

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ASHLEY HOPSON,
Individually, and on behalf of all
others similarly situated,

Plaintiffs

vs.

Case No

THE VERO BEACH INN, LLC,
a Florida Limited Liability Company
and Sean Murphy,
Individually

Defendants.

COMPLAINT

COMES NOW the Plaintiff, ASHLEY HOPSON, individually and on behalf of all others similarly situated and filed this Complaint for violation of the Fair Labor Standards Act and states as follows:

JURISDICTION

Jurisdiction is this Court is proper as this claim is for violation of the tip credit provision and unlawful retaliation brought pursuant to the Fair Labor Standards Act, as amended ("FLSA") 29 U.S.C. §201, et.seq. to recover wages, front pay, compensatory damages, an additional equal amount in liquidated damages as well as costs and reasonable attorney's fees.

VENUE

Venue is proper in this Court as the Plaintiff resides within the District and Defendants maintain business operations within the District.

PARTIES

1. Defendant Vero Beach Inn, LLC is a restaurant.
2. Plaintiff was employed as part of the wait staff of Defendants from November 23, 2016 until November 11, 2017. During her employment, Defendants utilized the tip credit provision of 29 U.S.C. §203(m), paying Plaintiff and all other similarly situated employees \$5.05 per hour.
3. While working for Defendants, Plaintiff and all other similarly situated employees were/are “employees” within the meaning of the FLSA.
4. During Plaintiff’s employment, Defendant Vero Beach Inn, LLC. was and continues to be engaged in business in Indian River County, Florida.
5. During Plaintiff’s employment, Defendant Sean Murphy was an individual resident of the State of Florida.
6. During Plaintiff’s employment, Defendant Murphy was the general manager of Defendant Vero Beach Inn, LLC.
7. Defendant Murphy regularly exercised the authority to hire, fire and set work scheduled for Vero Beach Inn, LLC.
8. Defendant Vero Beach Inn, LLC is an employer as defined by 29 U.S.C. §201, et.seq.
9. Defendant Murphy is an employer as defined by 29 U.S.C. §201, et.seq. as he acted directly or indirectly, in the interests of Vero Beach Inn, LLC.

10. During Plaintiff's employment, Defendant Vero Beach Inn, LLC was, and continues to be, an "enterprise engaged in commerce" within the meaning of the FLSA.

11. Based on information and belief, the annual gross revenue of Defendant Vero Beach Inn, LLC is in excess of \$500,000.00 per annum.

12. While employed by Defendants, Plaintiff was "engaged in commerce" and subject to individual coverage under the FLSA.

FACTUAL ALLEGATIONS

13. There was a tip pool in which Plaintiff and other regularly tipped staff split tips.

14. On many occasions, Defendants did not pay Plaintiff for all her credit card tips¹.

15. Plaintiff repeatedly complained about not being paid correctly.

16. Plaintiff and similarly situated employees' Paid Time Off ("PTO") was improperly paid at the tip credit rate of \$5.05 per hour.

17. Plaintiff and similarly situated employees' holidays were improperly paid at the tip credit rate of \$5.05 per hour.

18. Plaintiff and all other wait staff were required to attend a weekly meeting that lasted one to two hours. These meetings were often scheduled at a different time than directly prior to her shift and, therefore, she had to come to work to attend these meetings, sometimes having to return later in the day to work her shift. Defendants improperly paid Plaintiff and all other similarly situated employees at the tip credit rate of \$5.05 per hour.

¹ Defendants' failure to pay Plaintiff all credit card tips was not as a result of the employer deducting credit card fees.

19. When Plaintiff worked overtime, she was paid improperly at time and one-half the tip credit rate.
20. Plaintiff and all other similarly situated employees were required to pay for bills when customers left without paying.
21. Additionally, many customers whom Plaintiff served were employees of the hotel and received a discount. When determining whether Plaintiff was entitled to shift pay for not making the minimum wage, the amount without the discount was utilized.
22. Since Plaintiff complained every time she was paid incorrectly, she was told she was not a “team player” and was determined to be a problematic employee.
23. Plaintiff, who is a single mother, was terminated from Defendants employ two weeks before Thanksgiving and six weeks before Christmas.
24. Defendants’ retaliation caused Plaintiff emotional distress.
25. Plaintiff mitigated her damages, initially, with a part-time job, which approximately 3 ½ months after her termination became full-time.
26. Plaintiff attempted to resolve this matter informally without litigation but was not successful.

COUNT 1 FLSA MINIMUM WAGE CLAIM

(Individual and collective claim)

The foregoing paragraphs are hereby incorporated by reference into this Count.

