

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

CASE NO.:

CARLOS E. CASTRO  
and other similarly-situated individuals,

Plaintiff(s),

v.

LATINO CONCEPTS LLC  
d/b/a COYO TACO

Defendant,

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COMPLAINT

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

COMES NOW the Plaintiff, CARLOS E. CASTRO, and other similarly-situated individuals, by and through the undersigned counsel, and hereby sues Defendant LATINO CONCEPTS LLC d/b/a COYO TACO and alleges:

JURISDICTION VENUES AND PARTIES

1. This is an action to recover money damages for unpaid overtime wages under the laws of the United States. This Court has jurisdiction pursuant to the Fair Labor Standards Act, 29 U.S.C. § 201-219 (Section 216 for jurisdictional placement)(“the Act”),
2. Plaintiff CARLOS E. CASTRO is a resident of Miami-Dade County, Florida, within the jurisdiction of this Honorable Court. Plaintiff is a covered employee for purposes of the Act.
3. Defendant LATINO CONCEPTS LLC d/b/a COYO TACO (hereinafter COYO TACO RESTAURANT, or Defendant) is a Florida corporation, having its main place of business in Miami-Dade County, Florida, where Plaintiff worked for Defendant. Defendant COYO

TACO RESTAURANT was the employer of Plaintiff and others similarly situated within the meaning of Section 3(d) of the “Fair Labor Standards Act” [29 U.S.C. § 203(d)].

Defendant is engaged in interstate commerce.

4. All the actions raised in this complaint took place in Dade County Florida, within the jurisdiction of this Court.

#### GENERAL ALLEGATIONS

5. This cause of action is brought by Plaintiff CARLOS E. CASTRO to recover from Defendant overtime compensation, liquidated damages, and the costs and reasonably attorney’s fees under the provisions of Fair Labor Standards Act, as amended, 29 U.S.C. § 201 *et seq* (the “FLA or the “ACT”).
6. Corporate Defendant LATINO CONCEPTS LLC is a Mexican restaurant business which operates under the name of COYO TACO RESTAURANT. Defendant has several locations throughout Miami-Dade County, Palm Beach, Dominican Republic and Panama.
7. Defendant COYO TACO RESTAURANT employed Plaintiff CARLOS E. CASTRO as a non-exempt hourly restaurant employee approximately from February 16, 2015, to June 14, 2018, or 173 weeks. However, for FLSA purposes Plaintiff’s relevant period of employment is 153 weeks.
8. Plaintiff was employed by Defendant to make food preparations, to cook, and to perform general restaurant work at COYO TACO RESTAURANT. Plaintiff had additional duties transporting restaurant supplies and food preparations between restaurants.
9. During his period of employment Plaintiff worked at different locations, but he always maintained a regular schedule. Plaintiff worked 5 days per week an average of 75 hours weekly.

10. Plaintiff always worked in excess of 40 hours per week. Throughout his employment, Plaintiff was paid at different rates, he was paid for 40 regular hours. However, Defendant never paid Plaintiff for all his overtime hours at the correct rate of time and a half his regular wage. During his last period of employment Plaintiff was not paid for overtime hours at any wage rate.
11. Plaintiff is not in possession of time and payment records, but he is going to provide a good faith estimate based on his best recollections as follows:
12. A.- From approximately February 16, 2015 to approximately December 30, 2015, or 25 weeks, Plaintiff worked 5 days per week, from 5:00 AM to 8:00 PM (15 hours daily). Plaintiff worked an average of 75 hours weekly. Plaintiff was paid at the rate of \$12.00 an hour, plus an average of 20 overtime hours at the half time of \$6.00. Every week, there were 15 additional overtime hours that were not paid at any rate. Plaintiff did not take bona-fide lunch breaks.
13. B.- From approximately January 1, 2016 to approximately June 3, 2017, or 74 weeks, Plaintiff worked 5 days per week, from 5:00 AM to 8:00 PM (15 hours daily). Plaintiff worked an average of 75 hours weekly. Plaintiff was paid at the rate of \$13.00 an hour, plus an average of 20 overtime hours, at the half time of \$6.50. There were 15 additional overtime hours that were not paid at any rate. Plaintiff did not take bona-fide lunch breaks.  
  
