

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

FEB 16 2018

JAMES W. McCORMACK, CLERK
By: DEP CLERK

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION

**JESSICA GUINN and ASHLEIGH WITT,
Each Individually and on Behalf of
All Others Similarly Situated**

PLAINTIFFS

vs.

No. 4:18-cv- 133 - DPM

**NEWBOLD SERVICES, LLC,
and IH SERVICES, INC.**

DEFENDANTS

This case assigned to District Judge Marshall
and to Magistrate Judge Harris

ORIGINAL COMPLAINT—COLLECTIVE ACTION

COME NOW Plaintiffs Jessica Guinn and Ashleigh Witt (“Plaintiffs”), each individually and on behalf of all others similarly situated, by and through their attorneys Lydia H. Hamlet and Josh Sanford of Sanford Law Firm, PLLC, and for their Original Complaint—Collective Action against Newbold Services, LLC, and IH Services, Inc. (collectively referred to as “Defendants”), they do hereby state and allege as follows:

I. INTRODUCTION

1. Plaintiffs, individually and on behalf of all others similarly situated, bring this action under the Fair Labor Standards Act, 29 U.S.C. § 201, *et seq.* (“FLSA”), and the Arkansas Minimum Wage Act, Ark. Code Ann. § 11-4-201, *et seq.* (“AMWA”), for declaratory judgment, monetary damages, liquidated damages, prejudgment interest, and costs, including reasonable attorneys’ fees as a result of Defendants’ failure to pay Plaintiffs and all others similarly situated overtime wages as required by the FLSA and AMWA.

2. Upon information and belief, for at least three (3) years prior to the filing of this Complaint, Defendants have willfully and intentionally committed violations of the FLSA and AMWA as described, *infra*.

II. JURISDICTION AND VENUE

3. The United States District Court for the Eastern District of Arkansas has subject matter jurisdiction over this suit under the provisions of 28 U.S.C. § 1331 because this suit raises federal questions under the FLSA.

4. Plaintiffs' claims under the AMWA form part of the same case or controversy and arise out of the same facts as the FLSA claims alleged in this Complaint.

5. Therefore, this Court has supplemental jurisdiction over Plaintiffs' AMWA claims pursuant to 28 U.S.C. § 1367(a).

6. Defendants conduct business within the State of Arkansas, providing facility management, janitorial, and cleaning services within the State of Arkansas.

7. Plaintiff Jessica Guinn was employed by Defendants as an assistant account manager, performing services for Defendants in the Western Division of the Eastern District of Arkansas.

8. Plaintiff Ashleigh Witt was employed by Defendants as a housekeeper, performing services for Defendants in the Western Division of the Eastern District of Arkansas.

9. The acts alleged in this Complaint had their principal effect within the Western Division of the Eastern District of Arkansas, and venue is proper in this Court pursuant to 28 U.S.C. § 1391.

III. THE PARTIES

10. Plaintiffs repeat and re-allege all of the preceding paragraphs of this Original Complaint as if fully set forth in this section.

11. Plaintiff Jessica Guinn is a resident and citizen of Arizona.

12. Plaintiff Jessica Guinn was employed by Defendants from about March of 2017, until December 17, 2017.

13. Plaintiff Ashleigh Witt is a resident and citizen of London, Arkansas.

14. Plaintiff Ashleigh Witt was employed by Defendants from about April 4, 2017, until January 23, 2018.

15. At all times material herein, Plaintiffs have been entitled to the rights, protection and benefits provided under the FLSA and AMWA.

16. Defendant Newbold Services, LLC, is a foreign for-profit limited liability company, created and existing under and by virtue of the laws of the State of South Carolina and registered to do business in the State of Arkansas.

17. Defendant Newbold Services, LLC's registered agent for service of process is Corporation Service Company, 300 South Spring Street, Suite 900, Little Rock, Arkansas 72201.