27. The FLSA mandates that employers compensate non-exempt employees at a minimum wage rate of \$7.25 per hour or the state minimum wage rate, whichever is higher. For 2017, the Florida minimum wage rate was \$8.10.

28.The FLSA 29 U.S.C. §203(m) provides an exception allowing Defendants to pay less than the minimum wage to tipped employees so long as proper notice of the tip credit is given and tipped employees are permitted to keep all of their tips.

29.Additionally, Plaintiff and similarly situated employees had their wages and tips illegally docked when customers did not pay the bill.

30.Plaintiff and similarly situated employees were paid at the tip credit rate for mandatory staff meetings lasting one to two hours even if these meetings did not occur immediately prior to their shift.

31.Plaintiff and similarly situated employees were paid for Paid Time Off at the tip credit rate.

32.Plaintiff and similarly situated employees were paid for holidays at the tip credit rate.

33.Since Defendants did not pay Plaintiff for all her credit card tips, Defendants did not comply with the tip credit provision and, therefore, Plaintiff and all other similarly situated employees must be paid the statutory minimum of \$8.10 per hour during 2017.

WHEREFORE, Plaintiff, on behalf of herself and all other similarly situated employees, seek judgment against the Defendant as follows:

- a. That this Court certify that action as a collection action pursuant to 29 U.S.C. §216(b);
- b. Judgment against Defendants for an amount equal to Plaintiff and similarly situated employees' wages at the applicable rate of \$8.10 per hour in 2017;

- c. An award of compensatory damages in an amount equal to the unpaid minimum wages owed to Plaintiff and similarly situated employees pursuant to 29 U.S.C. §216(b);
- d. An award of liquidated damages in the amount equal to the award of compensatory damages pursuant to 29 U.S.C. §216(b);
- e. Judgment that Defendants' violations were willful;
- f. An award of reasonable attorney's fees and costs incurred by Plaintiff and similarly situated employees in bringing this action; and
- g. All such further relief as the Court deems just and equitable.

COUNT 2 FLSA OVERTIME CLAIM
(Individual and collective claim)

The foregoing paragraphs are hereby incorporated by reference into this Count.

34.The FLSA mandates that employers pay non-exempt employees at time and one-half their regular rate for all hours over 40 in a workweek.

35.For tipped employees, employers must pay one and one-half times minimum wage minus the tip credit amount.

36.Defendants improperly paid Plaintiff and similarly situated employees for overtime at the rate of one and one-half the tip credit rate.

WHEREFORE, Plaintiff, on behalf of herself and all other similarly situated employees, seek judgment against the Defendant as follows:

- a. That this Court certify that action as a collection action pursuant to 29 U.S.C. §216(b);

- b. An award of compensatory damages in an amount equal to the unpaid overtime wages owed to Plaintiff and similarly situated employees pursuant to 29 U.S.C. §216(b);
- c. An award of liquidated damages in the amount equal to the award of compensatory damages pursuant to 29 U.S.C. §216(b);
- d. Judgment that Defendants' violations were willful;
- e. An award of reasonable attorney's fees and costs incurred by Plaintiff and similarly situated employees in bringing this action; and
- f. All such further relief as the Court deems just and equitable.

COUNT 3 RETALIATION

(Individual claim)

The foregoing paragraphs are hereby incorporated by reference into this Count.

37. On numerous occasions throughout Plaintiff's employment, she complained about various improper pay practices of Defendants, including:

- a. Failure to pay Plaintiff all her tips.
- b. Paying Plaintiff's Paid Time Off at the tip credit rate.
- c. Paying Plaintiff's holidays at the tip credit rate.
- d. Failure to pay Plaintiff for time worked on the Point of Sale system and/or paying that time at the tip credit rate.

38. Plaintiff Hopson engaged in "protected activity" by complaining about the FLSA violations described in paragraph 37.

39. Defendants did nothing to correct the FLSA violations.

40. As a result of engaging in protected activity, Plaintiff Hopson was terminated.

WHEREFORE, as a result of Defendants' willful violations of the FLSA, Plaintiff Hopson is entitled to recover back pay, front pay, damages for emotional distress, mental anguish, costs and attorney's fees plus liquidated damages.

JURY DEMAND

Plaintiff, individually and on behalf of all other similarly situated employees hereby demand a trial by jury.