\*Within this period there were a number of weeks in which Plaintiff was paid at the rate of \$13.00 an hour for 40 regular hours, which were disclosed in the paystub, plus \$150.00 covering O/T hours, which were not shown anywhere. For purposes of simplification, Plaintiff is going to use half-time of \$6.50 to make an estimate of unpaid overtime.

14. C.- From approximately June 4, 2017 to approximately June 14, 2018, or 54 weeks, Plaintiff worked 5 days per week, from 5:00 AM to 8:00 PM (15 hours daily). Plaintiff worked an average of 75 hours weekly. Plaintiff was paid at the rate of \$17.85 an hour. In this period, Plaintiff was not paid any additional amount to cover overtime hours. Plaintiff's working hours were reduced approximately the last 12 weeks of employment from 75 to 70 hours, (from 6:00 AM to 8:00 PM= 14 hours x 5 days=70 hours weekly).
15. As detailed above, Plaintiff worked many overtime hours which were not compensated properly. Therefore, Defendant COYO TACO RESTAURANT willfully failed to pay Plaintiff overtime at the rate of time and a half his regular rate, for every hour that he worked in excess of forty (40), in violation of Section 7 (a) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207(a)(1)).
16. Most of the time, Plaintiff clocked in and out using a time keeping device, Defendant was able to track the real number of hours worked by Plaintiff, and other individual similarly situated. Consequently, Defendant willfully failed to pay Plaintiff a substantial number of overtime hours every week, in violation of minimum wage and overtime provisions established by the Fair Labor Practice Standard Act.
17. Plaintiff never had access to check the number of hours worked every week. Plaintiff was paid his regular wages bi-weekly with paystubs which did not reflect the real number of hours worked.
18. On or about June 14, 2018, Defendant terminated Plaintiff's employment, due to discriminatory reasons. Plaintiff is in the process of filing his Charge of Discrimination with the Equal Employment Opportunity Commission (EEOC).

19. Plaintiff CARLOS E. CASTRO seeks to recover overtime hours at the rate of time and a half his regular rate, liquidated damages and any other remedy as allowable by law.
20. The additional persons who may become Plaintiffs in this action are employees and/or former employees of Defendant who are and who were subject to the unlawful payroll practices and procedures of Defendant and were not paid overtime wages at the rate of time and one half of their regular rate of pay for all overtime hours worked in excess of forty.

**COUNT I:**  
**WAGE AND HOUR FEDERAL STATUTORY VIOLATION;**  
**FAILURE TO PAY OVERTIME**

21. Plaintiff re-adopts each and every factual allegation as stated in paragraphs 1-20 above as if set out in full herein.
22. This cause of action is brought by Plaintiff CARLOS E. CASTRO as a collective action to recover from Defendant overtime compensation, liquidated damages, costs and reasonably attorney's fees under the provisions of the Fair Labor Standards Act, as amended, 29 U.S.C. § 201 *et seq* (the "FLA or the "ACT"), on behalf of Plaintiff and all other current and former employees similarly situated to Plaintiff ("the asserted class") and who worked in excess of forty (40) hours during one or more weeks on or after July 9, 2015, (the "material time") without being compensated "at a rate not less than one and a half times the regular rate at which he is employed."
23. Defendant COYO TACO RESTAURANT was and is engaged in interstate commerce as defined in §§ 3 (r) and 3(s) of the Act, 29 U.S.C. § 203(r) and 203(s)(1)(A). Defendant is retail/restaurant business located in Miami and Miami Beach, and serving mostly to tourists. Defendant is engaged in interstate commerce. Defendant has more than two employees recurrently engaged in commerce or in the production of goods for commerce

by regularly and recurrently using the instrumentalities of interstate commerce to accept and solicit funds from non-Florida sources, by using electronic devices to authorize credit card transactions. Upon information and belief, the annual gross revenue of the Employer/Defendant was at all times material hereto in excess of \$500,000 per annum. By reason of the foregoing, Defendant's business activities involve those to which the Fair Labor Standards Act applies. Therefore, there is FLSA enterprise coverage.

