

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

-----X
ARTURO CISNEROS, and MARUJA CUMBICOS, :
on behalf of themselves and all others similarly :
situated, :

Plaintiffs, :

-against- :

DME JANITORIAL SERVICES LLC, EH :
FLOORING SERVICES LLC, and MOTAZ HAYEZ, :

Defendants. :

**COLLECTIVE AND
CLASS ACTION
COMPLAINT**

JURY TRIAL DEMANDED

-----X
Plaintiffs Arturo Cisneros and Maruja Cumbicos (collectively, "Plaintiffs"), on behalf of themselves and all others similarly situated, by their attorneys Pechman Law Group PLLC, complaining of defendants DME Janitorial Services LLC, EH Flooring Services LLC, and Motaz Hayez (collectively, "Defendants"), allege:

NATURE OF THE ACTION

1. During the COVID-19 pandemic, Arturo Cisneros and Maruja Cumbicos were hired by Defendants to work as cleaners at Wayfair warehouse and distribution centers in Cranbury, New Jersey and a facility operated by Global Industrial Services in Robbinsville Township, New Jersey. Although Plaintiffs regularly worked up to ninety hours per week, Defendants paid them at the same "straight time" hourly rate for all hours worked, and failed to pay Plaintiffs the statutorily required overtime wage rate of time and one-half for hours worked over forty per workweek.

2. Plaintiffs bring this action on behalf of themselves and all similarly situated non-exempt cleaning workers to recover unpaid overtime wages, liquidated damages, statutory damages, pre- and post-judgment interest, and attorneys' fees and costs

pursuant to the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.* (“FLSA”) and the New Jersey Wage and Hour Law, N.J.S.A. § 34:11 – 56(a) *et seq.* (“NJWHL”).

JURISDICTION

3. This Court has subject matter jurisdiction of this case pursuant to 29 U.S.C. § 216(b) and 28 U.S.C. §§ 1331 and 1337, and it has supplemental jurisdiction over Plaintiffs’ state law claims pursuant to 28 U.S.C. § 1367.

VENUE

4. Venue is proper in the District of New Jersey under 28 U.S.C. § 1391, because the events or omissions giving rise to the claims occurred in this District.

THE PARTIES

Plaintiff Arturo Cisneros

5. Arturo Cisneros (“Cisneros”) resides in Mercer County, New Jersey.

6. Cisneros worked as a cleaning worker for Defendants from approximately April 2020 to January 2021.

Plaintiff Maruja Cumbicos

7. Maruja Cumbicos (“Cumbicos”) resides in Mercer County, New Jersey.

8. Cumbicos worked as a cleaning worker for Defendants from approximately March 2020 to January 2021.

Defendant DME Janitorial Services LLC

9. Defendant DME Janitorial Services LLC (“DME Janitorial Services”) is a New Jersey corporation that provides corporate cleaning services.

10. DME Janitorial Services is an “enterprise engaged in interstate commerce” within the meaning of the FLSA.

11. DME Janitorial Services has employees engaged in interstate commerce or in the production of goods for interstate commerce and handling, selling, or otherwise

working on goods or materials that have been moved in or produced for interstate commerce by any person.

12. In each of the three years preceding the filing of this Complaint, DME Janitorial Services' annual gross volume of sales exceeded \$500,000.

13. Accordingly to Plaintiffs' paychecks, DME Janitorial Services LLC is headquartered at 31 George Street, Trenton, New Jersey 08638.

Defendant EH Floor Services LLC

14. Defendant EH Floor Services LLC ("EH Floor") is a New Jersey corporation that offers corporate cleaning services.

15. EH Floor is an "enterprise engaged in interstate commerce" within the meaning of the FLSA.

16. EH Floor has employees engaged in interstate commerce or in the production of goods for interstate commerce and handling, selling, or otherwise working on goods or materials that have been moved in or produced for interstate commerce by any person.

17. In each of the three years preceding the filing of this Complaint, EH Floor's annual gross volume of sales exceeded \$500,000.

18. EH Floor is also headquartered at 31 George Street, Trenton, New Jersey 08638.

DME Janitorial Services and EH Floor Operate as a Joint and/or Single Employer

19. DME Janitorial Services and EH Floor (collectively, the Cleaning Companies) have a high degree of interrelated and unified operations, centralized control of labor relations, common control, common business purposes, interrelated business goals, and common ownership.

20. DME Janitorial Services and EH Floor entered into contracts to provide cleaning and decontamination services to various companies located in New Jersey, including Wayfair and Global Industrial Services.

