

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

**MIGDALIA GARCIA, individually and on
behalf of other similarly situated employees,**

Plaintiff,

v.

THE GEO GROUP, INC.

Defendant.

Civ. Action No. 5:21-CV-1867

Class/Collective Action

**Pursuant to Fed. R. Civ. P. 23/ 29 U.S.C. §
216(b)**

Jury Trial Demanded

ORIGINAL CLASS AND COLLECTIVE ACTION COMPLAINT

I. SUMMARY

1. Plaintiff Migdalia Garcia brings this lawsuit to recover unpaid overtime wages and other damages from The Geo Group, Inc (“Geo Group”) under the Fair Labor Standards Act (“FLSA”), 29 U.S.C. 29 U.S.C. § 201 *et. seq.*, and the Pennsylvania Minimum Wage Act (“PMWA”), 43 Pa. Stat. Ann. § 333.101 *et. seq.*, for work they performed for Geo Group, Inc. (Geo Group).

2. Garcia and other workers like her regularly worked for Geo Group in excess of forty (40) hours each week.

3. But these workers never received overtime for hours worked in excess of forty (40) hours in a single workweek.

4. Instead of paying overtime as required by the FLSA and PMWA, Garcia and other workers like her were paid the same hourly rate for all hours worked, including those in excess of 40 in a workweek (or, “straight time for overtime”), and often did not receive compensation for all hours worked in excess of forty (40) in a workweek.

5. This class and collective action seeks to recover the unpaid overtime wages and

other damages owed to these workers.

II. JURISDICTION AND VENUE

6. This Court has original subject matter jurisdiction pursuant to 28 U.S.C. § 1331 because this Action involves a federal question under the FLSA. 29 U.S.C. § 216(b).

7. The Court has federal jurisdiction over this action pursuant to the jurisdictional provisions of the Class Action Fairness Act, 28 U.S.C. § 1332(d). The Court also has supplemental jurisdiction over any state law sub-class pursuant to 28 U.S.C. § 1367.

8. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b) because a substantial part of the events or omissions giving rise to the claim occurred in this District and Division.

9. Garcia worked for Geo Group in this District and Division in Morgantown, Berks County, Pennsylvania.

10. Geo Group conducts substantial business in this District and manages and/or owns correctional facilities (private prisons and/or mental health facilities) in Thornton, Delaware County, Pennsylvania (George W. Hill Correctional Facility) as well as elsewhere in Pennsylvania (Moshannon Valley Correctional Facility in Philipsburg, PA) and across the United States.¹ Geo Group also conducts substantial business in this District and Division by providing “rehabilitation programs to individuals while in-custody and post-release into the community.”²

11. Additionally, Garcia lives in this District in Reading, Berks County, Pennsylvania.

III. THE PARTIES

12. Garcia performed work for Geo Group from approximately June 2009 to October

¹ <https://www.geogroup.com/Locations> (last visited March 31, 2021).

² https://www.geogroup.com/who_we_are (last visited March 31, 2021).

2018.

13. While working for Geo Group, Garcia was often not paid any overtime compensation for all hours worked in excess of forty (40) in a single workweek.

14. While working for Geo Group, when Garcia did receive overtime compensation for hours worked in excess of forty (40) in a single workweek, she was only paid “straight time for overtime.”

15. Garcia’s written consent is attached herein as Exhibit A.

16. Garcia brings this Action on behalf of herself and other similarly situated workers who were paid “straight time for overtime” for work performed for Geo Group.

17. The class of similarly situated employees or putative class members sought to be certified is defined as:

All individuals who worked for Geo Group during the past three years who were paid the same hourly rate for all hours worked (including those hours in excess of 40 hours in single workweek), or “straight time for overtime” (the “Putative Class”).

18. Garcia seeks conditional and final certification of this FLSA Class in this collective action under 29 U.S.C. § 216(b).