24. Plaintiff and those similarly-situated were employed by an enterprise engage in interstate commerce. Plaintiff and those similarly-situated through their daily activities were regularly engaged in interstate commerce. Plaintiff regularly handled and worked on goods and materials that were moved across State lines at any time in the course of business. Therefore, there is FLSA individual coverage.

25. Defendant COYO TACO RESTAURANT employed Plaintiff CARLOS E. CASTRO as a non-exempt hourly restaurant employee approximately from February 16, 2015, to June 14, 2018, or 173 weeks. However, for FLSA purposes Plaintiff's relevant period of employment is 153 weeks.

26. Plaintiff was employed by Defendant as a cook, and to perform general restaurant work at COYO TACO RESTAURANT.

27. During his period of employment Plaintiff worked at different locations, but he always maintained a regular schedule. Plaintiff worked 5 days per week an average of 75 hours weekly.

28. Plaintiff always worked in excess of 40 hours per week. Throughout his employment, Plaintiff was paid at different rates, he was paid for 40 regular hours. However, Defendant never paid Plaintiff for all his overtime hours at the correct rate of time and a half his

regular wage. During his last period of employment Plaintiff was not paid for overtime hours at any wage rate.

29. Plaintiff is not in possession of time and payment records, but he is going to provide a good faith estimate based on his best recollections as follows:

30. A.- From approximately February 16, 2015 to approximately December 30, 2015, or 25 weeks, Plaintiff worked 5 days per week, from 5:00 AM to 8:00 PM (15 hours daily). Plaintiff worked an average of 75 hours weekly. Plaintiff was paid at the rate of \$12.00 an hour, plus an average of 20 overtime hours at the half time of \$6.00. Every week, there were 15 additional overtime hours that were not paid at any rate. Plaintiff did not take bona-fide lunch breaks.

31. B.- From approximately January 1, 2016 to approximately June 3, 2017, or 74 weeks, Plaintiff worked 5 days per week, from 5:00 AM to 8:00 PM (15 hours daily). Plaintiff worked an average of 75 hours weekly. Plaintiff was paid at the rate of \$13.00 an hour, for 40 regular hours, plus an average of 20 overtime hours, at the half time of \$6.50. There were 15 additional overtime hours that were not paid at any rate. Plaintiff did not take bona-fide lunch breaks.

\*Within this period there were a number of weeks in which Plaintiff was paid at the rate of \$13.00 an hour for 40 regular hours, which were disclosed in the paystub, plus \$150.00 covering O/T hours, which were not shown anywhere. For purposes of simplification, Plaintiff is going to use half-time of \$6.50 to make an estimate of unpaid overtime.

32. C.- From approximately June 4, 2017 to approximately June 14, 2018, or 54 weeks, Plaintiff worked 5 days per week, from 5:00 AM to 8:00 PM (15 hours daily). Plaintiff worked an average of 75 hours weekly. Plaintiff was paid at the rate of \$17.85 an hour. In

this period, Plaintiff was not paid any additional amount to cover overtime hours. Plaintiff's working hours were reduced approximately the last 12 weeks of employment from 75 to 70 hours, (from 6:00 AM to 8:00 PM= 14 hours x 5 days=70 hours weekly).

33. As detailed above, Plaintiff worked many overtime hours which were not compensated properly.
34. Therefore, Defendant COYO TACO RESTAURANT willfully failed to pay Plaintiff overtime at the rate of time and a half his regular rate, for every hour that he worked in excess of forty (40), in violation of Section 7 (a) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207(a)(1)).
35. Plaintiff clocked in and out using a computer, Defendant was able to track the real number of hours worked by Plaintiff, and other individual similarly situated. Consequently, Defendant willfully failed to pay Plaintiff a substantial number of overtime hours every week.
36. Plaintiff never had access to check the number of hours he worked every week. Plaintiff was paid his regular wages bi-weekly, with paystub that did not reflect the real number of hours worked during the week.
37. The records, if any, concerning the number of hours actually worked by Plaintiff and all other employees, and the compensation actually paid to such employees should be in the possession and custody of Defendant. However, upon information and belief, Defendant did not maintain accurate and complete time records of hours worked by Plaintiff and other employees in the asserted class.
38. Defendant violated the record keeping requirements of FLSA, 29 CFR Part 516.



