

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NO:**

VICTORIA HERNANDEZ, and  
all others similarly situated under  
*29 U.S.C. 216(b)*,

Plaintiff(s),

v.

CATTOIRA MONTESSORI INC.,  
a Florida corporation, DENISE  
CATOIRA, individually, and  
LORENA CATOIRA, individually,

Defendants.

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**COMPLAINT**

Plaintiff, VICTORIA HERNANDEZ (“Plaintiff”), pursuant to *29 U.S.C. § 216(b)*, files the following Complaint against Defendants, CATTOIRA MONTESSORI INC. (“CATTOIRA MONTESSORI”), DENISE CATOIRA (“D. CATOIRA”), individually, and LORENA CATOIRA (“L. CATOIRA”), individually (collectively referred to hereinafter as “Defendants”), on behalf of herself, and all others similarly situated, and alleges:

**INTRODUCTION**

1. Defendants have unlawfully deprived Plaintiff, and all other employees similarly situated, of federal overtime compensation during the course of their employment. This is an action arising under the Fair Labor Standards Act (“FLSA”) pursuant to *29 U.S.C. §§ 201-216*, to recover all wages owed to Plaintiff, and those similarly situated to Plaintiff.

**PARTIES**

2. During all times material hereto, Plaintiff was a resident of Miami-Dade County, Florida, over the age of 18 years, and otherwise *sui juris*.
3. During all times material hereto, corporate Defendant, CATTOIRA MONTESSORI, was a Florida corporation located and transacting business within Miami, Florida, within the jurisdiction of this Honorable Court. CATTOIRA MONTESSORI operates its principal location at 9385 SW 79<sup>th</sup> Ave. Miami, Florida.
4. During all times material hereto, Defendant, D. CATOIRA, was and is a resident of the Southern District of Florida and an officer, owner, and operator of the Defendant company within Miami, Florida.
5. During all times material hereto, Defendant, L. CATOIRA, was and is a resident of the Southern District of Florida and an officer, owner, and operator of the Defendant company within Miami, Florida.
6. During all times material hereto, Defendant, D. CATOIRA, was over the age of 18 years, and was vested with ultimate control and decision-making authority over the hiring, firing, and pay practices for Defendant, CATTOIRA MONTESSORI, during the relevant time period.
7. During all times material hereto, Defendant, L. CATOIRA, was over the age of 18 years, and was vested with ultimate control and decision-making authority over the hiring, firing, and pay practices for Defendant, CATTOIRA MONTESSORI, during the relevant time period.
8. Defendant, CATTOIRA MONTESSORI was Plaintiff's employer, as defined by 29 U.S.C. § 203(d), during all times pertinent to the allegations herein.

9. Defendant, D. CATOIRA, was also Plaintiff's employer, as defined by *29 U.S.C. § 203(d)*, during all times pertinent to the allegations herein.
10. Defendant, L. CATOIRA, was also Plaintiff's employer, as defined by *29 U.S.C. § 203(d)*, during all times pertinent to the allegations herein.

### **JURISDICTION AND VENUE**

11. All acts and omissions giving rise to this dispute took place within Miami-Dade County, Florida.
12. Defendant, CATTOIRA MONTESSORI, is headquartered and regularly transacts business in Miami-Dade County, Florida, and jurisdiction is therefore proper within the Southern District of Florida pursuant to *29 U.S.C. § 216(b)* and *28 U.S.C. §§ 1331 and 1337*.
13. Venue is proper within the Southern District of Florida pursuant to *29 U.S.C. § 216(b)* and *28 U.S.C. § 1391(b)*.

