

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

Catherine Esteppe, individually and on
behalf of all other similarly situated
individuals,

Plaintiff,

v.

Body Sculpt International, LLC, d/b/a
Sono Bello, Body Sculpt of Atlanta,
LLC, d/b/a Sono Bello, and DOES 1-20,
inclusive,

Defendants.

)
) Case No.
)
)

**COLLECTIVE ACTION
COMPLAINT**

Plaintiff Catherine Esteppe (“Plaintiff”), individually and on behalf of all others similarly situated, files this Collective Action Complaint against Body Sculpt International, LLC d/b/a Sono Bello, Body Sculpt of Atlanta, LLC d/b/a Sono Bello, (“Defendants”) and certain Doe Defendants, or their predecessors-in-interest, for damages resulting from their failure to pay their patient care consultants and other consultants overtime wages in accordance with the Fair Labor Standards Act (“FLSA”).

JURISDICTION AND VENUE

1. This Court has original jurisdiction to hear this Complaint and to adjudicate the claims stated herein pursuant to 28 U.S.C. § 1331 because this action asserts claims arising under federal law, the FLSA, 29 U.S.C. § 201, *et seq.*

2. Venue is proper in the United States District Court, Northern District of Georgia, pursuant to 28 U.S.C. § 1391, because Defendants Body Sculpt International, LLC and Body Sculpt of Atlanta, LLC, both doing business as Sono Bello, reside in this District and because a substantial part of the events giving rise to the claims occurred in this District.

PARTIES

3. Plaintiff Catherine Esteppe is an adult resident of the State of Georgia. Defendants employed Plaintiff Esteppe in the State of Georgia as a patient care consultant from October 2015 to the end of December 2015. Plaintiff Esteppe worked exclusively out of Defendants' Atlanta, Georgia office.

4. Plaintiff Esteppe has consented in writing to assert claims for overtime pay under the FLSA. (See Ex. A). As this case proceeds, it is likely that other individuals will sign consent forms and join this action as opt-in plaintiffs.

5. Plaintiff and all other similarly situated individuals are current and former employees of Defendants within the meaning of the FLSA and were employed by Defendants within three years of the date this Complaint was filed. 29 U.S.C. §§ 203(d) and (e)(1), 255.

6. Defendant Body Sculpt International, LLC d/b/a Sono Bello, is a corporation with its headquarters located at 8900 E Pinnacle Peak Road, Suite

E200, Scottsdale, Arizona, 85255. Defendant Body Sculpt of Atlanta, LLC has the same principal address as Defendant Body Sculpt International, LLC. Plaintiff worked in Defendant's office located at 1150 Hammond Drive Northeast Building E., Suite 500, Atlanta, Georgia 30328.

7. Does 1-20, inclusive, are sued herein under fictitious names. Their true names and capacities are unknown to Plaintiff. When their true names and capacities are ascertained, Plaintiff will amend this Complaint by inserting their true names and capacities herein. Plaintiff is informed and believes, and therefore alleges that each of fictitiously-named defendants is responsible in some manner for the occurrences herein alleged, and that the damages of Plaintiff and others similarly situated were proximately caused by such Defendants.

8. According to its website, Defendants are "a national leader in laser liposuction and total body transformation." Defendants provide a "team of highly skilled and trained physicians, [who] specialize in total body transformation, including body contouring and facial lifting." Defendants' website further indicates that it has more than "75 board certified plastic and facial plastic surgeons" who have performed "over 65,000" total body transformation procedures at its "30 locations nationwide." Upon information and belief, Defendants operate approximately 16 of these 30 locations nationwide.

9. Defendants employ and employed Plaintiff and those similarly situated in various locations, including: Delaware, Florida, Georgia, Kansas, Massachusetts, New Jersey, New York, and Pennsylvania.

10. At all relevant times, Defendants were the “employers” of Plaintiff and all similarly situated individuals under the FLSA.

11. Defendants are “enterprises” as defined by the FLSA, 29 U.S.C. § 203(r)(1) and are enterprises engaged in commerce or in the production of goods for commerce within the meaning of the FLSA, 29 U.S.C. § 203(s)(1).