39. Prior to the completion of discovery and to the best of Plaintiff's knowledge, at the time of the filing of this complaint, Plaintiff's good faith estimate of unpaid wages are as follows:

\*Please note that these amounts are based on a preliminary calculation and that these figures are subjected to modification as discovery could dictate. After Defendant produce time record and paystubs, calculations will be modified accordingly.

a. Total amount of alleged unpaid wages:

One Hundred Two Thousand Six Hundred Twenty-Four Dollars and 10/100  
(\$102,624.10)

b. Calculation of such wages:

Total weeks of employment: 173 weeks  
Total relevant weeks of employment: 153 weeks

**A.- O/T Calculations for 25 weeks (From approximately February 16, 2015 to approximately December 30, 2015, or 25 weeks)**

Total number of weeks: 25 weeks  
Total number of hours worked: 75 hours weekly  
Total number of overtime hours: 35 overtime hours weekly  
Total number of hours paid at \$6.00= 20 overtime hours  
Total number of hours paid at \$0.00= 15 overtime hours  
Wage rate: \$12.00 an hour x 1.5= \$18.00 O/T rate

- i. O/T 20 hour paid at \$6.00  
Correct rate \$18.00-\$6.00 rate paid= \$12.00

\$12.00 x 20 O/T hours=\$240.00 weekly x 25 weeks= \$6,000.00

- ii. O/T x 15 hours paid at \$0.00 - O/T rate: \$18.00

\$18.00 x 15 unpaid O/T hours = \$270.00 weekly x 25 weeks = \$6,750.00

**B.- O/T Calculations for 74 weeks (From approximately January 1, 2016 to approximately June 3, 2017, or 74 weeks)**

Total number of weeks: 74 weeks  
Total number of hours worked: 75 hours weekly  
Total number of overtime hours: 35 overtime hours weekly  
Total number of hours paid at \$6.50= 20 overtime hours  
Total number of hours paid at \$0.00= 15 overtime hours  
Wage rate: \$13.00 an hour x 1.5= \$19.50 O/T rate

- i. O/T 20 hour paid at \$6.50  
Correct rate \$19.50-\$6.50 rate paid= \$13.00  
  
 $\$13.00 \times 20 \text{ O/T hours} = \$260.00 \text{ weekly} \times 74 \text{ weeks} = \$19,240.00$
- ii. O/T x 15 hours paid at \$0.00 - O/T rate: \$19.50  
  
 $\$19.50 \times 15 \text{ unpaid O/T hours} = \$292.50 \text{ weekly} \times 74 \text{ weeks} = \$21,645.00$

**C.- O/T Calculations for 54 weeks (From approximately June 4, 2017 to approximately June 14, 2018, or 54 weeks)**

Total number of weeks: 54 weeks  
Wage rate: \$17.85 an hour x 1.5= \$26.77 O/T rate

- i. O/T Calculations for 42 weeks worked 75 hours weekly  
Total number of hours worked: 75 hours weekly  
Total number of overtime hours: 35 overtime hours weekly  
  
 $\text{O/T } \$26.77 \times 35 \text{ O/T hours} = \$936.95 \times 42 \text{ weeks} = \$39,351.90$
- ii. O/T Calculations for 12 weeks worked 70 hours weekly  
Total number of hours worked: 70 hours weekly  
Total number of overtime hours: 30 overtime hours weekly  
  
 $\text{O/T } \$26.77 \times 30 \text{ O/T hours} = \$803.10 \times 12 \text{ weeks} = \$9,637.20$

Total A, B, and C= \$102,624.10

- c. Nature of wages (e.g. overtime or straight time):

This amount represents the unpaid overtime.

40. At all times material hereto, the Employer/Defendant failed to comply with Title 29 U.S.C. §207 (a) (1), in that Plaintiff and those similarly-situated performed services and worked in excess of the maximum hours provided by the Act but no provision was made by the Defendant to properly pay them at the rate of time and one half for all hours worked in excess of forty hours (40) per workweek as provided in said Act.