### **GENERAL ALLEGATIONS**

14. Defendant, CATTOIRA MONTESSORI, is a private school that has been offering private education to children and operating in the State of Florida since 2002.
15. According to its own website, CATTOIRA MONTESSORI advertises itself to the Florida community as follows:

Cattoira Montessori School was founded in June 2002 to foster a love of learning and to educate children to be caring socially responsible citizens of their community and world. The educational and supplemental care programs at CMS involve children from eighteen months through twelve years of age in three different programs: Toddler, Primary, and Elementary. CMS seeks to educate the whole child, applying the Montessori philosophy, in a family-oriented environment. The philosophy is based on the principles of Dr. Maria Montessori (1870-1952) whose holistic vision of education focuses on the cognitive, social, emotional and physical needs of the child.

See [www.cattoiramontessori.com](http://www.cattoiramontessori.com).

16. On information and belief, Defendant, CATTOIRA MONTESSORI, charges each student admission and attendance fees in the amount of at least \$12,300.00 annually.
17. Defendant, CATTOIRA MONTESSORI, is not exempt from FLSA coverage.
18. Defendant, CATTOIRA MONTESSORI, is covered under the FLSA through enterprise coverage, as CATTOIRA MONTESSORI was engaged in interstate commerce during all pertinent times in which Plaintiff, and all others similarly situated, were employed. More specifically, CATTOIRA MONTESSORI was engaged in interstate commerce by virtue of the fact that its business activities involved those to which the FLSA applies. Defendant, CATTOIRA MONTESSORI operates a preschool, elementary or secondary school and requires its employees, including Plaintiff, to perform teaching services in connection with the operation of its preschool, elementary or secondary school. Defendant, CATTOIRA MONTESSORI, is therefore subject to enterprise coverage<sup>1</sup> under 29 U.S.C. § 203(s)(1)(B).
19. During all material times hereto, Plaintiff, and all others similarly situated, was a non-exempt employee of Defendants, CATTOIRA MONTESSORI, D. CATOIRA, and L. CATOIRA, within the meaning of the FLSA.
20. Plaintiff began working as a non-exempt employee for Defendants on or about September 2015.

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<sup>1</sup> An enterprise, if operating an elementary school, qualifies as an enterprise subject to the requirements of the FLSA under the plain language of the Act. See, e.g., Paulshock v. Nnovation Learning Group, Inc., 2008 WL 89771 at \*3 citing 29 U.S.C. 203(r)(2)(A) (defining “enterprise” as including activities performed for a “common business purpose” in connection with the operation of a preschool, elementary or secondary school, whether such school is operated for profit or not for profit).

21. During all time periods hereto, Defendants, D. CATOIRA, and L. CATOIRA, maintained control over the day-to-day operations of CATTOIRA MONTESSORI, including the payroll, hiring, firing, and scheduling duties.
22. Defendants, D. CATOIRA, and L. CATOIRA, were officers, owners, and operators Defendant, CATTOIRA MONTESSORI, and controlled the company's payroll practices, and were vested with ultimate decision-making authority for Defendant, CATTOIRA MONTESSORI.
23. Plaintiff, and similarly situated individuals, were employed by Defendants as a teacher.
24. Plaintiff worked for Defendants from on or about September 2015 until she was terminated by Defendants on or about December 2016.

**FLSA Violations During Plaintiff's Employment Period**

25. After hiring Plaintiff, the Defendants assigned Plaintiff to work an average of forty-five (45) hours per week at the school.
26. During all pertinent times of her employment, Plaintiff was compensated on an **hourly** basis.
27. Defendants and Plaintiff agreed that Plaintiff's regular hourly rate was \$18.00 an hour.
28. In addition to working eight (8) hour shifts each day, Defendants assigned Plaintiff after-hour duties including a requirement that Plaintiff teach music lessons multiple days of the week in the late afternoon/evening.
29. Instead of properly compensating Plaintiff time-and-a-half her regular hourly rate as an employee for the hours she worked over forty (40) each week, Defendants required Plaintiff to accept payment as a 1099 independent contractor for the additional work she

performed even though Plaintiff's performance of these duties was *still* subject to the dominion, control, and ultimate supervision of Defendants.

30. The economic realities of Plaintiff's extra-hour duties at the school *still* rendered Plaintiff a non-exempt employee of the Defendants and not an independent contractor as claimed by Defendants.