21. DME Janitorial Services and EH Floor provided cleaners at Wayfair warehouse and distribution centers including those located at 46 Station Road, Cranbury New Jersey; 48 Station Road, Cranbury New Jersey; and 18 Highstown-Cranbury Station Road, East Windsor New Jersey.

22. DME Janitorial Services and EH Floor provided cleaners to a 500,000 square foot facility operated by Global Industries Services located at 24 Applegate Drive, Robbinsville Township, New Jersey.

23. The Cleaning Companies share a headquarters at 31 George Street, Trenton, New Jersey 08638.

24. The Cleaning Companies apply the same employment policies, practices, and procedures to all employees, including policies, practices, and procedures with respect to the payment of overtime compensation.

Defendant Motaz Hayez

25. Motaz Hayez is the owner and operator of DME Janitorial Services and EH Floor.

26. Hayez has and exercises power over personnel decisions at the Cleaning Companies, including the hiring and firing of employees, the setting of their wages, and otherwise controlling the terms and conditions of their employment.

27. Hayez is actively involved in managing the day-to-day operations of the Cleaning Companies.

28. Hayez hired Plaintiffs or other workers at the Cleaning Companies, set their schedules and paid them their wages.

29. Hayez directed Plaintiffs in their work duties, and was regularly present at the worksites to supervise Plaintiffs and other employees' work.

30. Hayez terminated the employment of Plaintiffs.

31. Hayez exercised sufficient control over the operations of the Cleaning Companies to be considered Plaintiffs' employer under the FLSA and NJWHL.

FACTUAL ALLEGATIONS

32. As their primary work duties, Plaintiffs and other cleaning workers, wiped, mopped, swept, sanitized, and disinfected office spaces and other areas including, hallways, cafeterias, bathrooms, and parking lots. Plaintiffs were essential workers during the pandemic, ensuring that the facilities that they cleaned were sanitized according to COVID-19 protocols and requirements.

33. The cleaning workers, including Plaintiffs, at times wore face shields, disposable gowns, face masks, and other personal protective equipment (PPE) while completing their work duties at Wayfair and Global Industrial Services.

Arturo Cisneros Hours Worked and Wages Paid

34. From his first week of work in or around April 29, 2020 to May 3, 2020, Cisneros worked approximately thirty-two and a half hours, working five days per week from approximately 10:00 p.m. to 5:00 a.m. each day, with a thirty-minute break each day.

35. From approximately May 4, 2020 to May 10, 2020, Cisneros worked approximately fifty-one hours, working seven days per week, Monday through Friday from approximately 10:00 p.m. to 5:00 a.m., with a thirty-minute break each day, and on Saturday and Sunday from from 3:00 p.m. to 1:00 a.m., with a forty-five minute break.

36. From approximately May 11, 2020 to May 17, 2020, Cisneros worked approximately sixty and a half hours, working seven days per week, Monday through

Friday from approximately 10:00 p.m. to 5:00 a.m., with a thirty-minute break each day, and on Saturday and Sunday from from 3:00 p.m. to 6:00 a.m., with a one-hour break.

37. From approximately May 18, 2020 to May 24, 2020, Cisneros worked approximately sixty-five and a half hours, working seven days per week, Monday through Friday from approximately 10:00 p.m. to 6:00 a.m., with a thirty-minute break each day, and on Saturday and Sunday from from 3:00 p.m. to 6:00 a.m., with a one-hour break.

38. For the rest of May 2020 through August 2020, Cisneros regularly worked approximately eighty hours and thirty minutes to ninety hours and thirty minutes per workweek, working seven days per week, Monday through Friday from either approximately 10:00 a.m. to 12:00 a.m., or 5:00 a.m. to 5:00 p.m., with a daily thirty-minute break, and on Saturday from 3:00 p.m. to 6:00 a.m., with a one-hour break, and Sunday from 3:00 p.m. to 1:00 a.m., with a one-hour break.

39. From approximately September 2020 to January 2021, Cisneros regularly worked approximately one-hundred eleven hours and thirty minutes per workweek, working seven days per week, Monday through Friday from approximately 10:00 a.m. to 4:00 a.m., with three thirty-minute breaks per shift, on Saturday from 3:00 p.m. to 6:00 a.m. with a one-hour break, and Sunday from 3:00 p.m. to 1:00 a.m., with a one-hour break.

40. From approximately April 2020 through November 2020, Defendants paid Cisneros \$12.00 per hour worked, including for hours worked over forty per workweek.

41. From approximately December 2020 through the end of his employment in January 2021, Defendants paid Cisneros \$16.00 per hour worked, including for hours worked over forty per workweek.

