

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
BROWARD DIVISION

CASE NO.:

VERONICA ZULIANI, on behalf of herself
and those similiary situated,

Plaintiff,

v.

SANTA ANNA, LLC, a Florida Limited Liability
Company, and MARIO SPINA, individually,

Defendants.

COMPLAINT & DEMAND FOR JURY TRIAL

Plaintiff, VERONICA ZULIANI, (“Plaintiff”), on behalf of herself and other current and former employees similarly situated, by and through undersigned counsel, files this Complaint against Defendants, SANTA ANNA, LLC., a Florida Limited Liability Company (“SA”), and MARIO SPINA, (“MS”) (“collectively “Defendants”), and states as follows:

NATURE OF THE SUIT

1. This action is brought under the FLSA to recover from Defendants minimum wage, overtime compensation, liquidated damages, and reasonable attorneys' fees and costs under the FLSA.

2. This action is intended to cover Defendants’ wage violations against Plaintiff and on behalf of other similarly situated current and former non-exempt “tipped” employees of the Defendants, who elect to opt into this action, pursuant to the Fair Labor Standards Act (“FLSA”), 29 U.S.C. §216(b), within the past three (3) years pursuant to the FLSA.

PARTIES

3. Plaintiffs are non-exempt hourly paid service/restaurant employees and performed related activities for Defendants in Broward County, Florida. Plaintiff's job duties as non-exempt tipped employees included, at varying times, serving food, cleaning tables, bussing tables, bartending, and other non-management/non administrative tasks involved in the production aspect of serving patrons food and beverages at Defendants' restaurant.

4. Defendant, SA, a Florida Limited Liability Company, is a restaurant located within Broward County, Florida.

5. Defendant, MS, is an individual and *sui juris*, is a manager and owner of SA, and acts directly and indirectly in the interest of Defendant, SA. Upon reasonable belief, MS frequents SA and has the power to direct employee's actions and is a member of the management. MS's management responsibilities (including hiring and firing, setting rates of pay, scheduling, etc), degree of control over day-to-day operations and compensation practices, and role in causing SA to improperly compensate employees in violation of the FLSA makes Defendant, MS, an individual employer pursuant to 29 USC § 203(d).

6. Under the FLSA, to determine "joint employer" status, courts examine, among other things, whether the alleged employer : (1) had the power to hire and fire employees; (2) supervised and controlled employee work schedules or conditions of employment; (3) determined the rate and method of payment; and (4) maintained employment records.

7. Based on the allegations of Paragraphs 5-6, above, Defendants SA and MS are "joint employers" as defined by the FLSA, and are individually, jointly, and severally liable for the violations at issue in this lawsuit pursuant to 29 C.F.R. § 791.2(b) and as employers under the FLSA, 29 U.S.C. §203(d).

JURISDICTION

8. 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, an additional equal amount as liquidated damages, obtain declaratory relief, and reasonable attorney’s fees and costs.

9. The jurisdiction of the Court over this controversy is based upon 29 U.S.C. §216(b).

10. This Court has the authority to grant declaratory relief pursuant to the FLSA and the Federal Declaratory Judgment Act (“DJA”), 28 U.S.C. §§ 2201-02.

COVERAGE

11. At all times during the last three (3) years, Defendants were a jointly covered enterprise covered (as joint employers) by the FLSA and as defined by 29 U.S.C. §§ 203(r) and 203(s).

12. At all times during the last three (3) years, Defendants were the “joint employers” within the meaning of the FLSA.

13. Defendants were, and continue to be, “joint employers” within the meaning of FLSA.

14. At all times material hereto, Defendants were, and continue to be, a joint “enterprise engaged in commerce” or in the production of goods for commerce within the meaning of § 3 (s)(1) of the Act, in that, said joint enterprise has had employees engaged in commerce or in the production of goods for commerce, or employees handling, selling, or otherwise working on goods or materials that have been moved in or produced for commerce by any person.

15. Based upon information and belief, the annual and joint gross revenue of Defendants was in excess of \$500,000.00 per annum during the all times relevant.

16. At all times material hereto, Defendants had two (2) or more employees handling, selling, or otherwise working on goods or materials that had been moved in or produced for commerce, such as food, drinks, beverages, cash registers, pots, pans, dishwashing equipment, telephones and other kitchen, food preparation and office materials and tools.

