

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION

TIMOTHY WALLACE, ON
BEHALF OF HIMSELF AND
THOSE SIMILARLY SITUATED,

Plaintiff,

CASE NO.:

vs.

PROFI FACILITIES
MAINTENANCE, LLC, A
FLORIDA LIMITED LIABILITY
COMPANY, MICHAEL LOUDIS,
INDIVIDUALLY, PATRICK
CUEVA, INDIVIDUALLY, AND
KHASHAYAR FALLAHZADEH,
INDIVIDUALLY,

Defendants.

_____ /

COMPLAINT AND DEMAND FOR JURY TRIAL

Plaintiff, TIMOTHY WALLACE, on behalf of himself and those similarly situated, sues the Defendants, PROFI FACILITIES MAINTENANCE, LLC, a Florida Limited Liability Company, MICHAEL LOUDIS, Individually, PATRICK CUEVA, Individually, and KHASHAYAR FALLAHZADEH, Individually, and alleges:

1. Plaintiff was an employee of Defendants and brings this action for unpaid overtime compensation, declaratory relief, and other relief under the Fair Labor Standards Act, as amended, 29 U.S.C. § 216(b) (“FLSA”).

JURISDICTION AND VENUE

2. Jurisdiction in this Court is proper as the claims are brought pursuant to the FLSA, as amended 29 U.S.C. §201, et seq., to recover unpaid back wages, an additional equal amount as liquidated damages, declaratory relief, and reasonable attorneys' fees and costs.

3. The jurisdiction of the Court over this controversy is proper pursuant to 28 U.S.C. §1331, as Plaintiff's claims arise under 29 U.S.C. §216(b), and the authority to grant declaratory relief under the FLSA pursuant to 28 U.S.C. §2201 et seq.

4. Venue is proper in this Court because the acts and omissions giving rise to Plaintiff's claims occurred in Broward County, Florida.

PARTIES

5. Plaintiff, at all times relevant to this action, Plaintiff was a resident of Broward County, Florida.

6. Defendant, PROFIL FACILITIES MAINTENANCE, LLC, is a Florida Corporation that operates and conducts business in Broward County, Florida and is therefore, within the jurisdiction of this Court.

7. At all times relevant to this action, MICHAEL LOUDIS was an individual resident of the State of Florida, who was an owner of, and helped to operate, PROFIL FACILITIES MAINTENANCE, LLC, and who regularly exercised the authority to: (a) hire and fire employees; (b) determine the work schedules for the

employees; and (c) control the finances and operations of PROFI FACILITIES MAINTENANCE, LLC. By virtue of having regularly exercised that authority on behalf of PROFI FACILITIES MAINTENANCE, LLC, MICHAEL LOUDIS is an employer as defined by 29 U.S.C. § 201, et seq.

8. At all times relevant to this action, PATRICK CUEVA was an individual resident of the State of Florida, who was an owner of, and helped to operate, PROFI FACILITIES MAINTENANCE, LLC, and who regularly exercised the authority to: (a) hire and fire employees; (b) determine the work schedules for the employees; and (c) control the finances and operations of PROFI FACILITIES MAINTENANCE, LLC. By virtue of having regularly exercised that authority on behalf of PROFI FACILITIES MAINTENANCE, LLC, PATRICK CUEVA is an employer as defined by 29 U.S.C. § 201, et seq.

9. At all times relevant to this action, KHASHAYAR FALLAHZADEH was an individual resident of the State of Florida, who was an owner of, and helped to operate, PROFI FACILITIES MAINTENANCE, LLC, and who regularly exercised the authority to: (a) hire and fire employees; (b) determine the work schedules for the employees; and (c) control the finances and operations of PROFI FACILITIES MAINTENANCE, LLC. By virtue of having regularly exercised that authority on behalf of PROFI FACILITIES MAINTENANCE, LLC, KHASHAYAR FALLAHZADEH is an employer as defined by 29 U.S.C. § 201, et seq.

10. At all times material to this action, Plaintiff was an “employee” of

each Defendant, within the meaning of the FLSA.