Maruja Cumbicos' Hours Worked and Wages Paid

42. Throughout her employment, Maruja Cumbicos regularly worked five days per week, for approximately seventy hours per workweek. She worked at the Wayfair worksites from 4:00 a.m. to 9:00 a.m., and then worked at the Global Industrial Services facility from 12:00 p.m. to 9:00 p.m. for approximately fourteen hours per day.

43. Throughout her employment, Defendants paid Cumbicos \$12.00 per hour worked, including for hours worked over forty per workweek.

COLLECTIVE ACTION ALLEGATIONS

44. Plaintiffs bring this action on behalf of themselves and all similarly situated persons who have worked as Cleaning Workers (*i.e.*, non-exempt cleaning workers) for the Cleaning Companies within the three years prior to the filing of this Complaint and who elect to opt-in to this action (the "FLSA Collective").

45. The FLSA Collective consists of approximately seventy-five Cleaning Workers who have been victims of Defendants' common policy and practices that have violated their rights under the FLSA by, *inter alia*, willfully denying them overtime wages.

46. Throughout Plaintiffs' employment, Plaintiffs and the FLSA Collective have had work schedules consisting of over forty hours per workweek, have performed virtually the same cleaning duties, and have been subjected to Defendants' common pay policies depriving them of overtime wages at the rate of one and one-half times their regular hourly wage rates for all hours worked in excess of forty per workweek.

47. Defendants are aware or should have been aware that the FLSA required them to pay Cleaning Workers an overtime premium for hours worked in excess of forty per workweek.

48. Defendants' unlawful conduct has been intentional, willful, and in bad faith and has caused significant monetary damage to Plaintiffs and the FLSA Collective.

49. The FLSA Collective would benefit from the issuance of a court-supervised notice of the present lawsuit and the opportunity to join the present lawsuit. All similarly situated Cleaning Workers can be readily identified and located through Defendants' records. The similarly situated Cleaning Workers should be notified of and allowed to opt-in to this action pursuant to 29 U.S.C. § 216(b).

CLASS ACTION ALLEGATIONS

50. The claims in this Complaint arising out of the NJWHL are brought by Plaintiffs under Rule 23 of the Federal Rules of Civil Procedure on behalf of themselves and a class consisting of all similarly situated non-exempt employees ("Cleaning Workers), who work or have worked for the Cleaning Companies within the last six years (the "Rule 23 Class").

51. The employees in the Rule 23 Class are so numerous that joinder of all members is impracticable.

52. The size of the Rule 23 Class is at least seventy-five individuals, although the precise number of such employees is unknown. Facts supporting the calculation of that number are presently within the sole control of Defendants.

53. Defendants have acted or have refused to act on grounds generally applicable to the Rule 23 Class, thereby making appropriate final injunctive relief or corresponding declaratory relief with respect to the Rule 23 Class as a whole.

54. Common questions of law and fact exist as to the Rule 23 Class that predominate over questions affecting them individually including, *inter alia*, the following:

- a. Whether the NJWHL, and the supporting regulations were violated by Defendants' acts as alleged herein;

- b. Whether Defendants failed to pay overtime wages to Plaintiffs and other Rule 23 Class members for time worked in excess of 40 hours in a workweek, as required by the NJWHL; and
- c. Whether Plaintiffs and the Rule 23 Class have sustained damages and, if so, the proper measure of such damages.

55. Plaintiffs' claims are typical of the claims of the Rule 23 Class they seek to represent. Plaintiffs and the members of the Rule 23 Class work or have worked for Defendants at various times within the applicable six-year statutory period. They enjoy the same statutory rights under the NJWHL to be paid at the overtime rate for all hours worked over forty in a workweek. Plaintiffs and the members of the Rule 23 Class have sustained similar types of damages as a result of Defendants' failure to comply with the NJWHL.

56. Plaintiffs and the Rule 23 Class have all been injured in that they have been under-compensated due to Defendants' common policies, practices, and patterns of conduct.

57. Plaintiffs will fairly and adequately represent and protect the interests of the members of the Rule 23 Class.

58. Plaintiffs have retained legal counsel competent and experienced in wage and hour litigation and class action litigation.