31. Defendants only paid Plaintiff an average of \$20.00 per hour for the hours she worked over forty (40) in each given work week instead of the proper \$27.00 Plaintiff *should have* received for each overtime hour she worked.

32. Accordingly, Plaintiff is owed \$7.00 for every single hour she worked in excess of forty (40) in any given workweek of her employment with Defendants.

33. Plaintiff worked an average of five (5) overtime hours each week of her employment and is therefore entitled to recover an average of \$35.00 per week in unliquidated damages.

34. Plaintiff worked for Defendants for a period of thirty-five (35) weeks in the 2015-2016 school year<sup>2</sup> and eight (8) weeks in the 2016-2017 school year and is therefore entitled to \$910.00 in unliquidated damages for 2015-2016 and \$280.00 in unliquidated damages for 2016-2017 for a grand total of \$1,190.00 in unliquidated damages during her employment.

35. However, Defendants' actions were intentional and/or willful and Plaintiff is therefore entitled to an additional amount of liquidated (double) damages for wages in the amount of \$1,190.00.

36. Overtime payments to Plaintiff remain due and owing.

37. During Plaintiff's employment, the Defendants failed to maintain adequate and contemporaneous time records as required by the FLSA.

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<sup>2</sup> Nine (9) of these weeks are not compensable under the appropriate statute of limitations.

38. Defendants, CATTOIRA MONTESSORI, N. CATOIRA, and L. CATOIRA, were either recklessly indifferent as to the overtime requirements under federal law, or, in the alternative, *intentionally violated federal law* and required Plaintiff to accept payment as an independent contractor so that the Defendants could avoid having to pay Plaintiff, and similarly situated individuals, their lawful (and hard-earned) wages.

39. Based upon Defendants' intentional and/or willful violations of the FLSA, the three (3) year statute of limitations applies instead of the two (2) year statute of limitations.

40. As a result of the above violations of federal law, Plaintiff has had retain the undersigned counsel to prosecute these claims and is therefore entitled to an award of reasonable attorney's fees and costs under the FLSA.

**COUNT I – FEDERAL OVERTIME WAGE LAW VIOLATIONS – 29 U.S.C. § 207**  
**(against All Defendants)**

41. Plaintiff re-avers and re-alleges Paragraphs 1 through 40 above, as though fully set forth herein.

42. Plaintiff alleges this action pursuant to the Fair Labor Standards Act, *29 U.S.C. § 216(b)*.

43. Plaintiff is entitled to: (i) time-and-a-half overtime wages; and (ii) liquidated damages pursuant to the FLSA.

44. Plaintiff seeks recovery of damages as referenced above and further seeks interest, costs, and attorneys' fees pursuant to *29 U.S.C. § 216(b)*.

WHEREFORE, Plaintiff, VICTORIA HERNANDEZ, demands judgment against Defendants, CATTOIRA MONTESSORI INC., LORENA CATOIRA individually, and DENISE CATOIRA, individually, and respectfully requests that he be awarded the following relief: (a) unliquidated damages to be paid by the Defendants jointly and severally; (b) liquidated damages to be paid by the Defendants jointly and severally; (c) reasonable attorney's fees and costs to be paid by the

Defendants jointly and severally; and any and all such further relief as may be deemed just and reasonable under the circumstances.

**DEMAND FOR JURY TRIAL**

Plaintiff, VICTORIA HERNANDEZ, hereby requests and demands a trial by jury on all appropriate claims.

**Dated this 5<sup>th</sup> day of November, 2018.**

Respectfully Submitted,

**USA EMPLOYMENT LAWYERS –  
JORDAN RICHARDS, PLLC**  
805 East Broward Blvd. Suite 301  
Fort Lauderdale, Florida 33301  
Ph: (954) 871-0050  
*Counsel for Plaintiff, Victoria Hernandez*

By: /s/ Jordan Richards  
JORDAN RICHARDS, ESQUIRE  
Florida Bar No. 108372  
[jordan@jordanrichardspllc.com](mailto:jordan@jordanrichardspllc.com)  
[melissa@jordanrichadrspplc.com](mailto:melissa@jordanrichadrspplc.com)  
[livia@jordanrichardspllc.com](mailto:livia@jordanrichardspllc.com)  
[jake@jordanrichardspllc.com](mailto:jake@jordanrichardspllc.com)

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that the foregoing document was filed via CM/ECF on this 5<sup>th</sup> of November, 2018.