11. At all times material to this action, Defendant PROFIT FACILITIES MAINTENANCE, LLC was, and continues to be, an “employer” within the meaning of the FLSA.

12. This action is brought under the FLSA to recover from Defendants overtime compensation, liquidated damages, and reasonable attorneys’ fees and costs. This action is intended to include each and every hourly paid employee performing janitor-type duties who worked for Defendants at any time within the past three (3) years within the State of Florida.

13. During Plaintiff’s employment with Defendants, Defendant, PROFIT FACILITIES MAINTENANCE, LLC, earned more than \$500,000.00 per year in gross revenue.

14. During Plaintiff’s employment with Defendants, Defendant, PROFIT FACILITIES MAINTENANCE, LLC, employed two or more employees who handled goods, materials and supplies which had travelled in interstate commerce.

15. Included in such goods, materials and supplies were vehicles, office equipment/furniture, computers, telephones, cleaning equipment and supplies and other items which originated from outside the state of Florida.

16. Therefore, Defendant, PROFIT FACILITIES MAINTENANCE, LLC, is an enterprise covered by the FLSA, and as defined by 29 U.S.C. §203(r) and 203(s).

FLSA VIOLATIONS

17. Plaintiff was an hourly paid, non-exempt employee performing janitor duties for Defendants in Broward County, Florida.

18. Plaintiff worked for Defendants in this capacity from approximately November 2013 to July 2016.

19. At all times relevant to this action, Defendants failed to comply with the FLSA by failing to pay Plaintiff and all similarly situated employees complete overtime compensation for overtime hours worked.

20. During his employment with Defendants, Plaintiff was paid by the hour.

21. If Plaintiff worked overtime hours in a pay period, Plaintiff was only paid his regularly hourly rate for such hours and not an overtime rate.

22. Other similarly situated employees to Plaintiff were also paid by the hour.

23. These similarly situated employees were also only paid their regular rate for all overtime hours worked instead of an overtime rate of pay.

24. Plaintiff and these similarly situated employees regularly worked overtime hours on behalf of Defendants.

25. Defendants have violated the FLSA by failing to pay Plaintiff and these similarly situated employees time and one-half of their respective hourly rates for overtime hours worked.

26. The additional persons who may become plaintiffs in this action are

employees who held similar positions to Plaintiff, performing janitor-type work, 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.

27. Upon information and belief, the records, to the extent any exist and are accurate, concerning the number of hours worked and amounts paid to Plaintiff and the similarly situated employees are in the possession and custody of Defendants.

28. Defendants' actions were willful and/or showed reckless disregard for the provisions of the FLSA, as evidenced by their failure to compensate Plaintiff, and those similarly situated, at the statutory rate of one and one-half times their regular rate of pay for the hours worked in excess of forty (40) hours per workweek, when they knew, or should have known, such was, and is, due.

29. In fact, Plaintiff complained to Defendants regarding their pay practices, and was told that Defendants do not pay overtime compensation.

30. Defendants failed to properly disclose or apprise Plaintiff and those similarly situated of their rights under the FLSA.

COUNT I - RECOVERY OF OVERTIME COMPENSATION

31. Plaintiff reincorporates and readopts all allegations contained within Paragraphs 1-29 above.

32. Plaintiff and those similarly situated employees are/were entitled to be paid time and one-half their regular rate of pay for each hour worked in excess of forty

(40) per work week.

33. During their employment with Defendants, Plaintiff and those similarly situated employees worked overtime hours but were not paid time and one-half of their regular hourly rate for these overtime hours worked. *See* ¶¶ 19-26.

34. Based on information and belief, there could be as many as one hundred (100) other similarly situated employees affected by this uniform, illegal pay practice.

35. Defendants did not have a good faith basis for their decision to not pay an overtime rate of pay to Plaintiff and other similarly situated employees for their overtime hours worked.

36. Plaintiff even complained to Defendants about not being paid correct overtime compensation and was told Defendants do not pay overtime compensation.

