

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION

Case No. _____

| | |
|-------------------------------------|---|
| VALERIY TUPITSYN, DAVID |) |
| SHAKMEYSTER, and other similarly |) |
| situated individuals, |) |
| |) |
| Plaintiffs, |) |
| |) |
| v. |) |
| |) |
| PAWN SHOP IN DAVIE, INC. d/b/a Gold |) |
| Pawn City f/k/a Citi Pawn, IGOR |) |
| PETROSOV, and PETER SHMANDURA, |) |
| |) |
| |) |
| Defendants. |) |

COMPLAINT
(OPT-IN PURSUANT TO 29 U.S.C § 216(B))

Plaintiffs VALERIY TUPITSYN and DAVID SHAKMEYSTER (collectively, “Plaintiffs”) and other similarly situated individuals sue defendants PAWN SHOP IN DAVIE, INC. d/b/a Gold Pawn City f/k/a Citi Pawn, IGOR PETROSOV and PETER SHMANDURA (collectively, “Defendants”) and allege:

JURISDICTION

1. This is an action to recover money damages for retaliatory discharge under the laws of the United States and the State of Florida. This is also a case of race discrimination under 42 U.S.C. § 1981.

2. This Court has jurisdiction pursuant to the Fair Labor Standards Act, 29 U.S.C. § 201-219 (Section 216 for jurisdictional placement) (“the Act”). The Court has supplemental jurisdiction over Florida Whistle Blower law claims brought under Chapter 448, Florida Statutes.

The facts regarding Plaintiff's state law claims are so related to the Federal claims that they form part of the same case or controversy.

VENUE

3. Plaintiffs are residents of Broward and Palm Beach counties in Florida. Plaintiffs worked for Defendants in Broward County, Florida. Plaintiffs are covered employees for purposes of the Act.

4. PAWN SHOP IN DAVIE, INC. d/b/a Gold Pawn City f/k/a Citi Pawn (the "Corporate Defendant"), IGOR PETROSOV, and PETER SHMANDURA (the "Individual Defendants"), are a Florida company and two Florida residents, respectively. They have their main place of business in Broward County, Florida, where Plaintiffs worked for Defendants, and at all times material hereto were and are engaged in interstate commerce. The Individual Defendants, upon information and belief, reside in Broward County, Florida.

GENERAL ALLEGATIONS COMMON TO ALL COUNTS

5. Plaintiffs re-adopt each and every factual allegation as stated in paragraphs 1-4 above as if set out in full herein.

6. Plaintiffs are members of the Russian race.

7. Corporate Defendant is a pawn shop with multiple locations in Florida.

8. Corporate Defendant employs several store clerks. Some of them are members of the Russian race, just like Plaintiffs.

9. Plaintiff VALERIY TUPITSYN ("Tupitsyn") began working for Defendants on or about September 13, 2010. Tupitsyn worked for Defendants as a store clerk.

10. Plaintiff DAVID SHAKMEYSTER ("Shakmeister") began working for Defendants on or about November 11, 2011.

11. On or about early 2018, the U.S. Department of Labor began an investigation of Defendants for violations of the Act (the “DOL Investigation”). As a result of the DOL Investigation, the U.S. Department of Labor ordered Defendants to pay a negotiated sum in unpaid minimum/overtime wages to Plaintiffs and to their similarly situated co-workers.

12. Defendants paid Plaintiffs and their similarly situated co-workers pursuant to the U.S. Department of Labor instructions.

13. Soon thereafter, Defendants contacted Plaintiffs and each of the similarly situated store clerks who are members of the Russian race and ordered them to return the moneys Defendants had paid them as a result of the DOL Investigation.

14. Defendants further instructed Plaintiffs and other similarly situated co-workers, members of the Russian race, that “if they did not return the moneys, their jobs would be terminated.”

15. Defendants only threatened termination to workers who are members of the Russian race. Defendants did not threaten Americans with termination if they failed to give back their moneys.

16. Plaintiffs refused to give back to Defendants the moneys the U.S. Department of Labor had ordered Defendants to pay Plaintiffs. As a result, Defendants terminated Plaintiffs.

17. All conditions precedent have been satisfied, waived or excused before the filing of this lawsuit.

COUNT I:
FEDERAL STATUTORY VIOLATION PURSUANT TO 29 U.S.C. 215 (a)(3) –
RETALIATORY DISCHARGE AGAINST ALL DEFENDANTS

18. Plaintiffs re-adopt each and every factual allegation as stated in paragraphs 1 through 17 above as if set out in full herein.

19. Defendants willfully and intentionally refused to pay Plaintiffs their legally owed minimum/overtime wages as required by the laws of the United States.