18. Defendant IH Services, Inc., is a foreign for-profit corporation, created and existing under and by virtue of the laws of the State of South Carolina and registered to do business in the State of Arkansas.

19. Defendant IH Services, Inc.'s registered agent for service of process is Corporation Service Company, 300 South Spring Street, Suite 900, Little Rock, Arkansas 72201.

20. Defendants maintain an office in Russellville.

21. Defendants' corporate headquarters and principal address is 127 Tanner Road, Greenville, South Carolina 29607.

22. Defendants' annual gross volume of sales made or business done was not less than \$500,000.00 (exclusive of exercise taxes at the retail level that are separately stated) during each of the three calendar years preceding the filing of this Complaint.

23. During each of the three years preceding the filing of this Complaint, Defendants employed at least two individuals who were engaged in interstate commerce or in the production of goods for interstate commerce, or had employees handling, selling, or otherwise working on goods or materials that had been moved in or produced for commerce by any person.

24. Within the past three (3) years preceding the filing of this Complaint, Defendants continuously employed at least four employees, including Plaintiffs.

25. Defendants' primary business purpose is to provide janitorial and facility maintenance services; Defendants employ hourly-paid workers to accomplish these goals.

26. Defendants are "employers" within the meanings set forth in the FLSA and the AMWA, and were, at all times relevant to the allegations in this Complaint, Plaintiffs' employers.

27. Defendant Newbold Services, LLC, is a subsidiary of Defendant IH Services, Inc., and together they operated their business in Arkansas.

28. Defendants acted jointly as the employer of Plaintiffs and the proposed collective and class and are and have been engaged in interstate commerce as that term is defined under the FLSA and AMWA.

29. Defendants have unified operational control and management, as well as control over employees, including shared power to supervise, hire and fire, establish wages and wage policies, and set schedules for their employees through unified management.

30. As a result of this unified operation control and management, through shared employees and ownership with the authority to establish wages and wage policy, Defendants operated as single enterprise.

IV. FACTUAL ALLEGATIONS

31. Plaintiffs repeat and re-allege all the preceding paragraphs of this Original Complaint as if fully set forth in this section.

32. At all times relevant hereto, Plaintiffs worked for Defendants as hourly-paid employees who clean Defendants' customer locations, referred to herein for brevity as "site workers."

33. Defendants classified Plaintiffs as hourly employees nonexempt from the overtime requirements of the FLSA and the AMWA.

34. As site workers, Plaintiffs Guinn and Witt were responsible for performing various general janitorial tasks.

35. Plaintiffs and other site workers regularly worked in excess of forty (40) hours per week.

36. Defendants required site workers, including Plaintiffs, to take two (2) fifteen-minute breaks throughout their shifts.

37. Defendants did not compensate site workers, including Plaintiffs, for each of these breaks throughout their shifts.

38. Plaintiffs and other site workers were and are entitled to overtime compensation in the amount of one and one-half (1.5) times their regular rate of pay for all hours worked in excess of forty (40) in a week.

39. Defendants did not pay overtime wages to site workers, including Plaintiffs, for all of their hours worked in excess of forty (40) hours per week, even though Defendants were aware of those additional hours worked

40. Defendants knew, or showed reckless disregard for whether the way they paid Plaintiffs and other site workers violated the FLSA and AMWA.

V. REPRESENTATIVE ACTION ALLEGATIONS

FLSA § 216(b) Collective

41. Plaintiffs repeat and re-allege all previous paragraphs of this Complaint as though fully incorporated in this section.

42. Plaintiffs bring their claims for relief for violation of the FLSA as a collective action pursuant to Section 16(b) of the FLSA, 29 U.S.C. § 216(b).

43. Plaintiffs bring their FLSA claims on behalf of all hourly site workers employed by Defendants at any time within the applicable statute of limitations period, who were classified by Defendants as non-exempt from the overtime requirements of the FLSA and who are entitled to payment of the following types of damages:

A. Overtime premiums for all hours worked for Defendants in excess of forty (40) hours in any week;

B. Liquidated damages and attorneys' fees and costs.

44. In conformity with the requirements of FLSA Section 16(b), Plaintiffs have or will file shortly Consents to Join this lawsuit.