37. As a result of Defendants' intentional, willful and unlawful acts in refusing to pay complete overtime compensation to Plaintiff and those similarly situated employees, Plaintiff and those similarly situated employees have suffered damages and have incurred, and continue to incur, reasonable attorneys' fees and costs.

38. As a result of Defendants' lack of a good faith justification for their violation of the FLSA, Plaintiff and those similarly situated employees are entitled to liquidated damages.

39. In addition, because Defendants' violation of the FLSA was willful, a three-year statute of limitations is applicable to the claims at issue.

40. Plaintiff demands a trial by jury.

WHEREFORE, Plaintiff, TIMOTHY WALLACE, on behalf of himself and those similarly situated, demands judgment against Defendants for unpaid overtime compensation, liquidated damages, reasonable attorneys' fees and costs incurred in this action, a declaration that Defendants' practices violate the FLSA, and any and all further relief that this Court determines to be just and appropriate.

Dated this 24th day of October, 2016.

/s/ C. RYAN MORGAN

C. Ryan Morgan, Esq.

FBN 0015527

Morgan & Morgan, P.A.

20 N. Orange Ave., 14th Floor

P.O. Box 4979

Orlando, FL 32802-4979

Telephone: (407) 420-1414

Facsimile: (407) 245-3401

Email: RMorgan@forthepeople.com

Angeli Murthy, Esq.

FBN 0088758

Morgan & Morgan, P.A.

600 N. Pine Island Rd., Suite 400

Plantation, FL 33324

Telephone: (954) 318-0268

Facsimile: (954) 327-3016

Email: Amurthy@forthepeople.com

Attorneys for Plaintiff

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.) NOTICE: Attorneys MUST Indicate All Re-filed Cases Below.

I. (a) PLAINTIFFS TIMOTHY WALLACE, on behalf of himself and those similarly situated, DEFENDANTS PROFI FACILITIES MAINTENANCE, LLC, MICHAEL LOUDIS, PATRICK CUEVA and

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

(c) Attorneys (Firm Name, Address, and Telephone Number) C. Ryan Morgan, Esq., Morgan & Morgan, P.A., 20 N. Orange Ave., Orlando, FL 32801 407-420-1414 Attorneys (If Known)

(d) Check County Where Action Arose: MIAMI-DADE MONROE BROWARD PALM BEACH MARTIN ST. LUCIE INDIAN RIVER OKEECHOBEE HIGHLANDS

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

Grid for Basis of Jurisdiction and Citizenship of Principal Parties with checkboxes for U.S. Government Plaintiff/Defendant, Federal Question, Diversity, Citizen of This/Another State, Citizen or Subject of a Foreign Country, PTF/DEF, and Incorporated/Principal Place of Business.

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

Large grid for Nature of Suit with categories: CONTRACT, REAL PROPERTY, CIVIL RIGHTS, PRISONER PETITIONS, TORTS, PERSONAL INJURY, PERSONAL PROPERTY, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES.

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

Row of checkboxes for Origin: Original Proceeding, Removed from State Court, Re-filed, Reinstated or Reopened, Transferred from another district, Multidistrict Litigation Transfer, Appeal to District Judge from Magistrate Judgment, Multidistrict Litigation - Direct File, Remanded from Appellate Court.

VI. RELATED/ RE-FILED CASE(S) (See instructions): a) Re-filed Case YES NO b) Related Cases YES NO JUDGE: DOCKET NUMBER:

VII. CAUSE OF ACTION Cite the U.S. Civil Statute under which you are filing and Write a Brief Statement of Cause (Do not cite jurisdictional statutes unless diversity): 29 U.S.C. Section 216(b), I-Recovery of Overtime Compensation LENGTH OF TRIAL via days estimated (for both sides to try entire case)

VIII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

ABOVE INFORMATION IS TRUE & CORRECT TO THE BEST OF MY KNOWLEDGE DATE October 24, 2016 SIGNATURE OF ATTORNEY OF RECORD

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION**

**TIMOTHY WALLACE, on behalf of
himself and those similarly situated,**

Plaintiff,

CASE NO.:

vs.