12. Defendants’ gross annual sales made or business done has exceeded \$500,000 at all relevant times.

COLLECTIVE ACTION FACTUAL ALLEGATIONS

13. During the applicable statutory period, Plaintiff and those similarly situated were employed as patient care consultants, traveling patient care consultants, sales consultants, and similar job titles, and held non-supervisory sales positions.

14. Plaintiff and those similarly situated were responsible for selling Defendants’ laser-assisted liposuction, body contouring, cellulite reduction, wrinkle reduction, skin tightening, and facelift procedures, along with other medical-cosmetic services to Defendants’ customers during consultations.

15. Plaintiff and those similarly situated performed this sales work from inside Defendants' offices.

16. Plaintiff and those similarly situated regularly worked more than forty (40) hours per week. Plaintiff and those similarly situated were required to attend all appointments scheduled at Defendants' clinics. Typically, Plaintiff and those similarly situated were required to arrive at least thirty (30) minutes before Defendant's clinic opened and stay until the last scheduled appointment ended and return phone calls after their last appointments each day. This routinely required Plaintiff and those similarly situated to work in Defendant's clinic(s) 9 to 12 hours per day. As a result, Plaintiff and those similarly situated often worked over forty (40) hours in a workweek.

17. Plaintiff estimates that she typically worked at least ten (10) to fifteen (15) overtime hours per week. Specifically, during the workweek of November 21 through November 27, 2015, Plaintiff estimates that she worked approximately fifteen (15) hours of overtime. Plaintiff was the only consultant working in the office that particular week, and her manager instructed her to work long days (which included calling to follow up on potential sales leads), in order to meet the month-end sales goals. Defendants did not compensate Plaintiff with an overtime premium for the overtime hours she worked.

18. In addition, at least 1–2 weeks per month Plaintiff was required to work six days per week, for approximately 9 to 12 hours per day. Defendants required Plaintiff and those similarly situated to work the six-day workweeks, and at times, seven days per week, at the end of the month in order to meet Defendants' sales quotas. As a result, Plaintiff and those similarly situated often worked over forty (40) hours in a workweek.

19. Defendants classified Plaintiff and those similarly situated as exempt from the FLSA's wage and hour protections. Plaintiff and those similarly situated should have been classified as hourly, non-exempt employees.

20. Defendants paid Plaintiff and those similarly situated an annual salary, plus bonuses. They did not pay them an overtime premium for the hours they suffered or permitted them to work that exceeded forty (40) in a work week.

21. Defendants were aware, or should have been aware, that Plaintiff and those similarly situated, performed work that required payment of overtime compensation. Defendants routinely scheduled consultations six days a week from 9 a.m. to 6 p.m., which consultants were required to attend. In addition, Plaintiff's supervisor required her and other patient care consultants to work as many hours as necessary to meet Defendants' sales quotas. Plaintiff's supervisor instructed her to

arrive to work early, prior to the clinic's set opening time, and to work late, after the clinic closed.

22. The foregoing conduct, as alleged, constitutes a willful violation of the FLSA within the meaning of 29 U.S.C. § 255(a) because Defendants knew or showed reckless disregard for the fact that their compensation practices violated the law.

23. There are numerous similarly situated individuals that are or were employed by Defendants who have also been denied overtime compensation in violation of the FLSA. These individuals would benefit from the issuance of court-supervised notice of this lawsuit and the opportunity to join by filing their written consent. Those similarly situated employees are known to Defendant and readily identifiable through Defendant's records.

COUNT I
Violation of the FLSA: Failure to Pay Overtime

24. Plaintiff alleges and incorporates by reference the allegations in the preceding paragraphs.

25. Plaintiff brings this cause of action under 29 U.S.C. § 216(b) individually and on behalf of other similarly situated employees. The proposed Collective Class for FLSA claims is defined as follows:

All persons who worked as patient care consultants, traveling patient care consultants, sales consultants, or other similar job titles, for Defendants at any time during the three years prior to the filing of this Complaint to the present (the “FLSA Collective”).

26. Defendants are required under the FLSA, 29 U.S.C. § 207, to pay wages to Plaintiff and those similarly situated at a rate no less than one-and-one-half times their regular hourly rate of pay for all time worked in excess of forty (40) hours in individual workweeks.