17. At all times material hereto, Plaintiffs were “engaged in commerce” by virtue of the fact that they regularly completed financial transactions with Defendants’ customers’ credit card companies, banks, and third-party payment processing services outside the State of Florida, and with foreign customers/tourists as part of their daily duties with Defendants.

18. At all times material hereto, the work performed by Plaintiffs was directly essential to the business performed by Defendants in that Defendants could not operate their restaurant and businesses without, among others, bussers, servers, and bartenders.

19. At all times material hereto, Defendants performed related activities, for a common business purpose, and with shared employees and operational control as explained in above.

20. At all times material hereto, Defendants owned and operated for a common business service, to serve food and beverage to the general public in a sit-down restaurant setting.

21. At all times material hereto, Defendants utilized the same vendors, and often a single account with the same vendors.

22. At all times material hereto, Defendants shared employees in common, such that multiple employees worked for all of the Defendants, simultaneously within the same workweeks, and worked interchangeably between the Defendants.

23. At all times material hereto, as a matter of economic reality, Defendants were a joint enterprise.

FACTUAL ALLEGATIONS

24. Defendants operate and/or operated a fine dining restaurant located in Broward County Florida.

25. Plaintiff worked for Defendants as non-exempt hourly paid “tipped” employee during the relevant limitations period under the FLSA. During her employment, Plaintiff worked anywhere between 36-47 hours each workweek. Plaintiff also worked at parties/special events catered by Defendants.

26. Plaintiff is not in possession of all of her pay and time records, and cannot, therefore, calculate with certainty, the amount of minimum wages, overtime and tips she is entitled to as a result of Defendants’ violations of the FLSA on a week by week basis, absent full access to same.

27. While Defendants paid Plaintiff a tipped wage plus tips, Defendants regularly deducted from Plaintiff, and other similar situated employees, improper amounts for bussers and hostesses, and other employees, that were never actually paid to said employees.

28. Under the FLSA, if a joint employer satisfies the tip credit requirements, it may apply a portion of the employee’s tips (up to a maximum of \$3.02 per hour in Florida during all times relevant) to satisfy its obligation to pay its employees at least a minimum wage. The burden is on the employers to prove they are entitled to take the tip credit against the employee’s wages pursuant to the FLSA.

29. To utilize the tip credit under the FLSA, the employer must pay its employees the proper minimum wage and allow its tipped employees to retain **all the tips** they receive,

except when there is a **valid arrangement for** “pooling of tips among employees who customarily and regularly receive tips.” 29 U.S.C. § 203(m). If an employer fails to satisfy either requirement, it may not take advantage of the tip credit and must pay its tipped employees the full applicable minimum wage for each and every hour worked during each workweek.

30. Defendants failed to satisfy the tip pooling requirements of 29 U.S.C. § 203(m) during all times relevant, because of their conduct described above in illegal withholding tips and not paying them to the appropriate employees for whom they were designated. Thus, Defendants were not eligible for the tip credit and were required to pay Plaintiff, and others similarly situated, the full applicable minimum wage rate required by the FLSA.

31. By failing to satisfy the requirements of 29 U.S.C. § 203(m) during all times relevant, Defendants were not eligible for the tip credit and were required to pay Plaintiffs the full applicable overtime wage rate required by the FLSA.

32. During all times relevant, Defendants utilized the tip credit to pay Plaintiffs, who served food and/or beverages to Defendants’ customers, at an hourly wage rate that was less than the applicable minimum wage allowed under the FLSA. Additionally, Defendants did not allow Plaintiffs to retain all of their tips. Defendants required Plaintiffs to pay a portion of their tips to non-tipped employees and/or employees who illegally received tips shares such as managers, polishers, and food expeditors.

33. During all times relevant, Plaintiff worked over forty (40) hours during multiple weeks of employment with Defendants.

34. During all times relevant, Defendants did not pay Plaintiffs the applicable minimum wage rate for regular hours worked.

35. During all times relevant, Defendants did not pay Plaintiffs the applicable overtime wage for overtime hours worked.

36. Moreover, during all times relevant, Defendants willfully engaged in practices that denied Plaintiff applicable minimum and overtime wages under the FLSA, because Defendants were aware that their tip pooling practices were illegal.