41. Defendant knew and/or showed reckless disregard of the provisions of the Act concerning the payment of overtime wages as required by the Fair Labor Standards Act and remains owing Plaintiff and those similarly-situated these overtime wages since the commencement of Plaintiff's and those similarly-situated employee's employment with Defendant as set forth above, and Plaintiff and those similarly-situated are entitled to recover double damages.
42. Defendant COYO TACO RESTAURANT willfully and intentionally refused to pay Plaintiff overtime wages at the rate of time and one half his regular rate, as required by the law of the United States, and remains owing Plaintiff these overtime wages since the commencement of Plaintiff's employment with Defendant as set forth above.
43. Plaintiff has retained the law offices of the undersigned attorney to represent him in this action and is obligated to pay a reasonable attorneys' fee.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff and those similarly-situated respectfully requests that this Honorable Court:

- A. Enter judgment for Plaintiff CARLOS E. CASTRO and other similarly-situated individuals and against the Defendant COYO TACO RESTAURANT, on the basis of Defendant's willful violations of the Fair Labor Standards Act, 29 U.S.C. § 201 et seq.; and
- B. Award Plaintiff CARLOS E. CASTRO actual damages in the amount shown to be due for unpaid overtime compensation for hours worked in excess of forty weekly, with interest; and
- C. Award Plaintiff an equal amount in double damages/liquidated damages; and

- D. Award Plaintiff reasonable attorneys' fees and costs of suit; and
- E. Grant such other and further relief as this Court deems equitable and just and/or available pursuant to Federal Law.

JURY DEMAND

Plaintiff CARLOS E. CASTRO demands trial by jury of all issues triable as of right by jury.

Dated: July 10, 2018

Respectfully submitted,

By: /s/ Zandro E. Palma  
ZANDRO E. PALMA, P.A.  
Florida Bar No.: 0024031  
9100 S. Dadeland Blvd.  
Suite 1500  
Miami, FL 33156  
Telephone: (305) 446-1500  
Facsimile: (305) 446-1502  
zep@thepalmalawgroup.com  
*Attorney 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** CARLOS E. CASTRO

**DEFENDANTS** LATINO CONCEPTS LLC  
d/b/a COYO TACO

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

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.

**(c)** Attorneys (Firm Name, Address, and Telephone Number)  
The Law Office of Zandro E. Palma, P.A.  
9100 S. Dadeland Blvd., Ste 1500, Miami, FL 33156 (305-446-1500)

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  3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant  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)

- |   |                            |                            |   |                            |                            |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
|   | <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 |