19. Garcia also seeks class certification of such a class under FED. R. CIV. P. 23 under the PMWA.

20. Geo Group Inc. is a Florida corporation. Geo Group may be served with process by serving its registered agent, Corporate Creations Network Inc., 1001 State Street #1400, Erie, PA 16501 or wherever it may be found.

IV. COVERAGE UNDER THE FLSA

21. At all times hereinafter mentioned, Geo Group was and is an employer within the meaning of the Section 3(d) of the FLSA, 29 U.S.C. § 203(d).

22. At all times hereinafter mentioned, Geo Group was and is an enterprise within the meaning of Section 3(r) of the FLSA, 29 U.S.C. § 203(r).

23. At all times hereinafter mentioned, Geo Group was and is an enterprise engaged in commerce or in the production of goods for commerce within the meaning of Section 3(s)(1) of the FLSA, 29 U.S.C. § 203(s)(1), in that said enterprise has and 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 and in that said enterprise has had and has an annual gross volume of sales made or business done of not less than \$1,000,000 (exclusive of excise taxes at the retail level which are separately stated).

24. At all times hereinafter mentioned, Garcia and the FLSA Class Members were engaged in commerce or in the production of goods for commerce within the meaning of 29 U.S.C. §§ 206-207.

V. THE FACTS

25. Geo Group owns and/or manages secure facilities (private prisons and mental health facilities) across the United States, including in Pennsylvania.³ Geo Group also provides “rehabilitation programs to individuals while in-custody and post-release into the community.”⁴

26. To provide services to its clients, Geo Group hires workers who are paid on an hourly basis (like Garcia) and staffs them to correctional and rehabilitation facilities.

27. Geo Group determines and controls the terms and conditions of employment.

³ <https://www.geogroup.com/Locations> (last visited March 31, 2021).

⁴ https://www.geogroup.com/who_we_are (last visited February 25, 2021).

28. During the operative time period, Garcia worked for Geo Group as an hourly employee.

29. Garcia was paid by the hour.

30. Garcia was a program manager.

31. Garcia was employed by Geo Group from June 2009 until October 2018.

32. Garcia reported the hours she worked to Geo Group on a regular basis.

33. Garcia regularly worked more than 40 hours in a week.

34. The hours Garcia worked are reflected in her payroll records.

35. Garcia was paid the same hourly rate for all hours worked, including those hours in excess of 40 hours in a single workweek.

36. Garcia did not receive overtime for all hours worked in excess of 40 hours in a single workweek while working for Geo Group.

37. Rather than receiving time and half as required by the FLSA and PMWA, Garcia only received “straight time” pay for overtime hours worked.

38. This “straight time for overtime” payment scheme violates the FLSA and PMWA.

39. Geo Group was aware of the overtime requirements of the FLSA and PMWA.

40. Certain hourly employees, such as Garcia, nevertheless did not receive overtime while working for Geo Group.

41. Very little skill, training, or initiative, in terms of independent business initiative, was required of Garcia to perform her job duties.

42. Indeed, the daily and weekly activities of Garcia and members of the Putative Class were routine and largely governed by standardized plans, procedures, and checklists created or mandated by Geo Group.

43. Garcia and members of the Putative Class performed substantially similar job duties and are subjected to similar policies and procedures which dictate the day-to-day activities performed by each person.

44. Garcia and members of the Putative Class also worked similar hours and were denied overtime as a result of the same illegal pay practice.

45. Garcia and members of the Putative Class regularly worked in excess of 40 hours each week.

46. Garcia and members of the Putative Class were not paid on a salary basis while working for Geo Group.

47. Garcia and members of the Putative Class were paid “straight time for overtime” while working for Geo Group.

48. Garcia and members of the Putative Class were not paid overtime for hours worked in excess of 40 hours in a single workweek while working for Geo Group.

49. Garcia and members of the Putative Class were not paid for all hours worked.

50. Geo Group knew, or acted with reckless disregard for whether, Garcia and members of the FLSA Class were misclassified as exempt.