Dated: April 13, 2018

Respectfully submitted,

/s/Beth Coke

Beth Coke

Fla. Bar. No. 70726

Beth@cokeemploymentlaw.com

Coke Employment Law

131 N. 2nd Street, Suite 204

Fort Pierce, Fl. 34950

Telephone: (772) 252-4230

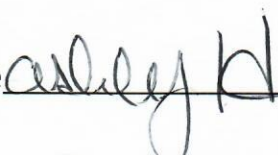
Facsimile: (772) 252-4575

Attorney for Plaintiffs

PLAINTIFF CONSENT FORM

- I hereby consent to make a claim under the Fair Labor Standards Act, 29 U.S.C. § 201. et seq., to recover unpaid wages owed to me by my current/former employer, **The Vero Beach Inn, LLC and Sean Murphy.**
- During the past three years, there were occasions when I worked and did not receive proper compensation for all of my hours worked. I was also retaliated against for complaining about being paid improperly.
- If this case does not proceed collectively, I also consent to join any subsequent action to assert these claims. I understand that I may withdraw my consent to proceed with my claims at any time by notifying the attorney handling the matter.

Date 4/12/18

Signature 

Print Name Ashley Hanson

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 ASHLEY HOPSON, individual DEFENDANTS THE VERO BEACH INN, LLC

(b) County of Residence of First Listed Plaintiff INDIAN RIVER COUNTY County of Residence of First Listed Defendant INDIAN RIVER COUNTY (EXCEPT IN U.S. PLAINTIFF CASES) (IN U.S. PLAINTIFF CASES ONLY)

(c) Attorneys (Firm Name, Address, and Telephone Number) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED. Attorneys (If Known) BETH COKE 131 N. 2ND STREET, SUITE 204 FORT PIERCE, FL. 34950

(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)

Grid for Basis of Jurisdiction and Citizenship of Principal Parties. Includes categories like U.S. Government Plaintiff/Defendant, Federal Question, Diversity, Citizen of This/Another State, Citizen or Subject of a Foreign Country, PTF/DEF boxes for various citizenship and business incorporation types.

IV. NATURE OF SUIT (Place an "X" in One Box Only) Click here for: Nature of Suit Code Descriptions

Large grid for Nature of Suit. Columns include CONTRACT, REAL PROPERTY, CIVIL RIGHTS, PERSONAL INJURY, TORTS, PRISONER PETITIONS, LABOR, IMMIGRATION, FORFEITURE/PENALTY, SOCIAL SECURITY, FEDERAL TAX SUITS, BANKRUPTCY, OTHER STATUTES. Contains numerous checkboxes for specific legal claims.

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 (FLSA) 29 U.S.C. S.201, et.seq. VIOLATION OF TIP CREDIT PROVISION AND RETALIATION LENGTH OF TRIAL via 4 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 April 13, 2018 SIGNATURE OF ATTORNEY OF RECORD

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.C.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; 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. 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. When the petition for removal is granted, check this box.

Refiled (3) Attach copy of Order for Dismissal of Previous case. Also complete VI.

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. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

Appeal to District Judge from Magistrate Judgment. (7) Check this box for an appeal from a magistrate judge's decision.

Remanded from Appellate Court. (8) Check this box if remanded from Appellate Court.

VI. Related/Refiled Cases. This section of the JS 44 is used to reference related pending cases or re-filed cases. Insert the docket numbers and the corresponding judges name for such cases.

VII. 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

VIII. 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 dollar amount (in thousands of dollars) 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.

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

ATTACHMENT F -APPLICATION TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING FEES OR COSTS (LONG FORM)

AO 239 (Rev. 01/15) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

UNITED STATES DISTRICT COURT

for the
District of

ASHLEY HOPSON

v.

THE VERO BEACH INN, LLC

)
)
)
)
)

Civil Action No.

APPLICATION TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING FEES OR COSTS (Long Form)

Affidavit in Support of the Application

I am a plaintiff or petitioner in this case and declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief requested. I declare under penalty of perjury that the information below is true and understand that a false statement may result in a dismissal of my claims.

Signed:
Instructions



Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.

Date:

4/12/18

L For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly.

semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly income amount during the past 12 months		Income amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ 1250	\$ 0	\$ 1250	\$ 0
Self-employment	\$ 0	\$ 0	\$ 0	\$ 0
Income from real property (such as rental income)	\$ 0	\$ 0	\$ 0	\$ 0
Interest and dividends	\$ 0	\$ 0	\$ 0	\$ 0
Gifts	\$ 0	\$ 0	\$ 0	\$ 0
Alimony	\$ 0	\$ 0	\$ 0	\$ 0
Child support	\$ 0	\$ 0	\$ 0	\$ 0

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Retirement (such as social security, pensions, annuities, insurance)	\$ 0	\$	\$	\$
Disability (such as social security, insurance payments)	\$ 0	\$	\$	\$
Unemployment payments	\$ 0	\$	\$	\$
Public-assistance (such as welfare)	\$ 0	\$	\$	\$
Other (specify):	\$ 0	\$	\$	\$
Total monthly income:	\$ 0	\$	\$	\$