**PROFI FACILITIES
MAINTENANCE, LLC, a Florida
Limited Liability Company,
MICHAEL LOUDIS, Individually,
PATRICK CUEVA, Individually, and
KHASHAYAR FALLAHZADEH,
Individually,**

Defendants. _____/

NOTICE OF FILING NOTICE OF CONSENT TO JOIN

Plaintiff, TIMOTHY WALLACE, on behalf of himself and those similarly situated, gives notice of filing the attached Notices of Consent to Join as to TIMOTHY WALLACE, YOLANDA LEMON and WILLIE LEMON, SR.

Dated this 24th day of October, 2016.

/s/ C. RYAN MORGAN

C. Ryan Morgan, Esq.

FLBN: 0015527

MORGAN & MORGAN, P.A.

20 N. Orange Avenue

Suite 1600

Orlando, FL 32801

Telephone: (407) 420-1414

Facsimile: (407) 245-3401

E-mail: RMorgan@forthepeople.com

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the above and foregoing Notice of Filing Notices of Consent to Join has been served along with the Summons and a copy of the Complaint.

/s/ C. RYAN MORGAN
C. Ryan Morgan, Esq.

IN THE UNITED STATES DISTRICT COURT FOR THE
Southern District of Florida
CASE NO.:

Timothy Wallace
Individually, and on behalf of
others similarly situated,

Plaintiff,
Profi Faulines v.
Maintenance, LLC et al.
Defendants.

CONSENT TO JOIN COLLECTIVE ACTION AND BE REPRESENTED
BY MORGAN & MORGAN, P.A.®

- I Timothy Wallace, consent to join the above styled lawsuit seeking damages for unpaid wages under the FLSA;
- I am similarly situated to the named Plaintiff in this matter because I performed similar duties for the Defendant and was paid in the same regard as the named Plaintiff;
- I authorized the named Plaintiff to file and prosecute the above referenced matter in my name, and on my behalf, and designate the named Plaintiff to make decisions on my behalf concerning the litigation, including negotiating a resolution of my claims;
- I agree to be represented by Morgan & Morgan, P.A.®, counsel for the named Plaintiff;
- In the event this action gets conditionally certified and then decertified, I authorize Plaintiff's counsel to re-use this Consent Form to re-file my claims in a separate or related action against Defendant.

Date: Sept. 26 2016
Signature: Timothy Wallace

IN THE UNITED STATES DISTRICT COURT FOR THE
Southern District of Florida
CASE NO.:

Timothy Wallace
Individually, and on behalf of
others similarly situated,

Plaintiff,

Profi Facilities v.
Maintenance, LLC, et al.
Defendants.

CONSENT TO JOIN COLLECTIVE ACTION AND BE REPRESENTED
BY MORGAN & MORGAN, P.A.®

- I Yolande Lewis consent to join the above styled lawsuit seeking damages for unpaid wages under the FLSA;
- I am similarly situated to the named Plaintiff in this matter because I performed similar duties for the Defendant and was paid in the same regard as the named Plaintiff;
- I authorized the named Plaintiff to file and prosecute the above referenced matter in my name, and on my behalf, and designate the named Plaintiff to make decisions on my behalf concerning the litigation, including negotiating a resolution of my claims;
- I agree to be represented by Morgan & Morgan, P.A.®, counsel for the named Plaintiff;
- In the event this action gets conditionally certified and then decertified, I authorize Plaintiff's counsel to reuse this Consent Form to re-file my claims in a separate or related action against Defendant.

Date: Sept 29, 2016
Signature: Yolande Lewis

IN THE UNITED STATES DISTRICT COURT FOR THE

Southern District OF Florida

CASE NO.:

Timothy Walker

Individually, and on behalf of
others similarly situated,

Plaintiff,

Profi Facilities v.
Maintenance, LLC et al

Defendants.