45. The relevant time period dates back three years from the date on which Plaintiffs' Original Complaint—Collective Action was filed herein and continues forward through the date of judgment pursuant to 29 U.S.C. § 255(a).

46. The members of the proposed FLSA Collective are similarly situated in that they share these traits:

A. They were paid hourly;

B. They performed the same or similar job duties;

C. They were classified by Defendants as non-exempt from the overtime requirements of the FLSA; and

D. They were subject to Defendants' common policy of denying overtime pay for all hours worked over forty (40) per work week.

47. Plaintiffs are unable to state the exact number of potential members of the FLSA Collective but believe that the group exceeds twenty (20) persons.

48. In the modern era, most working-class Americans have become increasingly reliant on email and text messages, and generally use them just as often, if not more so, than traditional U.S. Mail.

49. Defendants can readily identify the members of the Section 16(b) Collective. The names, physical addresses, email addresses and cell phone numbers

of the FLSA collective action plaintiffs are available from Defendants, and a Court-approved Notice should be provided to the FLSA collective action plaintiffs via first class mail, email and text message to their last known physical and electronic mailing addresses and cell phone numbers as soon as possible, together with other documents and information descriptive of Plaintiff's FLSA claim.

VI. FIRST CLAIM FOR RELIEF

(Individual Claims for Violation of the FLSA)

50. Plaintiffs repeat and re-allege all previous paragraphs of this Original Complaint as though fully set forth herein.

51. 29 U.S.C. § 207 requires employers to pay employees one and one-half (1.5) times the employee's regular rate for all hours that the employee works in excess of forty (40) per week. 29 U.S.C. § 20(a)(1).

52. Defendants have failed and refused to comply with the FLSA's wage requirements by failing to pay Plaintiffs one and one half (1.5) times their regular rates for all hours worked in excess of forty (40) hours per week during Plaintiffs' employment as described in this Complaint.

53. Many work weeks, if not all work weeks, Plaintiffs worked more than forty (40) hours per week and were not paid overtime for their mandatory fifteen-minute breaks each day.

54. Defendants' conduct and practices, as described above, were willful, intentional, unreasonable, arbitrary, and in bad faith.

55. By reason of the unlawful acts alleged herein, Defendants are liable to Plaintiffs for, and Plaintiffs seek, monetary damages, liquidated damages, and costs,

including reasonable attorneys' fees as provided by the FLSA for all violations which occurred beginning at least three (3) years preceding the filing of Plaintiffs' Original Complaint.

56. Defendants have not acted in good faith nor with reasonable grounds to believe their actions and omissions were not a violation of the FLSA, and, as a result thereof, Plaintiffs are entitled to recover an award of liquidated damages in an amount equal to the amount of unpaid overtime premium pay described above pursuant to Section 16(b) of the FLSA, 29 U.S.C. § 216(b).

57. Alternatively, should the Court find that Defendants acted in good faith in failing to pay Plaintiffs as provided by the FLSA, Plaintiffs are entitled to an award of prejudgment interest at the applicable legal rate.

VII. SECOND CLAIM FOR RELIEF

(Collective Action Claim for Violations of the FLSA)

58. Plaintiffs repeat and re-allege all previous paragraphs of this Original Complaint as though fully set forth herein.

59. Plaintiffs assert this claim on behalf of all site workers employed by Defendants to recover monetary damages owed by Defendants to Plaintiffs and members of the putative collective for unpaid overtime compensation for all the hours she and they worked in excess of forty (40) each week.

60. Plaintiffs bring this action on behalf of themselves and all other similarly situated employees, former and present, who were and/or are affected by Defendants' willful and intentional violation of the FLSA.

