

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

**KENNETH WALKER, on his own behalf  
and all similarly situated individuals**

**PLAINTIFF(S),**

**v.**

**CASE NO.:**

**THE MET, LLC., a Florida Limited  
Liability Company, and GEOFFREY MICHEL,  
Individually**

**DEFENDANTS.**

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**COMPLAINT AND DEMAND FOR JURY TRIAL**

Plaintiff, KENNETH WALKER ("Plaintiff"), on behalf of himself and other current employees and former employees similarly situated, by and through undersigned counsel, files this Complaint against Defendants, THE MET, LLC. ("MET"), a Florida Limited Liability Company, and GEOFFREY MICHEL ("MICHEL") individually, (collectively, "Defendants") and states as follows:

**JURISDICTION**

1. Jurisdiction in this Court is proper as the claims are brought pursuant to the Fair Labor Standards Act, as amended (29 U.S.C. §201, et seq., hereinafter called the "FLSA") to recover unpaid overtime wages, minimum wages, an additional equal amount as liquidated damages, obtain declaratory relief, and reasonable attorney's fees and costs.
2. The jurisdiction of the Court over this controversy is based upon 29 U.S.C. §216(b).

**PARTIES**

3. At all times material hereto, Plaintiff was, and continues to be a resident of Sarasota County, Florida.
4. At all times material hereto MET was a Florida Limited Liability Company. Further, at all times material hereto, MET was engaged in business in Florida, with a principle place of business in Sarasota, Florida.
5. At all times relevant to this action, MICHEL was an individual resident of the State of Florida, who owned, managed, and operated MET.
6. At all times relevant to this action, MICHEL regularly exercised the authority to set policy, determine exempt or non-exempt status of employees under the FLSA, and to hire and fire employees of MET.

7. At all times relevant to this action, MICHEL had authority to determine the terms and conditions of employment for employees working at MET,
8. At all times relevant to this action, MICHEL controlled the finances and operations of MET.
9. At all times relevant to this action, MICHEL was an employer as defined by 29 U.S.C. 201 et. seq.
10. At all times material hereto, MET was, and continues to be, a successful business that exceeds the \$500,000.00 annual sales requirement of the FLSA.
11. At all times material hereto, Plaintiff was an "employee" of Defendants within the meaning of that terms as found in the FLSA.
12. At all times material hereto, Defendants were "employers" within the meaning of FLSA.
13. Defendants were, and continue to be, "employers" within the meaning of FLSA.
14. At all times material hereto, Defendants were, and continue to be, an "enterprise engaged in commerce" within the meaning of FLSA.
15. The additional persons who may become plaintiffs in this action are/were improperly classified, non-exempt employees of Defendants, who held similar positions to Plaintiff and who worked in excess of forty (40) hours during one or more work weeks during the relevant time periods but who did not receive pay at one and one-half times their regular rate for their hours worked in excess of forty (40) hours and/or who worked for Defendants in one or more work weeks.
16. At all times material hereto, the work performed by the Plaintiff was directly essential to the business performed by Defendants.

#### **STATEMENT OF FACTS**

17. On or about July 3rd, 2015 Defendants hired Plaintiff to work as a "Stylist Assistant."
18. At various material times hereto, Plaintiff worked for Defendants in excess of forty (40) hours within a work week.
19. From at least July 3rd, 2015 and continuing through March 2017, Defendants failed to compensate Plaintiff at rate of one and one-half times Plaintiff's regular rate for all hours worked in excess of forty (40) hours in a single work week. As a non-exempt employee, Plaintiff should be compensated at the rate of one and one-half times Plaintiff's regular rate for those hours that Plaintiff worked in excess of forty (40) hours per week as required by the FLSA.
20. Plaintiff's paychecks show a summary of his hours worked over a two-week work week period instead of providing the hours in each work week Plaintiff worked; such is a violation of the accurate recordkeeping provisions of the FLSA.
21. Defendants have violated Title 29 U.S.C. §206 and 207 from at least July 3rd, 2015, and continuing through March of 2017 in that:

- a. Plaintiff worked in excess of forty (40) hours per week for the period of employment with Defendants;
  - b. No payments, and provisions for payment, have been made by Defendants to properly compensate Plaintiff at the statutory rate of one and one-half times Plaintiff's regular rate for those hours worked in excess of forty (40) hours per work week as provided by the FLSA;
  - c. Defendants have failed to maintain proper time records as mandated by the FLSA.
22. Plaintiff has retained the law firm of Hultman Sensenig + Joshi to represent Plaintiff in the litigation in order to enforce his rights under the FLSA, and has agreed to pay the firm a reasonable fee for its services.

### **COUNT I**

#### **RECOVERY OF OVERTIME COMPENSATION AGAINST ALL DEFENDANTS**

23. Plaintiff re-alleges and re-avers paragraphs 1 through 22 of the Complaint as if fully set forth herein.
24. From at least July 3rd, 2015, and continuing through March of 2017, Plaintiff worked in excess of the forty (40) hours per week for which Plaintiff was not compensated at the statutory rate of one and one-half times Plaintiff's regular rate of pay.
25. Plaintiff was, and is entitled to be paid at the statutory rate of one and one-half times Plaintiff's regular rate of pay for those hours worked in excess of forty (40) hours per week.
26. At all times material hereto, Defendants failed to maintain proper time records as mandated by the FLSA, instead opting to pay non-exempt employees straight time of the regular rate assigned to the employee by MET and not one and one-half times the regular rate.
27. Defendants' actions were willful and demonstrate contempt for the law as Plaintiff Informed Defendants on several occasions that he was not being paid the proper overtime rate, including:
- a. On or about February 2017 (the latest of several occasions), Plaintiff informed Rachel Gilmore, who then managed Defendants' Human Resources Department, that Plaintiff was not being paid the proper overtime rate. According to Plaintiff, Ms. Gilmore informed Plaintiff he was not the first employee to approach her with this issue;
  - b. On or about February 2017 (the latest of several occasions), Plaintiff informed Spa Manager Monika Kosz a/k/a Monika Holmquist that Plaintiff was not being paid proper overtime. According to Plaintiff, Ms. Kosz/Holmquist informed Plaintiff that MICHEL personally informed her that Plaintiff was an exempt employee, and thus not entitled to overtime. Based upon Ms. Kosz/Holmquist's statements to Plaintiff, MICHEL was not only aware of, but actively participated in improperly classifying Plaintiff and other non-exempt employees to deprive them of overtime compensation.

- c. According to Plaintiff, on the date of Plaintiff's termination, Plaintiff was warned by MICHEL not to "come after him," or "it's going to get ugly;" According to Plaintiff, MICHEL went on to say that he would "dig, and dig hard;" if Plaintiff were to take action after his termination. According to Plaintiff, the only thing Plaintiff had ever "come after" MICHEL for was his unpaid overtime wages, thus Plaintiff believes MICHEL's statement to Plaintiff was MICHEL threatening Plaintiff not to attempt to recover his due and owing overtime wages.
  - d. Defendants were repeatedly made aware of their failure to pay Plaintiff the proper overtime rate, as required under the FLSA, through Plaintiff's complaints to Human Resources and to the Spa Manager.
  - e. Defendants continued their illegal pay practices despite these repeated, explicit complaints by Plaintiff and others similarly situated.
  - f. Defendants were made aware of complaints about improper pay practices, and yet persisted in failing to pay non-exempt employees one and one-half times their regular rate.
  - g. Defendants' conduct in failing to pay Plaintiff and other non-exempt employees one and one-half times their regular rate was willful under the FLSA.
28. Defendants have failed to properly disclose or apprise Plaintiff's rights under the FLSA.
- a. Defendants explicitly and repeatedly falsely informed Plaintiff he was an exempt employee.
  - b. Although Defendant was employed at "Retail and Service Establishment", Plaintiff does not qualify for the exemption to overtime under Section 7(i) of the FLSA.
  - c. Section 7(i) has three criteria:
    - i. the employee must be employed by a retail or service establishment, **and**,
    - ii. the employee's regular rate of pay must exceed one and one-half times the applicable minimum wage for every hour worked in a workweek in which overtime hours are worked, **and**,
    - iii. more than half the employee's total earnings in a representative period must consist of commissions. The representative period for determining if enough commissions have been paid may be as short as one month, but must not be greater than one year. The employer must select a representative period in order to determine if this condition has been met.  
*[emphasis supplied]*.
  - d. Defendants knew or should have known that the 7(i) exemption was at all times material hereto inapplicable to Plaintiff, because exemption under 7(i) requires, among other things, that: "more than half the employee's total earnings in a representative period must consist of commissions."