20. Section 206(a)(3) of the Act states that it shall be unlawful for any person “to discharge or in any manner discriminate against any employee because such employee has filed any complaint or instituted or caused to be instituted any proceeding under or related to this chapter, or has testified or is about to testify in such proceeding”

21. Plaintiffs, through the U.S. Department of Labor, complained about unpaid wages.

22. On or about September 8, 2018, Defendants terminated Tupitsyn.

23. On or about September 8, 2018, Defendants terminated Shakmeyster.

24. The motivating factors, which caused Plaintiffs’ discharge as described above, were the complaints seeking the payment of minimum/overtime wages from Defendants. In other words, Plaintiffs would not have been fired but for their complaint about unpaid minimum/overtime wages.

25. Defendants’ termination of Plaintiffs was in direct violation of 29 U.S.C. § 215(a)(3) and, as a direct result, Plaintiffs have been damaged.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs request that this Honorable Court:

- A. Enter a judgment against Defendants for all back wages from the date of discharge to the present date and an equal amount of back wages as liquidated damages, attorneys’ fees, costs;
- B. Order reinstatement and promotion and injunctive relief prohibiting Defendants from discriminating in the manner described above, emotional distress and humiliation, and

pain and suffering, front wages, as well as other damages recoverable by law under 29 U.S.C. § 216(b); and

C. Grant Plaintiffs such other and further relief, as this Court deems equitable and just.

JURY DEMAND

Plaintiff and those similarly situated demand trial by jury of all issues so triable as of right.

**COUNT II:
RACE DISCRIMINATION UNDER 42 U.S.C. § 1981
AGAINST ALL DEFENDANTS**

26. Plaintiffs re-adopt each and every factual allegation as stated in paragraphs 1 through 17 above as if set out in full herein.

27. Plaintiffs are both members of the Russian race.

28. At all times relevant, Plaintiffs were in a contractual relationship with the Corporate Defendant and with the Individual Defendants within the meaning of 42 U.S.C.A. § 1981, as amended.

29. During the course of Plaintiffs' employment with Defendants, Defendants have violated Plaintiffs' rights by depriving them of their right to the enjoyment of all benefits, privileges, and terms and conditions of their employment contract as are enjoyed by non-Russians and Americans, in violation of 42 U.S.C.A. § 1981(b), as amended.

30. During the course of Plaintiffs' employment with Defendants, Plaintiffs have not enjoyed the same benefits, privileges, terms and conditions of employment, as have non-Russians and American employees of Defendants.

31. Defendants' treatment, practices and policies directed toward Plaintiffs as more fully described in paragraphs 6-16 of this Complaint denied Plaintiffs the full and equal benefits

of all laws and proceedings for the security of persons and property as is enjoyed by citizens that are not of the Russian race or American, in violation of 42 U.S.C.A. § 1981, as amended.

32. Defendants' treatment, practices and policies directed toward Plaintiffs complained of in paragraphs 6-16, denied Plaintiffs the right to make and enforce contracts as enjoyed by citizens of non-Russian descent and Americans, in violation of 42 U.S.C.A. § 1981, as amended.

33. Through the actions and treatment of Plaintiffs, Defendants intended to discriminate against Plaintiffs on the basis of their Russian race and descent.

34. During the course of Plaintiffs' employment with Defendants, Plaintiffs have been subjected to a discriminatory, hostile and offensive work environment because of their Russian race.

35. As a direct and proximate result of the foregoing, Plaintiffs have suffered embarrassment, humiliation, emotional distress, and other forms of damage.

36. Plaintiffs have suffered damages of an on-going and continuous nature.

WHEREFORE, Plaintiffs request that this Honorable Court:

- A. Enter judgment in Plaintiffs' favor and against Defendants for their violations of 42 U.S.C.A. § 1981, as amended;
- B. Award Plaintiffs actual damages suffered;
- C. Award Plaintiffs punitive damages against Defendants;
- D. Award Plaintiffs compensatory damages under 42 U.S.C.A. § 1981 for the embarrassment, anxiety, humiliation and emotional distress Plaintiffs have suffered;
- E. Award Plaintiffs prejudgment interest on their damages award;
- F. Enjoin Defendants' officers, agents, employees and anyone acting in concert with them, from discriminating, harassing and retaliating against Plaintiffs and any employee;

G. Award Plaintiffs reasonable costs and attorneys' fees; and

H. Grant Plaintiffs such other and further relief, as this Court deems equitable and just.

**COUNT III: VIOLATION OF FWA (448.102)
AGAINST THE CORPORATE DEFENDANT**

37. Plaintiffs re-adopt each and every factual allegation as stated in paragraphs 1 through 17 as if set out in full herein.

38. On or about August of 2018, Plaintiffs objected to Defendants' illegal practice of requiring employees to return unpaid wages mandated to be paid by the U.S. Department of Labor.

39. On or about September 2018, the Corporate Defendant terminated both Plaintiffs.

40. Plaintiffs were terminated because of their objections to the above listed illegal practice. Such termination constitutes illegal retaliation.

41. Corporate Defendant is a firm, partnership, institution, corporation, or association that employs ten or more persons and is therefore an "employer" under Florida law.