37. Prior to filing suit, Plaintiff's counsel notified Defendants in writing that Plaintiff had retained him, and that Plaintiff intended to pursue a collective action claim for minimum wage and overtime damages.

38. Plaintiff retained the undersigned counsel and agreed to pay a reasonable fee for all services rendered.

COUNT I - RECOVERY OF OVERTIME COMPENSATION (FLSA)
(AS TO ALL PLAINTIFFS)

39. Plaintiffs reincorporate and re-allege paragraphs 1 through 38 as though set forth fully herein and further alleges as follows:

40. Plaintiff, and those similarly situated, are 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. During Plaintiff's employment with Defendant, Plaintiff regularly worked overtime hours, but was not paid proper time and one half compensation for same.

41. Plaintiff is not an exempt employees as defined by the FLSA.

42. As a result of Defendants' intentional, willful, and unlawful acts in refusing to pay Plaintiff, and those similarly situated to him, time and one half their regular rate of pay for each hour worked in excess of forty (40) per work week in one or more work weeks, Plaintiff has suffered damages plus incurring reasonable attorneys' fees and costs.

43. As a result of Defendants' willful violation of the FLSA, Plaintiff is entitled to liquidated damages. 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, plan or decision that intentionally provided for inadequate overtime compensation of such employees at a rate less than time and a half the applicable minimum wage for their overtime hours.

44. Prior to the filing of this lawsuit, Defendants did not consult with a lawyer to determine whether their pay practices were in violation of the FLSA.

45. Prior to the filing of this lawsuit, Defendants did not consult with an accountant to determine whether their pay practices were in violation of the FLSA.

46. Prior to the filing of this lawsuit, Defendants did not consult with the DOL to determine whether their pay practices were in violation of the FLSA.

COUNT II
RECOVERY OF MINIMUM WAGES (FLSA)
(AS TO ALL PLAINTIFFS)

47. Plaintiff reincorporates and readopts all allegations contained within Paragraphs 1-38 above.

48. Plaintiff, and those similarly situated, were entitled to be paid the applicable federal minimum wage for each week Plaintiff worked during Plaintiff's employment with Defendants.

49. Defendants failed to pay Plaintiff, and those similarly situated to her, the federal minimum wage for each week Plaintiff worked for Defendants.

50. Plaintiff has demanded proper compensation for one or more weeks of work with Defendants, but Defendants have refused and/or failed to compensate Plaintiff for same.

51. As a result of Defendants' actions in this regard, Plaintiff has not been paid the federal minimum wage for each hour worked during one or more weeks of employment with Defendants.

52. Defendants had specific knowledge that they were paying sub-minimum wages to Plaintiff, but still failed to pay Plaintiff at least minimum wages.

53. Specifically, by engaging in illegal tip pooling practices, Defendants attempted to utilize a tip credit which diminished the appropriate payment of minimum wages to Plaintiff, and those similarly situated, as required by the FLSA.

54. Defendants willfully failed to pay Plaintiff the federal minimum wage for one or more weeks of work contrary to 29 U.S.C. § 206.

55. As a direct and proximate result of Defendants' deliberate underpayment of wages, Plaintiff, and those similarly situated, has been damaged in the loss of minimum wages for one or more weeks of work with Defendants.

WHEREFORE, Plaintiff respectfully requests that judgment be entered in her favor against Defendants, and that this Court:

- a. Declare, pursuant to 29 U.S.C. §§2201 and 2202, that the acts and practices complained of herein are in violation of the maximum hour and minimum wage provisions of the FLSA;
- b. Award Plaintiff, and those similarly situated, overtime compensation in the amount due to them 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. Award Plaintiff, and those similarly situated to her, minimum wages in the

amount due to her for each hour worked in each work week;

- e. Award Plaintiff liquidated damages in an amount equal to the minimum wages award;
- f. Award Plaintiff reasonable attorney's fees and costs and expenses of the litigation pursuant to 29 U.S.C. §216(b);
- g. Award Plaintiff pre-judgment interest; and 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.

DATED this 24th day of October, 2017.

Respectfully Submitted,

/s NOAH E. STORCH

Noah E. Storch, Esq.