_____ /

CONSENT TO JOIN COLLECTIVE ACTION AND BE REPRESENTED

BY MORGAN & MORGAN, P.A.®

willie

- I Willie Lemon SR, consent to join the above styled lawsuit seeking damages for unpaid wages under the FLSA;
- I am similarly situated to the named Plaintiff in this matter because I performed similar duties for the Defendant and was paid in the same regard as the named Plaintiff;
- I authorized the named Plaintiff to file and prosecute the above referenced matter in my name, and on my behalf, and designate the named Plaintiff to make decisions on my behalf concerning the litigation, including negotiating a resolution of my claims;
- I agree to be represented by Morgan & Morgan, P.A.®, counsel for the named Plaintiff;
- In the event this action gets conditionally certified and then decertified, I authorize Plaintiff's counsel to reuse this Consent Form to re-file my claims in a separate or related action against Defendant.

Date: Sept 28-2016

Signature: Willie Lemon SR

□

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

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

TIMOTHY WALLACE, ON BEHALF OF HIMSELF AND THOSE SIMILARLY SITUATED

Plaintiff(s)

v.

PROFI FACILITIES MAINTENANCE, LLC, A FLORIDA LIMITED LIABILITY COMPANY, MICHAEL LOUDIS, INDIVIDUALLY, PATRICK CUEVA, INDIVIDUALLY, AND KHASHAYAR FALLAHZADEH.

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Profi Facilities Maintenance, LLC c/o Registered Agent, Michael J. Loudis 343 SW 13th Ave. Pompano Beach, FL 33069

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:

C. Ryan Morgan, Esq. Morgan & Morgan, P.A. 20 North Orange Ave. Orlando, FL 32801 407-420-1414 rmorgan@forthepeople.com

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

TIMOTHY WALLACE, ON BEHALF OF HIMSELF AND THOSE SIMILARLY SITUATED

Plaintiff(s)

v.

PROFI FACILITIES MAINTENANCE, LLC, A FLORIDA LIMITED LIABILITY COMPANY, MICHAEL LOUDIS, INDIVIDUALLY, PATRICK CUEVA, INDIVIDUALLY, AND KHASHAYAR FALLAHZADEH.

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Michael Loudis 343 SW 13th Ave. Pompano Beach, FL 33069

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:

C. Ryan Morgan, Esq. Morgan & Morgan, P.A. 20 North Orange Ave. Orlando, FL 32801 407-420-1414 rmorgan@forthepeople.com

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

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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:

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

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

TIMOTHY WALLACE, ON BEHALF OF HIMSELF AND THOSE SIMILARLY SITUATED

Plaintiff(s)

v.

PROFI FACILITIES MAINTENANCE, LLC, A FLORIDA LIMITED LIABILITY COMPANY, MICHAEL LOUDIS, INDIVIDUALLY, PATRICK CUEVA, INDIVIDUALLY, AND KHASHAYAR FALLAHZADEH.

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Patrick Cueva 343 SW 13th Ave. Pompano Beach, FL 33069

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:

C. Ryan Morgan, Esq. Morgan & Morgan, P.A. 20 North Orange Ave. Orlando, FL 32801 407-420-1414 rmorgan@forthepeople.com

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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_____ 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

Server's address

Additional information regarding attempted service, etc:

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UNITED STATES DISTRICT COURT

for the

Southern District of Florida

TIMOTHY WALLACE, ON BEHALF OF HIMSELF AND THOSE SIMILARLY SITUATED

Plaintiff(s)

v.

PROFI FACILITIES MAINTENANCE, LLC, A FLORIDA LIMITED LIABILITY COMPANY, MICHAEL LOUDIS, INDIVIDUALLY, PATRICK CUEVA, INDIVIDUALLY, AND KHASHAYAR FALLAHZADEH.

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) KHASHAYAR FALLAHZADEH 343 SW 13th Ave. Pompano Beach, FL 33069

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:

C. Ryan Morgan, Esq. Morgan & Morgan, P.A. 20 North Orange Ave. Orlando, FL 32801 407-420-1414 rmorgan@forthepeople.com

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CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

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_____ 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

Server's address

Additional information regarding attempted service, etc:

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Reset

ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [FLSA Class Action Filed Against Profi Facilities Maintenance](#)