27. Defendants improperly classified Plaintiff and those similarly situated as exempt from the overtime wage provisions of the FLSA, 29 U.S.C. § 207.

28. Defendants willfully failed and refused to pay Plaintiff and those similarly situated overtime wages for all hours worked in excess of forty (40) per week.

29. Defendants’ willful failure and refusal to pay Plaintiff and those similarly situated overtime wages for all time worked in excess of forty (40) hours per week in individual workweeks violates the FLSA, 29 U.S.C. §§ 207, 255.

30. As a result of these unlawful practices, Plaintiff and others similarly situated suffered a loss of wages and are therefore entitled to recover unpaid wages for up to three years prior to the filing of their claims, liquidated damages, pre- and post-judgment interest, and attorneys’ fees and costs.

PRAYER FOR RELIEF

Plaintiff, individually and on behalf of those similarly situated, prays for judgment against Defendants as follows:

- A. Designation of this action as a collective action on behalf of Plaintiff and those similarly situated, and prompt issuance of notice pursuant to 29 U.S.C. § 216(b) to all those similarly situated apprising them of the pendency of this action, and permitting them to assert timely FLSA claims in this action by filing individual consent forms;
- B. Judgment that Plaintiff and those similarly situated are non-exempt employees entitled to protection under the FLSA;
- C. Judgment against Defendants for violation of the overtime provisions of the FLSA;
- D. Judgment that Defendants' actions as described above were willful;
- E. An award to Plaintiff and those similarly situated for the amount of unpaid wages owed and liquidated damages;
- F. An award of pre-judgment interest;
- G. An award of post-judgment interest;
- H. An award of reasonable attorneys' fees and costs;

- I. Leave to add additional plaintiffs by motion, the filing of written consent forms, or any other method approved by the Court;
- J. Leave to add state law claims; and
- K. For such other and further relief, in law or equity, as this Court may deem appropriate and just.

Respectfully submitted on November 29, 2016.

MAYS & KERR LLC

s/John L. Mays

John L. Mays
Georgia Bar No. 986574
235 Peachtree St. NE, Suite 202
Atlanta, GA 30303
Tel/Fax: (404) 855-0820
Email: john@maysandkerr.com

NICHOLS KASTER, LLP

Matthew C. Helland, CA Bar No. 250451*
helland@nka.com
One Embarcadero Center, Suite 720
San Francisco, CA 94111
Telephone: (415) 277-7235
Fax: (415) 277-7238
Email: helland@nka.com

NICHOLS KASTER, PLLP

Brittany B. Skemp, MN Bar No. 0395227*
4600 IDS Center, 80 South 8th Street
Minneapolis, MN 55427
Telephone: (612) 256-3200
Fax: (612) 338-4878
Email: bbachmans Kemp@nka.com

**Pro Hac Vice applications forthcoming*

**ATTORNEYS FOR PLAINTIFF AND
OTHERS SIMILARLY SITUATED**

CIVIL COVER SHEET

The JS44 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 is required for the use of the Clerk of Court for the purpose of initiating the civil docket record. (SEE INSTRUCTIONS ATTACHED)

I. (a) PLAINTIFF(S)

Catherine Esteppe, individually and on behalf of all other similarly situated individuals,

DEFENDANT(S)

Body Sculpt International, LLC d/b/a Sono Bello, Body Sculpt of Atlanta, LLC, d/b/a Sono Bello and DOES 1-20, inclusive,

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF

Fayette
(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, TELEPHONE NUMBER, AND E-MAIL ADDRESS)

Nichols Kaster, LLP, Matthew Helland, One Embarcadero Center, Suite 720 San Francisco, CA 94111, (415) 277-7235 helland@nka.com
John Mays, Mays and Kerr, LLC 235 Peachtree Street, NE #202, Atlanta, GA 30303, (404) 410-7998

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)
(FOR DIVERSITY CASES ONLY)