51. The failure to pay overtime to these hourly workers was, and is, a willful violation of the FLSA and PMWA because Garcia and the members of the Putative Class were misclassified as exempt and denied overtime compensation.

VI. FLSA VIOLATIONS

52. As set forth herein, Geo Group has violated, and is violating, Section 7 of the FLSA, 29 U.S.C. § 207, by employing employees in an enterprise engaged in commerce or in the production of goods for commerce within the meaning of the FLSA for workweeks longer than

forty (40) hours without compensating such employees for their employment in excess of forty (40) hours per week at rates no less than 1 and ½ times the regular rates for which they were employed.

53. Geo Group knowingly, willfully, or in reckless disregard carried out this illegal pattern or practice of failing to pay Garcia and members of the Putative Class overtime compensation. Geo Group's failure to pay overtime compensation to these employees was neither reasonable, nor was the decision not to pay overtime made in good faith.

54. Accordingly, Garcia and all those who are similarly situated are entitled to overtime wages under the FLSA in an amount equal to 1 and ½ times their rate of pay, plus liquidated damages, attorney's fees, and costs.

VII. PMWA VIOLATIONS

55. Garcia brings this claim under the PMWA as a Rule 23 class action.

56. The conduct alleged violates the PMWA (43 Pa. Stat. Ann. § 333.101, *et. seq.*).

57. At all relevant times, Geo Group was subject to the requirements of the PMWA.

58. At all relevant times, Geo Group employed Garcia and the members of the Putative Class as an "employee" within the meaning of the PMWA.

59. The PMWA requires employers like Geo Group to pay employees at one and one half (1 ½) times the regular rate of pay for hours worked in excess of forty (40) hours in any one week. Garcia and members of the Putative Class are entitled to overtime pay under the PMWA.

60. Geo Group has and had a policy and practice of failing to pay Garcia and members of the Putative Class overtime for hours worked in excess of forty (40) hours per workweek.

61. Garcia and the members of the Putative Class seek unpaid overtime in amount equal to one and one half (1 ½) times the regular rate of pay for work performed in excess of hours in a

workweek, prejudgment interest, all available penalty wages, and such other legal and equitable relief as the Court deems just and proper.

62. Garcia and the members of the Putative Class also seek recovery of attorneys' fees, costs, and expenses of this action, to be paid by Geo Group, as provided by the PMWA.

VIII. CLASS AND COLLECTIVE ACTION ALLEGATIONS

63. Garcia incorporates all previous paragraphs and alleges that the illegal pay practices Geo Group imposed on Garcia were likewise imposed on the members of the Putative Class.

64. Numerous individuals were victimized by this pattern, practice, and policy which is in willful violation of the FLSA and PMWA.

65. Numerous other individuals who worked with Garcia indicated they were paid in the same manner, performed similar work, and were not properly compensated for all hours worked as required by state and federal wage laws.

66. Based on her experience and tenure with Geo Group, Garcia is aware that Geo Group's illegal practices were imposed on members of the Putative Class.

67. The members of the Putative Class were all not afforded the overtime compensation when they worked in excess of forty (40) hours per week.

68. Geo Group's failure to pay wages and overtime compensation at the rates required by state and/or federal law result from generally applicable, systematic policies and practices which are not dependent on the personal circumstances of the Putative Class members.

69. Garcia's experiences are therefore typical of the Putative Class members.

70. The specific job titles or precise job locations of the Putative Class members do not prevent class or collective treatments.

71. Garcia has no interest contrary to, or in conflict with, the Putative Class members.

Like each member of the Putative Class, Garcia has an interest in obtaining the unpaid overtime wages owed to them under state and/or federal law.

72. A class and collective action, such as the instant one, is superior to other available means for fair and efficient adjudication of the lawsuit.

73. Absent this action, many Putative Class members likely will not obtain redress of their injuries and Geo Group will reap the unjust benefits of violating the FLSA and PMWA.