Florida Bar No. 0085476

Richard Celler, Esq.

Florida Bar No. 0173370

Richard Celler Legal, P.A

7450 Griffin Road, Suite 230

Davie, FL 33314

Telephone: (866) 344-9243

Facsimile: (954) 337-2771

Email: noah@floridaovertimelawyer.com

Email: richard@floridaovertimelawyer.com

Attorneys for Plaintiff

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

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

VERONICA ZULIANI, on behalf of herself and those
similarly situated

Plaintiff(s)

v.

SANTA ANNA, LLC, a
Florida Limited Liability Company, and
MARIO SPINA, individually

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) MARIO SPINA
6321 NW 61 AVENUE
PARKLAND, FL 33067

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:

RICHARD CELLER LEGAL, P.A.
NOAH E. STORCH, ESQUIRE
7450 GRIFFIN ROAD, SUITE 230
DAVIE, FLORIDA 33314
(866) 344-9243
E-mail: noah@floridaovertimelawyer.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

VERONICA ZULIANI, on behalf of herself and those
similarly situated

Plaintiff(s)

v.

SANTA ANNA, LLC, a
Florida Limited Liability Company, and
MARIO SPINA, individually

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) SANTA ANNA, LLC.
SPINA, MARIO - REGISTERED AGENT
6321 NW 61 AVENUE
PARKLAND, FL 33067

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:

RICHARD CELLER LEGAL, P.A.
NOAH E. STORCH, ESQUIRE
7450 GRIFFIN ROAD, SUITE 230
DAVIE, FLORIDA 33314
(866) 344-9243
E-mail: noah@floridaovertime.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

JS 44 (Rev. 12/12) (Modified by FLSD - April 29, 2013)

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.) NOTICE: Attorneys MUST Indicate All Referred Cases Below.

I. (a) PLAINTIFFS VERONICA ZULIANI, on behalf of herself and those similiary situated

DEFENDANTS SANTA ANNA, LLC, a Florida Limited Liability Company, and MARIO SPINA, individually,

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

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

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

(c) Attorneys (Firm Name, Address, and Telephone Number) Noah Storch, Esq., 7450 Griffin Road, Suite 230, Davie, FL 33314, (866) 344-9243, noah@floridaovertime.com

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)

- 1 U.S. Government Plaintiff Federal Question (U.S. Government Not a Party)
2 U.S. Government Defendant 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
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 Personal Injury, Property Rights, and Labor.

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

- 1 Original Proceeding
2 Removed from State Court
3 Re-filed (See VI below)
4 Reinstated or Reopened
5 Transferred from another district (specify)
6 Multidistrict Litigation
7 Appeal to District Judge from Magistrate Judgment
8 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 "FLSA" 29 U.S.C. § 215 (a)(3) and 216(b) 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 SIGNATURE OF ATTORNEY OF RECORD

DATE October 24, 2017

FOR OFFICE USE ONLY RECEIPT # AMOUNT IFP JUDGE MAG JUDGE

JS 44 Reverse (Rev. 12/12)

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.C.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; 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 clerks 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 seven 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.

Refiled (3) Attach copy of Order for Dismissal of Previous case. Also complete VI.

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.

Appeal to District Judge from Magistrate Judgment. (7) Check this box for an appeal from a magistrate judge's decision.

Remanded from Appellate Court. (8) Check this box if remanded from Appellate Court.

VI. Related/Refiled Cases. This section of the JS 44 is used to reference related pending cases or re-filed cases. Insert the docket numbers and the corresponding judges name for such cases.

VII. 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

VIII. 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 dollar amount (in thousands of dollars) 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.

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

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
BROWARD DIVISION

CASE NO.:

VERONICA ZULIANI,
and those similiary situated,

Plaintiff,

v.

SANTA ANNA, LLC, a Florida Limited Liability
Company, and MARIO SPINA, individually,

Defendants.

_____ /

CONSENT TO BECOME PARTY PLAINTIFF

I, VERONICA ZULIANI, consent to become the party plaintiff in the above-styled
Lawsuit.

Date: October 24, 2017

Signature: _____



Print: _____

Veronica zuliani Leonardo

ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Santa Anna Accused of Denying Employees Minimum, Overtime Wages](#)