- | PLF | DEF | | PLF | DEF | |
|----------------------------|----------------------------|---|----------------------------|----------------------------|---|
| <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | CITIZEN OF THIS STATE | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 | INCORPORATED OR PRINCIPAL PLACE OF BUSINESS IN THIS STATE |
| <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | CITIZEN OF ANOTHER STATE | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 | INCORPORATED AND PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE |
| <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | CITIZEN OR SUBJECT OF A FOREIGN COUNTRY | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 | FOREIGN NATION |

IV. 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 District)
☐ 6 MULTIDISTRICT LITIGATION - TRANSFER
☐ 7 APPEAL TO DISTRICT JUDGE FROM MAGISTRATE JUDGE JUDGMENT
☐ 8 MULTIDISTRICT LITIGATION - DIRECT FILE

V. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE - DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Defendant failed to pay overtime under 29 U.S.C. § 201 et. seq.

(IF COMPLEX, CHECK REASON BELOW)

- | | |
|---|---|
| <input checked="" type="checkbox"/> 1. Unusually large number of parties. | <input type="checkbox"/> 6. Problems locating or preserving evidence |
| <input type="checkbox"/> 2. Unusually large number of claims or defenses. | <input type="checkbox"/> 7. Pending parallel investigations or actions by government. |
| <input type="checkbox"/> 3. Factual issues are exceptionally complex | <input type="checkbox"/> 8. Multiple use of experts. |
| <input type="checkbox"/> 4. Greater than normal volume of evidence. | <input type="checkbox"/> 9. Need for discovery outside United States boundaries. |
| <input type="checkbox"/> 5. Extended discovery period is needed. | <input type="checkbox"/> 10. Existence of highly technical issues and proof. |

CONTINUED ON REVERSE

FOR OFFICE USE ONLY

RECEIPT # _____	AMOUNT \$ _____	APPLYING IFP _____	MAG. JUDGE (IFP) _____
JUDGE _____	MAG. JUDGE _____ (Referral)	NATURE OF SUIT _____	CAUSE OF ACTION _____

VI. NATURE OF SUIT (PLACE AN "X" IN ONE BOX ONLY)CONTRACT - "0" MONTHS DISCOVERY TRACK

- ☐ 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT
- ☐ 152 RECOVERY OF DEFAULTED STUDENT LOANS (Excl. Veterans)
- ☐ 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS

CONTRACT - "4" MONTHS DISCOVERY TRACK

- ☐ 110 INSURANCE
- ☐ 120 MARINE
- ☐ 130 MILLER ACT
- ☐ 140 NEGOTIABLE INSTRUMENT
- ☐ 151 MEDICARE ACT
- ☐ 160 STOCKHOLDERS' SUITS
- ☐ 190 OTHER CONTRACT
- ☐ 195 CONTRACT PRODUCT LIABILITY
- ☐ 196 FRANCHISE

REAL PROPERTY - "4" MONTHS DISCOVERY TRACK

- ☐ 210 LAND CONDEMNATION
- ☐ 220 FORECLOSURE
- ☐ 230 RENT LEASE & EJECTMENT
- ☐ 240 TORTS TO LAND
- ☐ 245 TORT PRODUCT LIABILITY
- ☐ 290 ALL OTHER REAL PROPERTY

TORTS - PERSONAL INJURY - "4" MONTHS DISCOVERY TRACK

- ☐ 310 AIRPLANE
- ☐ 315 AIRPLANE PRODUCT LIABILITY
- ☐ 320 ASSAULT, LIBEL & SLANDER
- ☐ 330 FEDERAL EMPLOYERS' LIABILITY
- ☐ 340 MARINE
- ☐ 345 MARINE PRODUCT LIABILITY
- ☐ 350 MOTOR VEHICLE
- ☐ 355 MOTOR VEHICLE PRODUCT LIABILITY
- ☐ 360 OTHER PERSONAL INJURY
- ☐ 362 PERSONAL INJURY - MEDICAL MALPRACTICE
- ☐ 365 PERSONAL INJURY - PRODUCT LIABILITY
- ☐ 367 PERSONAL INJURY - HEALTH CARE/ PHARMACEUTICAL PRODUCT LIABILITY
- ☐ 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY

TORTS - PERSONAL PROPERTY - "4" MONTHS DISCOVERY TRACK

- ☐ 370 OTHER FRAUD
- ☐ 371 TRUTH IN LENDING
- ☐ 380 OTHER PERSONAL PROPERTY DAMAGE
- ☐ 385 PROPERTY DAMAGE PRODUCT LIABILITY

BANKRUPTCY - "0" MONTHS DISCOVERY TRACK

- ☐ 422 APPEAL 28 USC 158
- ☐ 423 WITHDRAWAL 28 USC 157

CIVIL RIGHTS - "4" MONTHS DISCOVERY TRACK

- ☐ 440 OTHER CIVIL RIGHTS
- ☐ 441 VOTING
- ☐ 442 EMPLOYMENT
- ☐ 443 HOUSING/ ACCOMMODATIONS
- ☐ 444 WELFARE
- ☐ 445 AMERICANS with DISABILITIES - Employment
- ☐ 446 AMERICANS with DISABILITIES - Other
- ☐ 448 EDUCATION

IMMIGRATION - "0" MONTHS DISCOVERY TRACK

- ☐ 462 NATURALIZATION APPLICATION
- ☐ 465 OTHER IMMIGRATION ACTIONS

PRISONER PETITIONS - "0" MONTHS DISCOVERY TRACK

- ☐ 463 HABEAS CORPUS- Alien Detainee
- ☐ 510 MOTIONS TO VACATE SENTENCE
- ☐ 530 HABEAS CORPUS
- ☐ 535 HABEAS CORPUS DEATH PENALTY
- ☐ 540 MANDAMUS & OTHER
- ☐ 550 CIVIL RIGHTS - Filed Pro se
- ☐ 555 PRISON CONDITION(S) - Filed Pro se
- ☐ 560 CIVIL DETAINEE: CONDITIONS OF CONFINEMENT

PRISONER PETITIONS - "4" MONTHS DISCOVERY TRACK

- ☐ 550 CIVIL RIGHTS - Filed by Counsel
- ☐ 555 PRISON CONDITION(S) - Filed by Counsel

FORFEITURE/PENALTY - "4" MONTHS DISCOVERY TRACK

- ☐ 625 DRUG RELATED SEIZURE OF PROPERTY 21 USC 881
- ☐ 690 OTHER

LABOR - "4" MONTHS DISCOVERY TRACK

- ☒ 710 FAIR LABOR STANDARDS ACT
- ☐ 720 LABOR/MGMT. RELATIONS
- ☐ 740 RAILWAY LABOR ACT
- ☐ 751 FAMILY and MEDICAL LEAVE ACT
- ☐ 790 OTHER LABOR LITIGATION
- ☐ 791 EMPL. RET. INC. SECURITY ACT

PROPERTY RIGHTS - "4" MONTHS DISCOVERY TRACK

- ☐ 820 COPYRIGHTS
- ☐ 840 TRADEMARK

PROPERTY RIGHTS - "8" MONTHS DISCOVERY TRACK

- ☐ 830 PATENT

SOCIAL SECURITY - "0" MONTHS DISCOVERY TRACK

- ☐ 861 HIA (1395ff)
- ☐ 862 BLACK LUNG (923)
- ☐ 863 DIWC (405(g))
- ☐ 863 DIWW (405(g))
- ☐ 864 SSID TITLE XVI
- ☐ 865 RSI (405(g))

FEDERAL TAX SUITS - "4" MONTHS DISCOVERY TRACK

- ☐ 870 TAXES (U.S. Plaintiff or Defendant)
- ☐ 871 IRS - THIRD PARTY 26 USC 7609

OTHER STATUTES - "4" MONTHS DISCOVERY TRACK

- ☐ 375 FALSE CLAIMS ACT
- ☐ 376 Qui Tam 31 USC 3729(a)
- ☐ 400 STATE REAPPORTIONMENT
- ☐ 430 BANKS AND BANKING
- ☐ 450 COMMERCE/ICC RATES/ETC.
- ☐ 460 DEPORTATION
- ☐ 470 RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS
- ☐ 480 CONSUMER CREDIT
- ☐ 490 CABLE/SATELLITE TV
- ☐ 890 OTHER STATUTORY ACTIONS
- ☐ 891 AGRICULTURAL ACTS
- ☐ 893 ENVIRONMENTAL MATTERS
- ☐ 895 FREEDOM OF INFORMATION ACT
- ☐ 899 ADMINISTRATIVE PROCEDURES ACT / REVIEW OR APPEAL OF AGENCY DECISION
- ☐ 950 CONSTITUTIONALITY OF STATE STATUTES