- e. There is no “representative period” during which Plaintiff satisfied this requirement.
  - f. All criteria for exemption under 7(i) must be met for the exemption to be applicable; it is an elemental test, not a weighted factor test. The plain language between each elements is “and,” not “or.” Thus, Defendants’ failure to meet this criteria for exemption voids the exemption with no further information or analysis required.
  - g. Defendants at all times relevant hereto knew or should have known what percentage of Plaintiff’s wages consisted of commissions, and that such percentage was insufficient for exemption under 7(i) of the FLSA.
29. Due to the intentional, willful, and unlawful acts of Defendants, Plaintiff suffered damages and lost compensation for time worked over forty (40) hours per week, plus liquidated damages.
30. Plaintiff is entitled to an award of reasonable attorney's fees and costs pursuant to 29 U.S.C. §216(b).
31. At all times material hereto, Defendants failed to comply with Title 29 and United States Department of Labor Regulations, 29 C.F.R. §§516.2 and 516.4, with respect to those similarly situated to the named Plaintiff by virtue of the management policy(ies), plan(s) or decision that intentionally provided for improper exemption classification and inadequate overtime compensation of such employees at a rate less than time and a half of the employee’s regular rate for Plaintiff and for similarly situated employees.
32. Based upon information and belief, the employees and former employees of Defendants similarly situated to Plaintiff were improperly classified as exempt in bad-faith, and not paid the appropriate overtime rate of time and one-half of each employee’s regular rate for all hours worked. Defendants have systematically failed to properly pay Plaintiff, and those similarly situated to Plaintiff, proper overtime wages at time and a half their regular rate of pay for such hours, as is required by law.

**WHEREFORE**, Plaintiff respectfully requests that judgment be entered in Plaintiff’s favor against Defendants:

- a. Declaring, pursuant to 29 U.S.C. §§2201 and 2202, that the acts and practices complained of herein are in violation of the overtime provisions of the FLSA, without which Defendants would surely continue their illegal pay practices;
- b. Awarding Plaintiff overtime compensation in the amount due to him for Plaintiff’s time worked in excess of forty (40) hours per work week;
- c. Awarding Plaintiff liquidated damages in an amount equal to the overtime award;
- d. Awarding Plaintiff reasonable attorney's fees and costs and expenses of the litigation pursuant to 29 U.S.C. §216(b);
- e. Awarding Plaintiff pre-judgment interest;
- f. Ordering any other further relief the Court deems just and proper.

compensation, an additional and equal amount of liquidated damages, pre and post-judgment interest at the highest allowable rate, reasonable attorneys' fees and costs incurred in this action, and any and all further relief that this Court determines to be just and appropriate.