42. As a direct and proximate result of the Corporate Defendant's unlawful actions as set forth herein, Plaintiffs have suffered damages and will continue to suffer damages in the future.

WHEREFORE, Plaintiffs request that this Honorable Court:

- a. Declare that the acts complained of herein are in violation of the FWA;
- b. Order reinstatement;
- c. Award Plaintiffs compensatory damages for emotional distress, embarrassment and humiliation;
- d. Grant a permanent injunction enjoining the Corporate Defendant, its officers, successors, assigns, and all persons in active concert or participation with it, from

engaging in any employment practice which discriminates on the basis of religion;

- e. Order the Corporate Defendant to make Plaintiffs whole by compensating them for lost wages, benefits, including front pay, back pay with prejudgment interest;
- f. Order a monetary judgment representing prejudgment interest;
- g. Award any other compensation allowed by law including punitive damages and attorney's fees (Fla. Stat. §448.104);
- h. Award Plaintiffs costs of this action;
- i. Grant such other and further relief, as the Court deems just and proper.

JURY TRIAL DEMAND

Plaintiffs demand a trial by jury of all issues so triable as of right.

Dated: November 16, 2018.

Respectfully submitted,

By: /s/ R. Martin Saenz
R. Martin Saenz, Esquire
Fla. Bar No.: 0640166
Email: msaenz@saenzanderson.com
SAENZ & ANDERSON, PLLC
20900 NE 30th Avenue, Ste. 800
Aventura, Florida 33180
Telephone: (305) 503-5131
Facsimile: (888) 270-5549

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

VALERIY TUPITSYN, DAVID SHAKMEYSTER, and other similarly situated individuals,

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

(c) Attorneys (Firm Name, Address, and Telephone Number)

R. Martin Saenz, Esq.; Saenz & Anderson, PLLC, 20900 NE 30th Ave., Ste. 800, Aventura, FL 33180; (305) 503-5131

DEFENDANTS

PAWN SHOP IN DAVIE, INC. d/b/a Gold Pawn City f/k/a Citi Pawn, IGOR PETROSOV, and PETER SHMANDURA,

County of Residence of First Listed Defendant (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, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation

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 various legal categories like Insurance, Motor Vehicle, Personal Injury, 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, 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): Fair Labor Standards Act, 29 U.S.C. § 201-219l; 42 U.S.C. § 1981. Brief description of cause: Employment discrimination and retaliation

VII. REQUESTED IN COMPLAINT:

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

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE DOCKET NUMBER

DATE November 18, 2018 SIGNATURE OF ATTORNEY OF RECORD s/ R. Martin Saenz, Esq.

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading 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. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
 United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. Origin.** Place an "X" in one of the six boxes.
 Original Proceedings. (1) Cases which originate in the United States district courts.
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

VALERIY TUPITSYN, DAVID SHAKMEYSTER, and other similarly situated individuals,

Plaintiff(s)

v.

Civil Action No.

PAWN SHOP IN DAVIE, INC. d/b/a Gold Pawn City f/k/a Citi Pawn, IGOR PETROSOV, and PETER SHMANDURA,

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) PAWN SHOP IN DAVIE, INC. d/b/a Gold Pawn City f/k/a Citi Pawn c/o PETROSOV, IGOR 13080 W. STATE ROAD 84 DAVIE, FL 33325

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: R. Martin Saenz, Esq. Saenz & Anderson, PLLC 20900 NE 30th Ave., Ste. 800 Aventura, FL 33180

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____ .

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____ , who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

Print

Save As...

Reset

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

VALERIY TUPITSYN, DAVID SHAKMEYSTER, and other similarly situated individuals,

Plaintiff(s)

v.

Civil Action No.

PAWN SHOP IN DAVIE, INC. d/b/a Gold Pawn City f/k/a Citi Pawn, IGOR PETROSOV, and PETER SHMANDURA,

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) PETROSOV, IGOR 13080 W. STATE ROAD 84 DAVIE, FL 33325

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

R. Martin Saenz, Esq. Saenz & Anderson, PLLC 20900 NE 30th Ave., Ste. 800 Aventura, FL 33180

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____ .

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____ , who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*:

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I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

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Additional information regarding attempted service, etc:

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Reset

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

VALERIY TUPITSYN, DAVID SHAKMEYSTER, and other similarly situated individuals,

Plaintiff(s)

v.

Civil Action No.

PAWN SHOP IN DAVIE, INC. d/b/a Gold Pawn City f/k/a Citi Pawn, IGOR PETROSOV, and PETER SHMANDURA,

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Shmandura, Peter 13080 W. STATE ROAD 84 DAVIE, FL 33325

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

R. Martin Saenz, Esq. Saenz & Anderson, PLLC 20900 NE 30th Ave., Ste. 800 Aventura, FL 33180

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

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was received by me on *(date)* _____ .

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____ , who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

Print

Save As...

Reset

ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Gold Pawn City Sued Over Alleged Discrimination](#)
