designate the class representative(s) as my agent(s) to make decisions on my behalf concerning the litigation, the method and manner of conducting this litigation, the entering of an agreement concerning attorneys' fees and costs, and all other matters pertaining to this lawsuit.

Signature Debbie Darlene Richards Date Signed 01-25th-2018
Printed name Debbie Darlene Richards

UNPAID COMPENSATION DEMAND TABLE

PLAINTIFF	Hourly rate	Overtime rate	Overtime Hours worked per week	Number of weeks worked over past 3 years	Amount paid per week	Total overtime compensation owed / liquidated	Total regular compensation owed / liquidated	Total amount owed to plaintiff
Scott, Edward	\$7.25 ¹	\$10.875	30	24	\$37.50 (pre 12/17), then \$50.00	\$7,830.00 / \$15,660.00	\$5,985.00 / \$11,970.00	\$27,630.00
Akin, Shannon	\$7.25	\$10.875	30	24	\$37.50	\$7,830.00 / \$15,660.00	\$6,060.00 / \$12,120.00	\$27,780.00
Richards, Debbie	\$7.25	\$10.875	30	63	\$50.00	\$20,553.75 / \$41,107.50	\$15,120.00 / \$30,240.00	\$71,347.50

Total Unpaid Compensation Demand: \$126,757.50

¹ No hourly rate was ever established by Defendants during Plaintiffs' employment, so Plaintiffs are using the applicable minimum wage for purposes of initially calculating Defendants' liability.

JS 44 (Rev. 08/16)

CIVIL COVER SHEET

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 EDWARD SCOTT, et al. (b) County of Residence of First Listed Plaintiff <u>COFFEE, GA</u> <i>(EXCEPT IN U.S. PLAINTIFF CASES)</i> (c) Attorneys (Firm Name, Address, and Telephone Number) Tyler B. Kaspers, The Kaspers Firm, LLC 152 New Street, Suite 109B, MCon, GA 31201 (404) 944-3128	DEFENDANTS NORTH AMERICAN INNS, LLC, PAUL D. SHARMA, and SHAUN B. SHARMA County of Residence of First Listed Defendant <u>COBB, GA</u> <i>(IN U.S. PLAINTIFF CASES ONLY)</i> NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED. Attorneys (If Known)
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II. BASIS OF JURISDICTION (Place an "X" in One Box Only) <input type="checkbox"/> 1 U.S. Government Plaintiff <input type="checkbox"/> 2 U.S. Government Defendant <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 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) <i>(For Diversity Cases Only)</i> <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:33%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> <td style="width:33%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> </tr> <tr> <td>Citizen of This State</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in This State</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5																				
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

IV. NATURE OF SUIT (Place an "X" in One Box Only)					Click here for: Detailed Instructions				
CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES					
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input checked="" type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes				
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS							
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement							

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

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from Another District (specify)	<input type="checkbox"/> 6 Multidistrict Litigation - Transfer	<input type="checkbox"/> 8 Multidistrict Litigation - Direct File
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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:
Unpaid straight and overtime compensation; retaliation

VII. REQUESTED IN COMPLAINT:

<input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.	DEMAND \$ 125,205.00	CHECK YES only if demanded in complaint: JURY DEMAND: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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VIII. RELATED CASE(S) IF ANY (See instructions):

JUDGE _____ DOCKET NUMBER _____

DATE January 30, 2018 SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # _____	AMOUNT _____	APPLYING IFP _____	JUDGE _____	MAG. JUDGE _____
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ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Lawsuit: Hotel Employees Terminated Over Unpaid Wage Complaints](#)