74. Furthermore, even if some of the Putative Class members could afford individual litigation against Geo Group, it would be unduly burdensome to the judicial system.

75. Concentrating the litigation in one forum will promote judicial economy and parity among the claims of individual members of the classes and provide for judicial consistency.

76. The questions of law and fact common the Putative Class members predominate over any question affecting solely the individual members. Among the common questions of law and fact are:

- a. Whether Geo Group required Garcia and members of the Putative Class to work more than 40 hours during individual work weeks;
- b. Whether Garcia and members of the Putative Class were paid at a rate of one and one-half times their regular rate of pay when they worked more than 40 hours in a single work week;
- c. Whether Geo Group's decision to pay members of the Putative Class straight time for overtime was made in good faith;
- d. Whether Geo Group's violation of the FLSA and PMWA was willful; and
- e. Whether Geo Group's illegal pay practices were applied uniformly across the nation to all Putative Class members.

77. Garcia's claims are typical of the claims of the Putative Class members. Garcia and the Putative Class members sustained damages arising out of Geo Group's illegal and uniform employment policy.

78. Garcia knows of no difficulty that will be encountered in the management of this litigation that would preclude its ability to go forward as a collective or class action.

79. Although the issues of damages may be somewhat individual in character, there is no detraction from the common nucleus of liability facts. Therefore, the issue does not preclude collective and class action treatment.

IX. JURY DEMAND

80. Garcia demands a trial by Jury.

X. PRAYER

81. Garcia prays for relief as follows:

- a. An Order designating this lawsuit as a collective action and permitting the issuance of a notice pursuant to 29 U.S.C. § 216(b) to all similarly situated individuals with instructions to permit them to assert timely FLSA claims in this action by filing individual Consents to Sue pursuant to 29 U.S.C. § 216(b);
- b. For an Order pursuant to Section 16(b) of the FLSA finding Geo Group liable for unpaid back wages due to Garcia and the Putative Class Members for liquidated damages equal in amount to their unpaid compensation;
- c. For an Order designating the state law classes as class actions pursuant to Fed. R. Civ. P. 23;
- d. For an Order appointing Garcia and her counsel as Class Counsel to represent the interests of the both the federal and state law classes;
- e. For an Order awarding attorneys' fees, costs and pre- and post-judgment interest; and
- f. For an Order granting such other and further relief as may be necessary and appropriate.

Dated: April 21, 2021

Respectfully submitted,

/s/ Camille Fundora Rodriguez

Camille Fundora Rodriguez (PA No. 312533)
BERGER MONTAGUE PC
1818 Market Street, Suite 3600
Philadelphia, PA 19103
Tel. (215) 875-3000
Fax (215) 875-4604
crodriguez@bm.net

Michael A. Josephson
PA ID: 308410
Andrew Dunlap
Texas State Bar No. 24078444
William R. Liles
Texas State Bar No. 24083395
Josephson Dunlap, LLP
11 Greenway Plaza, Suite 3050
Houston, Texas 77046
713-352-1100 – Telephone
713-352-3300 – Facsimile
mjosephson@mybackwages.com
adunlap@mybackwages.com
wliles@mybackwages.com

Richard J. (Rex) Burch
Texas State Bar No. 24001807
Bruckner Burch PLLC
8 Greenway Plaza, Suite 1500
Houston, Texas 77046
713-877-8788 – Telephone
713-877-8065 – Facsimile
rburch@brucknerburch.com

*Attorneys in Charge for Plaintiff and the Proposed
Collective and Class*

EXHIBIT A

FAIR LABOR STANDARDS ACT EMPLOYMENT SERVICES CONSENT

Print Name: Migdalia P Garcia

1. I hereby consent to make a claim against The GEO Group, Inc.
to pursue my claims of unpaid overtime during the time that I worked with the company.
2. I designate the law firm and attorneys at JOSEPHSON DUNLAP, LLP and BRUCKNER BURCH PLLC as my attorneys to prosecute and make decisions concerning my wage claims, the manner and method of conducting this litigation, the entering of an agreement with Plaintiffs' counsel concerning attorneys' fees and costs, and all other matters pertaining to this lawsuit.
3. I authorize the law firm and attorneys at JOSEPHSON DUNLAP, LLP and BRUCKNER BURCH PLLC to use this consent to file my claim in a separate lawsuit, class/collective action, or arbitration against The GEO Group, Inc.
4. I understand that, by filing this Consent Form, I will be bound by the Judgment of the Court or arbitrator on all issues in this case.