OTHER STATUTES - "8" MONTHS DISCOVERY TRACK

- ☐ 410 ANTI-TRUST
- ☐ 850 SECURITIES / COMMODITIES / EXCHANGE

OTHER STATUTES - "0" MONTHS DISCOVERY TRACK

- ☐ 896 ARBITRATION (Confirm / Vacate / Order / Modify)

*** PLEASE NOTE DISCOVERY TRACK FOR EACH CASE TYPE. SEE LOCAL RULE 26.3**

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF CLASS ACTION UNDER F.R.Civ.P. 23 DEMAND \$ _____ >\$75,000

JURY DEMAND ☐ YES ☒ NO (CHECK YES ONLY IF DEMANDED IN COMPLAINT)

VIII. RELATED/REFILED CASE(S) IF ANY

JUDGE _____ DOCKET NO. _____

CIVIL CASES ARE DEEMED RELATED IF THE PENDING CASE INVOLVES: (CHECK APPROPRIATE BOX)

- ☐ 1. PROPERTY INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
- ☐ 2. SAME ISSUE OF FACT OR ARISES OUT OF THE SAME EVENT OR TRANSACTION INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
- ☐ 3. VALIDITY OR INFRINGEMENT OF THE SAME PATENT, COPYRIGHT OR TRADEMARK INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
- ☐ 4. APPEALS ARISING OUT OF THE SAME BANKRUPTCY CASE AND ANY CASE RELATED THERETO WHICH HAVE BEEN DECIDED BY THE SAME BANKRUPTCY JUDGE.
- ☐ 5. REPETITIVE CASES FILED BY PRO SE LITIGANTS.
- ☐ 6. COMPANION OR RELATED CASE TO CASE(S) BEING SIMULTANEOUSLY FILED (INCLUDE ABBREVIATED STYLE OF OTHER CASE(S)):

☐ 7. EITHER SAME OR ALL OF THE PARTIES AND ISSUES IN THIS CASE WERE PREVIOUSLY INVOLVED IN CASE NO. _____, WHICH WAS DISMISSED. This case ☐ IS ☐ IS NOT (check one box) SUBSTANTIALLY THE SAME CASE.

SIGNATURE OF ATTORNEY OF RECORD

11/29/16

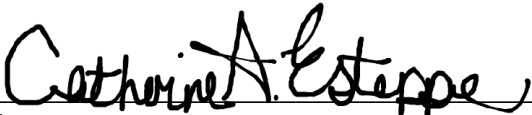
DATE

EXHIBIT A:
ESTEPPE CONSENT FORM

**BODY SCULPT INTERNATIONAL, LLC
PLAINTIFF CONSENT FORM**

1. I consent to make a claim under the Fair Labor Standards Act, 29 U.S.C. § 201, et seq. against my current/former employer(s), Body Sculpt International, LLC, and any other related entities or affiliates, to recover overtime pay.
2. During the past three years, there were occasions when I worked over 40 hours per week for Body Sculpt International as a Patient Care Consultant, or other similar position, and did not receive proper compensation for my overtime hours worked.
3. If this case does not proceed collectively, then I also consent to join any subsequent action to assert these claims against Body Sculpt International and any other related entities or affiliates.

Date: 11/07/2016


Signature

Catherine A. Esteppe

Print Name

Information Below Will Be Redacted in Filings with the Court. Please Print or Type.

Return this form by
fax, email or mail to:

Nichols Kaster, PLLP, Attn: Brittany Bachman Skemp
Fax: (612) 215-6870
Email: forms@nka.com
Address: 4600 IDS Center, 80 S. 8th Street, Minneapolis, MN 55402
Web: www.nka.com

ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Body Sculpt Hit with Wage and Hour Suit in Georgia](#)