By: /s/ Jordan Richards, Esquire  
JORDAN RICHARDS, ESQ.  
Florida Bar No. 108372

**SERVICE LIST:**



**CIVIL COVER SHEET**

JS 44 (Rev. 06/17) FLSD Revised 06/01/2017

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

**I. (a) PLAINTIFFS** Victoria Hernandez, and all others similarly situated under 29 U.S.C. 216(b),

**DEFENDANTS** Cattoira Montessori, Inc., Denise Cattoira, individually, and Lorena Cattoira, individually,

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

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

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

**(c)** Attorneys (Firm Name, Address, and Telephone Number)  
USA Employment Lawyers - Jordan Richards PLLC, 805 E. Broward Blvd. Suite 301, Fort Lauderdale, Florida 33301 (954) 871-0050

Attorneys (If Known)

**(d)** Check County Where Action Arose:  MIAMI-DADE  MONROE  BROWARD  PALM BEACH  MARTIN  ST. LUCIE  INDIAN RIVER  OKEECHOBEE  HIGHLANDS

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

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

- 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)

- |   |                            |                            |   |                            |                            |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
|   | 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

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

**VI. RELATED/ RE-FILED CASE(S)**

(See instructions): a) Re-filed Case  YES  NO b) Related Cases  YES  NO

JUDGE:

DOCKET NUMBER:

**VII. 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):

29 U.S.C. 207 - Federal Overtime Wage Violations

LENGTH OF TRIAL via days estimated (for both sides to try entire case)

**VIII. REQUESTED IN COMPLAINT:**

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND:  Yes  No

ABOVE INFORMATION IS TRUE & CORRECT TO THE BEST OF MY KNOWLEDGE

DATE 11/05/2018

SIGNATURE OF ATTORNEY OF RECORD



AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT
for the

VICTORIA HERNANDEZ, and all others similarly
situated under 29 U.S.C. 216(b),

Plaintiff(s)

v.

CATTOIRA MONTESSORI INC., a Florida
corporation, DENISE CATOIRA, individually, and
LORENA CATOIRA, individually,

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

CATTOIRA MONTESSORI INC.
Attn: Registered Agent - Denise Catoira
9385 SW 79th Ave.
Miami, Florida 33156

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:

USA Employment Lawyers - Jordan Richards PLLC
805 E. Broward Blvd. Suite 301
Fort Lauderdale, Florida 33301

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: 11/05/2018

Signature of Clerk or Deputy Clerk

Civil Action No. \_\_\_\_\_

**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 \_\_\_\_\_.

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. 06/12) Summons in a Civil Action

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LORENA CATOIRA, individually,

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

Denise Catoira
9385 SW 79th Ave.
Miami, Florida 33156

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:

USA Employment Lawyers - Jordan Richards PLLC
805 E. Broward Blvd. Suite 301
Fort Lauderdale, Florida 33301

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: 11/05/2018

Signature of Clerk or Deputy Clerk

Civil Action No. \_\_\_\_\_

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\_\_\_\_\_ 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

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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:

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**Reset**

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LORENA CATOIRA, individually,

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

Lorena Catoira
9385 SW 79th Ave.
Miami, Florida 33156

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:

USA Employment Lawyers - Jordan Richards PLLC
805 E. Broward Blvd. Suite 301
Fort Lauderdale, Florida 33301

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: 11/05/2018

Signature of Clerk or Deputy Clerk

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

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\_\_\_\_\_, 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 \_\_\_\_\_.

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**

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