59. There is no conflict between Plaintiffs and the Rule 23 Class members.

60. A class action is superior to other available methods for the fair and efficient adjudication of this litigation. The members of the Rule 23 Class have been damaged and are entitled to recovery as a result of Defendants' common policies, practices, and procedures. Although the relative damages suffered by the individual class members are not *de minimis*, such damages are small compared to the expense and burden of

individual prosecution of this litigation. Individual plaintiffs lack the financial resources necessary to conduct a thorough examination of Defendants' compensation practices and to prosecute vigorously a lawsuit against Defendants to recover such damages. In addition, class action litigation is superior because it will obviate the need for unduly duplicative litigation that might result in inconsistent judgments about Defendants' practices.

61. This action is properly maintainable as a class action under Rule 23(b)(3) of the Federal Rules of Civil Procedure.

**FIRST CLAIM
(New Jersey Wage and Hour Law – Unpaid Overtime Wages)**

62. Plaintiffs and the Rule 23 Class repeat and reallege all foregoing paragraphs as if fully set forth herein.

63. Under the NJWHL, Defendants were required to pay Plaintiffs and the Rule 23 Class one and one-half (1½) times their regular rates of pay for all hours they worked in excess of 40 hours in a workweek.

64. Plaintiffs and the Rule 23 Class regularly worked more than 40 hours per week.

65. Defendants have failed to pay Plaintiffs and the Rule 23 Class members the overtime wages to which they were entitled under the NJWHL.

66. Defendants' violation of the wage payment requirements of the NJWHL was part of their regular business practice and constituted a pattern, practice, and/or policy.

67. Defendants were aware or should have been aware that the practices described in this Complaint were unlawful and have not made a good faith effort to

comply with the NJWHL with respect to the compensation of Plaintiffs and the Rule 23 Class.

68. Defendants have willfully violated the NJWHL by knowingly and intentionally failing to pay Plaintiffs and the Rule 23 Class members overtime wages.

69. Due to Defendants' willful violations of the NJWHL, Plaintiffs and the Rule 23 Class Members are entitled to recover their unpaid overtime wages, reasonable attorneys' fees and costs of the action, and pre-judgment and post-judgment interest.

**SECOND CLAIM
(Fair Labor Standards Act – Unpaid Overtime)**

70. Plaintiffs repeat and incorporate all foregoing paragraphs as if fully set forth herein.

71. Defendants have willfully violated the FLSA by knowingly and intentionally failing to pay Plaintiffs and the FLSA Collective overtime wages at the rate of one and one-half their regular hourly wage rates, which cannot be less than the applicable minimum wage rate, per hour worked in excess of forty per workweek.

72. Defendants are employers within the meaning of 29 U.S.C. §§ 203(e) and 206(a) and employed Plaintiffs and the FLSA Collective.

73. Defendants have not made a good faith effort to comply with the FLSA with respect to Plaintiffs' and the FLSA Collective's compensation.

74. Defendants were aware or should have been aware that the practices described in this Complaint were unlawful and have not made a good faith effort to comply with the FLSA with respect to the compensation of Plaintiffs and the FLSA Collective.

75. Due to Defendants' violations of the FLSA, Plaintiffs and the FLSA Collective are entitled to recover their unpaid overtime wages, liquidated damages, reasonable attorneys' fees and costs of the action, and pre- and post-judgment interest.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs, on behalf of themselves, the FLSA Collective, and the Rule 23 Class, respectfully request that this Court:

a. certify this case as a class action pursuant to Rule 23 for the class of employees described herein, certification of Plaintiffs as the class representatives, and designation of Plaintiffs' counsel as Class Counsel;

b. designate this action as a collective action on behalf of the FLSA Collective and authorize the prompt issuance a notice pursuant to 29 U.S.C. § 216(b) to all similarly situated members of the FLSA opt-in class, apprising them of the pendency of this action, and permitting them to assert timely FLSA claims in this action by filing individual Consent to Sue forms pursuant to 29 U.S.C. § 216(b);

c. declare that Defendants have violated the overtime wage provisions of the FLSA and the NJWHL;

d. declare that Defendants' violations of the FLSA and NJWHL were willful;

e. award Plaintiffs, the FLSA Collective, and the Rule 23 Class unpaid overtime wages;

f. award Plaintiffs, the FLSA Collective, and the Rule 23 Class liquidated damages pursuant to the FLSA and the NJWHL;

g. award Plaintiffs and the Rule 23 Class pre- and post-judgment interest under the NJWHL;

h. awarding Plaintiffs, the FLSA Collective, and the Rule 23 Class reasonable attorneys' fees and costs of the action pursuant to the FLSA and the NJWHL; and

i. award such other and further relief as the Court deems just and proper.

DEMAND FOR TRIAL BY JURY

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiffs demand a trial by jury in this action.