61. 29 U.S.C. § 207 requires employers to pay employees one and one-half (1.5) times the employee's regular rate for all hours that the employee works in excess of forty (40) per week. 29 U.S.C. § 20(a)(1).

62. Defendants have failed and refused to comply with the FLSA's wage requirements by failing to pay Plaintiffs and those similarly situated one and one half (1.5) times their regular rates for all hours worked in excess of forty (40) hours per week during their employment with Defendants as described in this Complaint.

63. Many work weeks, if not all work weeks, Plaintiffs and those similarly situated worked more than forty (40) hours per week and were not paid overtime for their mandatory fifteen-minute breaks each day.

64. Because these employees are similarly situated to Plaintiffs, and are owed overtime for the same reasons, the proposed collective is properly defined as follows:

All hourly-paid employees of Defendants within the past three years who clean Defendants' customer site locations.

65. Defendants' conduct and practices, as described above, were willful, intentional, unreasonable, arbitrary, and in bad faith.

66. By reason of the unlawful acts alleged herein, Defendants are liable to Plaintiffs and those similarly situated for, and Plaintiffs and those similarly situated seek, monetary damages, liquidated damages, and costs, including reasonable attorneys' fees as provided by the FLSA for all violations which occurred beginning at least three (3) years preceding the filing of Plaintiffs' Original Complaint.

67. Defendants have not acted in good faith nor with reasonable grounds to believe their actions and omissions were not a violation of the FLSA, and, as a result thereof, Plaintiffs and those similarly situated are entitled to recover an award of

liquidated damages in an amount equal to the amount of unpaid overtime premium pay described above pursuant to Section 16(b) of the FLSA, 29 U.S.C. § 216(b).

68. Alternatively, should the Court find that Defendants acted in good faith in failing to pay Plaintiffs and those similarly situated as provided by the FLSA, Plaintiffs and those similarly situated are entitled to an award of prejudgment interest at the applicable legal rate.

VIII. THIRD CLAIM FOR RELIEF

(Individual Claims for Violation of the AMWA)

69. Plaintiffs repeat and re-allege all previous paragraphs of this Original Complaint as though fully set forth herein.

70. Plaintiff asserts this claim for damages and declaratory relief pursuant to the AMWA, Arkansas Code Annotated §§ 11-4-201, *et seq.*

71. At all relevant times, Defendants were or have been Plaintiffs' "employers" within the meaning of the AMWA, Ark. Code Ann. § 11-4-203(4).

72. Arkansas Code Annotated § 11-4-211 requires employers to pay all employees one and one-half (1.5) times regular wages for all hours worked over forty (40) hours in a week, unless an employee meets the exemption requirements of 29 U.S.C. § 213 and accompanying Department of Labor regulations.

73. Defendants required Plaintiffs to work in excess of forty (40) hours in many if not all weeks, but failed to pay Plaintiffs overtime compensation for all of the hours in excess of forty (40) hours each week.

74. Defendants' conduct and practice, as described above, was willful, intentional, unreasonable, arbitrary, and in bad faith.

75. By reason of the unlawful acts alleged herein, Defendants are liable to Plaintiff for monetary damages, liquidated damages, costs, and a reasonable attorney's fee provided by the AMWA for all violations which occurred within the three (3) years prior to the filing of this Complaint, plus periods of equitable tolling.

76. Alternatively, should the Court find that Defendants acted in good faith in failing to pay Plaintiff as provided by the AMWA, Plaintiff is entitled to an award of prejudgment interest at the applicable legal rate.

IX. EQUITABLE TOLLING

77. Plaintiffs repeat and re-allege all the preceding paragraphs of this Original Complaint as if fully set forth in herein.

78. The applicable statute of limitations for Plaintiffs' FLSA and AMWA causes of action should be tolled because strict application of the statute of limitations would be inequitable.

79. Defendants, as employers with a duty to comply with the FLSA and AMWA and the means to do so, were and have at all relevant times been in a far superior position than Plaintiffs to understand the FLSA and AMWA and apply it appropriately, and Defendants should not be permitted to benefit from this imbalance of power by the passage of time.