Signature: 
Migdalia P Garcia (Feb 4, 2021 11:12 EST)

Date Signed: Feb 4, 2021

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

MIGDALIA GARCIA, individually and on behalf of other similarly situated employees

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

(c) Attorneys (Firm Name, Address, and Telephone Number) Camille F. Rodriguez, Berger Montague PC, 1818 Market St., Phila., PA 19103, 215-875-3000; Michael A. Josephson, Andrew Dunlap, William R. Iles, Josephson+

DEFENDANTS

THE GEO GROUP, INC.

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)

Table with columns for Plaintiff (PTF) and Defendant (DEF) citizenship: 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)

Click here for: Nature of Suit Code Descriptions.

Large table with categories: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES.

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): Fair Labor Standards Act ("FLSA"), 29 U.S.C. 29 U.S.C. § 201 et. seq. Brief description of cause: Unpaid overtime compensation

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: [X] Yes [] No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE DOCKET NUMBER

DATE 04/21/2021 SIGNATURE OF ATTORNEY OF RECORD /s/ Camille Fundora Rodriguez

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.

DESIGNATION FORM

(to be used by counsel or pro se plaintiff to indicate the category of the case for the purpose of assignment to the appropriate calendar)

Address of Plaintiff: Reading, PA 19606
 Address of Defendant: Morgantown, Pennsylvania
 Place of Accident, Incident or Transaction: Berks County, PA

RELATED CASE, IF ANY:

Case Number: _____ Judge: _____ Date Terminated: _____

Civil cases are deemed related when *Yes* is answered to any of the following questions:

- | | | |
|--|------------------------------|--|
| 1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action of this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

I certify that, to my knowledge, the within case is / is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 04/21/2021 /s/ Camille Fundora Rodriguez 312533
 Attorney-at-Law / Pro Se Plaintiff Attorney I.D. # (if applicable)

CIVIL: (Place a ✓ in one category only)

A. Federal Question Cases:

- 1. Indemnity Contract, Marine Contract, and All Other Contracts
- 2. FELA
- 3. Jones Act-Personal Injury
- 4. Antitrust
- 5. Patent
- 6. Labor-Management Relations
- 7. Civil Rights
- 8. Habeas Corpus
- 9. Securities Act(s) Cases
- 10. Social Security Review Cases
- 11. All other Federal Question Cases
 (Please specify) Fair Labor Standards Act

B. Diversity Jurisdiction Cases:

- 1. Insurance Contract and Other Contracts
- 2. Airplane Personal Injury
- 3. Assault, Defamation
- 4. Marine Personal Injury
- 5. Motor Vehicle Personal Injury
- 6. Other Personal Injury (Please specify) _____
- 7. Products Liability
- 8. Products Liability – Asbestos
- 9. All other Diversity Cases
 (Please specify) _____

ARBITRATION CERTIFICATION

(The effect of this certification is to remove the case from eligibility for arbitration.)

I, Camille Fundora Rodriguez, counsel of record or pro se plaintiff, do hereby certify:

- Pursuant to Local Civil Rule 53.2, § 3(c) (2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs:
- Relief other than monetary damages is sought.

DATE: 04/21/2021 /s/ Camille Fundora Rodriguez 312533
 Attorney-at-Law / Pro Se Plaintiff Attorney I.D. # (if applicable)

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Lawsuit Claims Geo Group Workers Owed Unpaid Overtime Wages](#)