2. List your employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
Capt Hiram's	1606 Indian River Dr	11/5/17 -	\$ 1250
verobeach Inn	8797 20th st verobeach	11/23/16 - 11/11/17	\$ 2000

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
N/A	N/A	N/A	\$
			\$
			\$

4. How much cash do you and your spouse have? \$

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial institution	Type of account	Amount you have	Amount your spouse has
Regions	Checking	\$ 300	\$ N/A
		\$	\$
		\$	\$

If you are a prisoner, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

AO 239 (Rev. 01115) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

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Assets owned by you or your spouse		
Home (Value)	None	\$
Other real estate (Value)	None	\$
Motor vehicle #1 (Value)		\$ 25,000
Make and year:	Honda 2017	
Model:	Pilot	
Registration #:	SFUYFSH541B045129	
Motor vehicle #2 (Value)		\$
Make and year:		
Model:		
Registration #:		
Other assets (Value)		\$
Other assets (Value)		\$

Owned by friend

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
0	\$ 0	\$ 0
	\$	\$
	\$	\$

7. State the persons who rely on you or your spouse for support.

Julius Fellis

Name (or, if under 18, initials only)
 Relationship son
 Age 13

AO 239 (Rev. 01/15) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

	You	Your spouse
Rent or home-mortgage payment (including lot rented for mobile home)	\$ 650	\$
Are real estate taxes included? <input type="radio"/> Yes <input checked="" type="radio"/> No		
Is property insurance included? <input type="radio"/> Yes <input checked="" type="radio"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 380	\$
Home maintenance (repairs and upkeep)	\$ 0	\$
Food	\$ 156	\$
Clothing	\$ 100	\$
Laundry and dry-cleaning	\$ 0	\$
Medical and dental expenses	\$ 0	\$
Transportation (not including motor vehicle payments)	\$ 100	\$
Recreation, entertainment, newspapers, magazines, etc.	\$	\$
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's:	\$ 0	\$
Life:	\$ 0	\$
Health:	\$ 0	\$
Motor vehicle:	\$ 75	\$
Other:	\$ 0	\$
Taxes (not deducted from wages or included in mortgage payments) (specify):	\$	\$
Installment payments		
Motor vehicle:	\$ 283	\$
Credit card (name): Synchrony, Discover, Capital (Quicken) (Capital Venture)	\$ 445	\$ N/A
Department store (name): Ulta	\$ 30	\$

Other:	\$	\$
Alimony, maintenance, and support paid to others	\$ 0	\$

AO 239 (Rev. 01/15) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0	\$ 0
Other (specify): Fed loan student	\$ 85 ⁰⁰	\$
Total monthly expenses:	\$ 0	\$ 0

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

Yes

No

If yes, describe on an attached sheet.

10. Have you spent - or will you be spending - any money for expenses or attorney fees in conjunction with this lawsuit? Yes No
If yes, how much? \$

11. Provide any other information that will help explain why you cannot pay the costs of these proceedings.

I am a single mother and was let go from my job unexpectedly and since I've been trying to catch up in all my bills.

12. Identify the city and state of your legal residence.

VERO BEACH FL

Your daytime phone number 904-729-7444

Your age: 29

Your years of schooling:

2 years of college

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

UNITED STATES DISTRICT COURT

for the

Southern District of Florida



ASHLEY HOPSON,
Individually, and on behalf of all
others similarly situated,

Plaintiff(s)

v.

THE VERO BEACH INN, LLC,
a Florida Limited Liability Company
and Sean Murphy,
Individually

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) SEAN MURPHY
8797 20TH STREET
VERO BEACH, FL. 32966

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:

Beth Coke
Beth@cokeemploymentlaw.com
Coke Employment Law
131 N. 2nd Street, Suite 204
Fort Pierce, FL 34950
Telephone: (772) 252-4230
Attorney for Plaintiffs

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

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

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

ASHLEY HOPSON,
Individually, and on behalf of all
others similarly situated,

Plaintiff(s)

v.

THE VERO BEACH INN, LLC,
a Florida Limited Liability Company
and Sean Murphy,
Individually

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) THE VERO BEACH INN, LLC
C/O PAX PROPERTIES, LLC
308 N.W. 1 AVE.
DELRAY BEACH, FL. 33444

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:

Beth Coke
Beth@cokeemploymentlaw.com
Coke Employment Law
131 N. 2nd Street, Suite 204
Fort Pierce, Fl. 34950
Telephone: (772) 252-4230

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Lawsuit Against Vero Beach Inn Rattles Off List of Alleged Wage and Hour Violations](#)