**COUNT II RECOVERY OF OVERTIME – COLLECTIVE ACTION**  
**AGAINST ALL DEFENDANTS**

33. Plaintiff reincorporates and readopts all allegations contained within Paragraphs 1 – 32, above.
34. Plaintiff brings this action individually and on behalf of all other similarly situated pursuant to the FLSA 29 U.S.C. §216(b).
35. Plaintiff asserts that Plaintiff's claims are typical of others similarly situated in regard to being non-exempt under the FLSA but being subjected to Defendants' illegal pay practices of not being paid time and one-half their regular rate.
36. At all times material, Defendants employed numerous other non-exempt employees who worked a substantial number of hours in excess of forty (40) per week.
37. Throughout their employment, individuals similarly situated to Plaintiff were subject to the same unlawful pay practices.
38. Defendants failed to pay those individuals, who are similarly situated to Plaintiff, one and one-half times their regular hourly rate, for all hours worked in excess of forty (40) in each week, in violation of the FLSA.
39. Plaintiff is an appropriate class representative due to his not having been paid overtime and one and one-half his regular rate, his situation being very similar to other non-exempt employees at MET, his knowledge of complaints by other employees, which complaints were shared with similarly situated employees during and after Plaintiff's employment, and Plaintiff is aware of when and to whom those complaints were directed.
40. Defendants' failure to pay such similarly situated individuals the required overtime rate was willful and in reckless disregard of the FLSA.
41. As a direct and legal consequence of Defendants unlawful acts, individuals similarly situated to Plaintiff have suffered damages and have incurred, or will incur, costs and attorneys' fees in the prosecution of this matter.

**WHEREFORE**, Plaintiff respectfully requests that judgment be entered in Plaintiff's favor against Defendants:

- a. Declaring, pursuant to 29 U.S.C. §§2201 and 2202, that the acts and practices complained of herein are in violation of the overtime provisions of the FLSA, without which Defendants would surely continue their illegal pay practices;
- b. Awarding Plaintiff overtime compensation in the amount due to him for Plaintiff's time worked in excess of forty (40) hours per work week;
- c. Awarding Plaintiff liquidated damages in an amount equal to the overtime award;

- d. Awarding Plaintiff reasonable attorney's fees and costs and expenses of the litigation pursuant to 29 U.S.C. §216(b);
- e. Awarding Plaintiff pre-judgment interest;
- f. Granting Plaintiff an Order, on an expedited basis, allowing Plaintiff to send Notice of this action, pursuant to 216(b), to those similarly situated to Plaintiff; and
- g. Ordering any other further relief the Court deems just and proper.

**COUNT III**  
**RETALIATION**  
**AGAINST ALL DEFENDANTS**

- 42. Plaintiff re-alleges and re-avers paragraphs 1 through 32 of the Complaint as if fully set forth herein.
- 43. On or about March 2017, Plaintiff was called into MICHEL's office at MET.
- 44. According to Plaintiff, MICHEL informed Plaintiff that Plaintiff was being terminated for kicking another employee's handbag in the employee breakroom.
- 45. According to Plaintiff, Plaintiff asked MICHEL why MICHEL believed Plaintiff had been engaged in kicking a co-worker's handbag.
- 46. According to Plaintiff, MICHEL informed Plaintiff that Defendants or its agents had been video-recording the employee break room, without disclosing such to Plaintiff, and upon information and belief, without disclosing this video-recording to any of Defendants' other employees.
- 47. Florida is a dual-consent state and Plaintiff was unaware that he was being recorded in the breakroom; Plaintiff further believes he and his co-workers had a reasonable expectation of privacy at MET in the employee breakroom.
- 48. According to Plaintiff, before MICHEL permitted Plaintiff to depart the termination meeting in March of 2017, MICHEL warned Plaintiff not to "come after him," or "it's going to get ugly;" According to Plaintiff, MICHEL went on to say to Plaintiff that he would "dig, and dig hard;" the only situation Plaintiff had ever "come after" MICHEL for was his unpaid overtime wages, thus Plaintiff believes MICHEL's statement was a threat that Plaintiff should not pursue his due and owing overtime wages.
- 49. Defendants' purported basis for terminating Plaintiff due to his kicking a handbag was pre-textual.
- 50. Plaintiff was terminated in retaliation for repeatedly informing Defendants, and Defendants' employees and agents, of Defendants' obligation to pay Plaintiff and similarly-situated co-workers the appropriate statutorily required overtime rate of one and one-half times the regular rate.