80. Further, FLSA regulations require that all employers display posters advising employees of their minimum wage and overtime pay rights. 29 C.F.R. § 516.4.

81. An employer's failure to post required FLSA notices regarding minimum wage and overtime provisions can toll the statute of limitations. *United States v. Sabhnani*, 566 F. Supp. 2d 139 (E.D.N.Y. 2008); *Henchy v. City of Absecon*, 148 F.

Supp. 2d 435, 439 (D.N.J. 2001); *Kamens v. Summit Stainless, Inc.*, 586 F. Supp. 324, 328 (E.D. Penn. 1984).

82. Defendants failed to post all appropriate notices regarding the FLSA and AMWA.

X. PRAYER FOR RELIEF

WHEREFORE, premises considered, Plaintiffs Jessica Guinn and Ashleigh Witt respectfully pray that Defendants be summoned to appear and to answer herein as follows:

(a) That Defendants be required to account to Plaintiffs, the collective members, and the Court for all of the hours worked by Plaintiffs and the collective members and all monies paid to them;

(b) A declaratory judgment that Defendants' practices alleged herein violate the Fair Labor Standards Act, 29 U.S.C. §201, *et seq.*, and attendant regulations at 29 C.F.R. § 516 *et seq.*;

(c) A declaratory judgment that Defendants' practices alleged herein violate the Arkansas Minimum Wage Act, Ark. Code Ann. § 11-4-201, *et seq.* and the related regulations;

(d) Certification of, and proper notice to, together with an opportunity to participate in the litigation, all qualifying current and former employees;

(e) Judgment for damages for all unpaid overtime compensation under the Fair Labor Standards Act, 29 U.S.C. §201, *et seq.*, and attendant regulations at 29 C.F.R. §516 *et seq.*;

(f) Judgment for damages for all unpaid overtime compensation under the Arkansas Minimum Wage Act, Ark. Code Ann. § 11-4-201, *et seq.* and the related regulations;

(g) Judgment for liquidated damages pursuant to the Fair Labor Standards Act, 29 U.S.C. §201, *et seq.*, and attendant regulations at 29 C.F.R. §516 *et seq.*, in an amount equal to all unpaid overtime compensation owed to Plaintiffs and members of the collective during the applicable statutory period;

(h) An order directing Defendants to pay Plaintiff and members of the collective pre-judgment interest, reasonable attorney's fees and all costs connected with this action; and

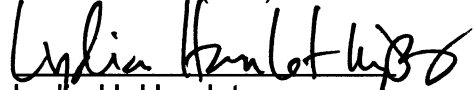
(i) Such other and further relief as this Court may deem necessary, just and proper.

Respectfully submitted,

**JESSICA GUINN and ASHELIGH
WITT, Each Individually and on
Behalf of All Others Similarly
Situating, PLAINTIFFS**

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CIVIL COVER SHEET 4:18-cv-133-DPM

JS 44 (Rev. 06/17)

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
 JESSICA GUINN and ASHLEIGH WITT, Each Individually and on Behalf of All Others Similarly Situated

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

(c) Attorneys (Firm Name, Address, and Telephone Number)
 Josh Sanford, Sanford Law Firm, PLLC; 650 S. Shackleford, Suite 411, Little Rock, Arkansas 72211; 501-221-0088; josh@sanfordlawfirm.com

DEFENDANTS
 NEWBOLD SERVICES, LLC, and IH SERVICES, 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

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)

(For Diversity Cases Only)

	PTF	DEF		PTF	DEF
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) Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input checked="" type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS		
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <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 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., Ark. Code Ann. 11-4-201 et seq.

Brief description of cause:
FLSA and AMWA unpaid overtime

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: 02/16/2018 SIGNATURE OF ATTORNEY OF RECORD _____

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Newbold Services, IH Services Facing Unpaid Overtime Complaint](#)