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

- |   |   |  |  |   |
|---|---|--|--|---|
| <b>CONTRACT</b>   | <b>TORTS</b>  | <b>FORFEITURE/PENALTY</b>  | <b>BANKRUPTCY</b>  | <b>OTHER STATUTES</b>   |
| <input type="checkbox"/> 110 Insurance  | <b>PERSONAL INJURY</b>  | <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 | <input type="checkbox"/> 422 Appeal 28 USC 158                         | <input type="checkbox"/> 375 False Claims Act   |
| <input type="checkbox"/> 120 Marine   | <input type="checkbox"/> 310 Airplane                           | <input type="checkbox"/> 690 Other                                       | <input type="checkbox"/> 423 Withdrawal 28 USC 157                     | <input type="checkbox"/> 376 Qui Tam (31 USC 3729 (a))  |
| <input type="checkbox"/> 130 Miller Act   | <input type="checkbox"/> 315 Airplane Product Liability         |  | <b>PROPERTY RIGHTS</b>   | <input type="checkbox"/> 400 State Reapportionment  |
| <input type="checkbox"/> 140 Negotiable Instrument                                | <input type="checkbox"/> 320 Assault, Libel & Slander           |  | <input type="checkbox"/> 820 Copyrights                                | <input type="checkbox"/> 410 Antitrust  |
| <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment    | <input type="checkbox"/> 330 Federal Employers' Liability       |  | <input type="checkbox"/> 830 Patent                                    | <input type="checkbox"/> 430 Banks and Banking  |
| <input type="checkbox"/> 151 Medicare Act   | <input type="checkbox"/> 340 Marine                             |  | <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application | <input type="checkbox"/> 450 Commerce   |
| <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) | <input type="checkbox"/> 345 Marine Product Liability           |  | <input type="checkbox"/> 840 Trademark                                 | <input type="checkbox"/> 460 Deportation  |
| <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits        | <input type="checkbox"/> 350 Motor Vehicle                      | <b>LABOR</b>   | <b>SOCIAL SECURITY</b>   | <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations                   |
| <input type="checkbox"/> 160 Stockholders' Suits                                  | <input type="checkbox"/> 355 Motor Vehicle Product Liability    | <input checked="" type="checkbox"/> 710 Fair Labor Standards Act         | <input type="checkbox"/> 861 HIA (1395ff)                              | <input type="checkbox"/> 480 Consumer Credit  |
| <input type="checkbox"/> 190 Other Contract                                       | <input type="checkbox"/> 360 Other Personal Injury              | <input type="checkbox"/> 720 Labor/Mgmt. Relations                       | <input type="checkbox"/> 862 Black Lung (923)                          | <input type="checkbox"/> 490 Cable/Sat TV   |
| <input type="checkbox"/> 195 Contract Product Liability                           | <input type="checkbox"/> 362 Personal Injury - Med. Malpractice | <input type="checkbox"/> 740 Railway Labor Act                           | <input type="checkbox"/> 863 DIWC/DIWW (405(g))                        | <input type="checkbox"/> 850 Securities/Commodities/Exchange                                  |
| <input type="checkbox"/> 196 Franchise  |   | <input type="checkbox"/> 751 Family and Medical Leave Act                | <input type="checkbox"/> 864 SSID Title XVI                            | <input type="checkbox"/> 890 Other Statutory Actions  |
|   |   | <input type="checkbox"/> 790 Other Labor Litigation                      | <input type="checkbox"/> 865 RSI (405(g))                              | <input type="checkbox"/> 891 Agricultural Acts  |
| <b>REAL PROPERTY</b>  | <b>CIVIL RIGHTS</b>   | <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act                |  | <input type="checkbox"/> 893 Environmental Matters  |
| <input type="checkbox"/> 210 Land Condemnation                                    | <input type="checkbox"/> 440 Other Civil Rights                 |  | <b>FEDERAL TAX SUITS</b>   | <input type="checkbox"/> 895 Freedom of Information Act                                       |
| <input type="checkbox"/> 220 Foreclosure  | <input type="checkbox"/> 441 Voting                             | <b>Habeas Corpus:</b>  | <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)       | <input type="checkbox"/> 896 Arbitration  |
| <input type="checkbox"/> 230 Rent Lease & Ejectment                               | <input type="checkbox"/> 442 Employment                         | <input type="checkbox"/> 463 Alien Detainee                              | <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609               | <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision |
| <input type="checkbox"/> 240 Torts to Land  | <input type="checkbox"/> 443 Housing/Accommodations             | <b>Other:</b>  |  | <input type="checkbox"/> 950 Constitutionality of State Statutes                              |
| <input type="checkbox"/> 245 Tort Product Liability                               | <input type="checkbox"/> 445 Amer. w/Disabilities - Employment  | <input type="checkbox"/> 530 General                                     | <b>IMMIGRATION</b>   |   |
| <input type="checkbox"/> 290 All Other Real Property                              | <input type="checkbox"/> 446 Amer. w/Disabilities - Other       | <input type="checkbox"/> 535 Death Penalty                               | <input type="checkbox"/> 462 Naturalization Application                |   |
|   | <input type="checkbox"/> 448 Education                          | <input type="checkbox"/> 540 Mandamus & Other                            | <input type="checkbox"/> 465 Other Immigration Actions                 |   |
|   |   | <input type="checkbox"/> 550 Civil Rights                                |  |   |
|   |   | <input type="checkbox"/> 555 Prison Condition                            |  |   |
|   |   | <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement  |  |   |

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

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 Transfer  7 Appeal to District Judge from Magistrate Judgment  8 Multidistrict Litigation - Direct File  9 Reremanded from Appellate Court

**VI. RELATED/ RE-FILED CASE(S)** (See instructions): a) Re-filed Case  YES  NO b) Related Cases  YES  NO  
JUDGE: 29 U.S.C. DOCKET NUMBER:

**VII. CAUSE OF ACTION** 29 U.S.C. 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):

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: July 10, 2018 SIGNATURE OF ATTORNEY OF RECORD: Zandro E. Palma, Esq.



# ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Class Action Claims Coyo Taco Owes Former Employee Unpaid OT](#)

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