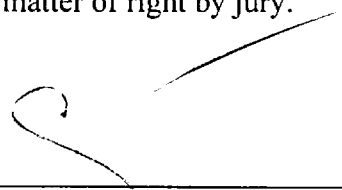
**WHEREFORE**, Plaintiff respectfully requests that judgment be entered in Plaintiff's favor against Defendants:

- a. Declaring, pursuant to 29 U.S.C. §§2201 and 2202, that the acts and practices complained of herein are in violation of the overtime provisions of the FLSA, without which Defendants would surely continue their illegal pay practices;
- b. Awarding Plaintiff overtime compensation in the amount due to him for Plaintiff's time worked in excess of forty (40) hours per work week;
- c. Awarding Plaintiff liquidated damages in an amount equal to the overtime award;
- d. Awarding Plaintiff reasonable attorney's fees and costs and expenses of the litigation pursuant to 29 U.S.C. §216(b);
- e. Awarding Plaintiff pre-judgment interest;
- f. Granting Plaintiff an Order, on an expedited basis, allowing Plaintiff to send Notice of this action, pursuant to 216(b), to those similarly situated to Plaintiff; and
- g. Ordering any other further relief the Court deems just and proper.

**JURY DEMAND**

Plaintiff demands trial by jury on all issues so triable as a matter of right by jury.

Respectfully Submitted August 9, 2017.



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Attorney for Plaintiff Kenneth Walker



**CIVIL COVER SHEET**

JS 44 (Rev. 11-15)

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.)*

<p><b>I. (a) PLAINTIFFS</b> KENNETH WALKER</p> <p><b>(b)</b> County of Residence of First Listed Plaintiff <i>(EXCEPT IN U.S. PLAINTIFF CASES)</i></p> <p><b>(c)</b> Attorneys (<i>Name, Address, and Telephone Number</i>) Hultman Sensenig + Joshi, Christine R. Sensenig, Esquire 2055 Wood St, Set 208, Sarasota, FL 34237 (941) 953-2828</p>	<p><b>DEFENDANTS</b> THE MET, LLC, a Florida Limited Liability Company and GEOFFREY MICHEL, individually</p> <p>County of Residence of First Listed Defendant <i>(IN U.S. PLAINTIFF CASES ONLY)</i></p> <p>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED</p> <p>Attorneys (<i>If Known</i>)</p>
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<p><b>II. BASIS OF JURISDICTION</b> (<i>Place an "X" in One Box Only</i>)</p> <p><input type="checkbox"/> 1 U.S. Government Plaintiff</p> <p><input checked="" type="checkbox"/> 3 Federal Question <i>(U.S. Government Not a Party)</i></p> <p><input type="checkbox"/> 2 U.S. Government Defendant</p> <p><input type="checkbox"/> 4 Diversity <i>(Indicate Citizenship of Parties in Item III)</i></p>	<p><b>III. CITIZENSHIP OF PRINCIPAL PARTIES</b> (<i>Place an "X" in One Box for Plaintiff and One Box for Defendant</i>)</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td></td> <td style="text-align: center;"><b>PTF</b></td> <td style="text-align: center;"><b>DEF</b></td> <td></td> <td style="text-align: center;"><b>PTF</b></td> <td style="text-align: center;"><b>DEF</b></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>		<b>PTF</b>	<b>DEF</b>		<b>PTF</b>	<b>DEF</b>	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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**IV. NATURE OF SUIT** (*Place an "X" in One Box Only*)

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

**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. §216(b)

Brief description of cause:

**VII. REQUESTED IN COMPLAINT:**

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

**VIII. RELATED CASE(S) IF ANY** (*See instructions*)

JUDGE:    DOCKET NUMBER:

DATE: 8/9/17    SIGNATURE OF ATTORNEY OF RECORD:

**FOR OFFICE USE ONLY**

RECIPT:    AMOUNT:    APPLYING IFP:    JUDGE:    MAG JUDGE:

# ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [FL Hair Salon The Met, Owner Hit with Wage and Hour Lawsuit](#)

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