Dated: New York, New York
March 18, 2021

PECHMAN LAW GROUP PLLC

By: s/Louis Pechman
Louis Pechman
Vivianna Morales
Pechman Law Group PLLC
488 Madison Avenue, 17th Floor
New York, New York 10022
Tel.: (212) 583-9500
pechman@pechmanlaw.com
morales@pechmanlaw.com

*Attorneys for Plaintiffs, the
Putative FLSA Collective, and Putative
Rule 23 Class*

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Arturo Cisneros and Maruja Cumbicos

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

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

Pechman Law Group PLLC, 488 Madison Avenue, New York, NY 10022; 212-583-9500

DEFENDANTS

DME Janitorial Services LLC, EH Flooring Services LLC, and Motaz Hayez

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

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

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 4 Diversity (Indicate Citizenship of Parties in Item III)

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

- Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, PTF DEF, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation

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

Click here for: Nature of Suit Code Descriptions.

Table with 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, Labor, and Tax Suits.

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 - Transfer, 8 Multidistrict Litigation - Direct File

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. § 201, et seq.

Brief description of cause: Action under the Fair Labor Standards Act, 29 U.S.C. § 201, et seq., for failure to pay overtime wages and other monies.

VII. REQUESTED IN COMPLAINT:

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

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE DOCKET NUMBER

DATE 3/18/2021 SIGNATURE OF ATTORNEY OF RECORD Louis Pechman

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- 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.
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

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

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of New Jersey

Arturo Cisneros and Maruja Cumbicos

Plaintiff

v.

DME Janitorial Services LLC, EH Flooring Services
LLC, and Motaz Hayez

Defendant

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Civil Action No. 21-cv-5627

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* DME Janitorial Services LLC
31 George Street, Trenton, New Jersey 08638

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:

Pechman Law Group PLLC
488 Madison Avenue, 17th Floor
New York, New York 10022
Attn: Louis Pechman, Vivianna Morales
pechman@pechmanlaw.com
morales@pechmanlaw.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. 21-cv-5627

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

Subject: FW: Pay.gov Payment Confirmation: NEW JERSEY DISTRICT COURT
Date: Thursday, March 18, 2021 at 10:29:31 AM Eastern Daylight Time
From: Lou Pechman
To: Mirian Albert

Louis Pechman
Pechman Law Group PLLC
488 Madison Avenue, 17th Floor
New York, New York 10022
Ph. (212) 583-9500
Fx. (212) 409-8763
www.pechmanlaw.com <<http://www.pechmanlaw.com>>

On 3/18/21, 10:17 AM, "do_not_reply@psc.uscourts.gov" <do_not_reply@psc.uscourts.gov> wrote:

Your payment has been successfully processed and the details are below. If you have any questions or you wish to cancel this payment, please contact: Finance Department at (609) 989-0468.

Account Number: 2902628
Court: NEW JERSEY DISTRICT COURT
Amount: \$402.00
Tracking Id: ANJDC-12277124
Approval Code: 115143
Card Number: *****3002
Date/Time: 03/18/2021 10:17:00 ET

Person Completing Transaction: Louis Pechman
Attorney Name: Louis Pechman
Attorney Email: pechman@pechmanlaw.com

NOTE: This is an automated message. Please do not reply

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of New Jersey

Arturo Cisneros and Maruja Cumbicos

Plaintiff

v.

DME Janitorial Services LLC, EH Flooring Services LLC, and Motaz Hayez

Defendant

Civil Action No. 21-cv-5627

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) EH Flooring Services LLC
31 George Street, Trenton, New Jersey 08638

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:

Pechman Law Group PLLC
488 Madison Avenue, 17th Floor
New York, New York 10022
Attn: Louis Pechman, Vivianna Morales
pechman@pechmanlaw.com
morales@pechmanlaw.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. 21-cv-5627

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. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of New Jersey

Arturo Cisneros and Maruja Cumbicos

Plaintiff

v.

DME Janitorial Services LLC, EH Flooring Services
LLC, and Motaz Hayez

Defendant

)
)
)
)
)
)
)
)
)

Civil Action No. 21-cv-5627

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Motaz Hayez
c/o DME Janitorial Services LLC
31 George Street, Trenton, New Jersey 08638

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:

Pechman Law Group PLLC
488 Madison Avenue, 17th Floor
New York, New York 10022
Attn: Louis Pechman, Vivanna Morales
pechman@pechmanlaw.com
morales@pechmanlaw.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

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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:

Print

Save As...

Reset

ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [NJ Corporate Cleaning Company Denied Workers Proper Overtime Pay, Lawsuit Alleges](#)
