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**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

**WILLIAM F. JOHNSON, on her own
behalf and others similarly situated,**

Plaintiff,

Case Number 8:17-cv-1975-T-30AEP

v.

**TROJAN LABOR, and
COMPLETE DEVELOPMENT, INC.**

Defendant.

_____ /

COMPLAINT AND DEMAND FOR JURY TRIAL

1. Plaintiff, William F. Johnson, was an employee of Defendants, Trojan Labor, a Florida for profit corporation and Defendant Complete Development, Inc., a Florida for profit corporate, and brings this action for unpaid wages, retaliation, and other relief under the Fair Labor Standards Act, as amended, 29 U.S.C. § 201-216 (the "FLSA"). Plaintiff worked as an hourly worker for Defendants, who are joint employers for the purposes of this action and Plaintiff performed related activities for Defendant in Hillsborough County, Florida

2. Defendants are within the jurisdiction of the Court. Defendants are an EMPLOYER as defined by the FLSA and Defendants conducts interstate commerce, using telephones, highways and byways and products and supplies (that are used in connection with services provided to Defendant's customers) that do not originate from Florida. Plaintiff was a labor employee who worked doing construction, including work involving "charter schools."

TPA 045412

3. This action is brought under the FLSA to recover from Defendants, unpaid wages, liquidated damages, and reasonable attorneys' fees and costs as well as all lawful relief permitted for Defendant terminating Plaintiff in retaliation for Plaintiff objecting to Defendants for not being paid for all the hours he worked, even those hours that would have constituted only the minimum wage.

4. The Court has jurisdiction over Plaintiff's claims as all material events transpired in Hillsborough County, including those brought pursuant to 28 U.S.C. § 1337 and the FLSA.

5. At all material times relevant to this action, Defendants was an enterprise covered by the FLSA, and as defined by 29 U.S.C. § 203(r) and 203(s). In fact, Defendants routinely conduct commerce throughout the nation.

6. At all material times relevant to this action, Plaintiff in his capacity as an employee was individually covered by the FLSA.

7. At all times relevant to this action, Defendant failed to comply with 29 U.S.C. §§ 201-209, because Plaintiff performed services for Defendant for which no provisions were made by Defendant to properly pay Plaintiff for all hours worked during her employment.

8. During their employment with Defendants, Plaintiff, and those similarly situated to her, were not paid for all time work during one or more work weeks. Specifically, Defendants failed to pay Plaintiff and those similarly situated to her for all of the hours that Plaintiff worked, including travel time between job sites. Defendants also withheld approximately 3-5 hours from Plaintiff on his last day of work which was approximately July 12, 2017, for no apparent or lawful reason.

9. Defendant failed, refused and/or neglected to keep accurate time records pursuant to 29 U.S.C. § 211(c) of Plaintiff's true hours of work. Defendants refused to respond to written demands for payment of unpaid wages and minimum wages.

10. To the extent that relevant documents exist, such are believed to be in the exclusive possession of Defendants, however neither Defendant has not produced any documentation relating to this claim.

COUNT I – RECOVERY OF MINIMUM WAGES

11. Plaintiff reincorporates and readopts all allegations contained within Paragraphs 1-10, above.

12. Plaintiff is entitled to be paid their regular rate of pay for each hour worked per work week. During his employment with Defendants, Plaintiff, regularly worked hours for each week and were not paid even minimum wages for said time.

13. As a result of Defendants intentional, willful, and unlawful acts in refusing to pay Plaintiff his correct rate of pay for each hour worked work week in one or more work weeks, Plaintiff has suffered damages plus incurring reasonable attorneys' fees and costs.

14. As a result of Defendants willful violation of the FLSA, Plaintiff are entitled to payment of the unpaid wages under the law, as well as minimum wages and liquidated damages under the FLSA.

15. Plaintiff demands a trial by jury.

WHEREFORE, Plaintiff demands judgment against Defendants, for the payment of all hours at the regular rate of pay for the hours worked by them for which Defendant did not properly compensate him, liquidated damages, reasonable attorneys' fees and

costs incurred in this action, and any and all further relief that this Court determines to be just and appropriate.

COUNT II – RETALIATION

16. Plaintiff reincorporates and readopts all allegations contained within Paragraphs 1-10 above.

17. Plaintiff complained of payroll irregularities and for specifically not being paid all the hours Plaintiff worked. Defendants advised Plaintiff, in response to Plaintiff's lawful request for wages, "you can either be paid for those hours and fired or you can let it (the unpaid hours) go". Plaintiff still has not been paid for the hours that he worked without compensation. Defendants have not paid Plaintiff for all the hours he worked. Defendant has advised Plaintiff that Plaintiff is terminated, because Plaintiff made the above referenced request for wages.

18. Defendants' failure to pay overtime constitutes an essential violation of the FLSA. Once the Plaintiff complained of these acts constituting violations of the law, Defendants' failure to pay Plaintiff even the minimum wage for all the hours that Plaintiff worked, the Defendant retaliated against Plaintiff by terminating his employment specifically because Plaintiff asked to be paid his lawful wage.

19. As a direct and proximate result of Plaintiff's complaints to the Defendants regarding FLSA violations, Defendants' retaliated against Plaintiff by refusing to pay Plaintiff any further monies due.

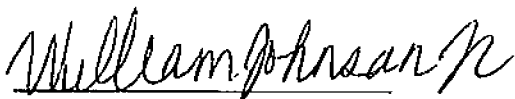
19. Defendants' retaliation of Plaintiff is discrimination and retaliation against Plaintiff in violation of 29 U.S.C. § 215(a)(3).

20. As a direct and proximate result of Defendants' unlawful conduct, Plaintiff has been damaged and suffered financial and other losses.

21. Plaintiff demands a trial by jury.

WHEREFORE, Plaintiff demands judgment against Defendants, including, but not limited to, reimbursement of an amount equal to the loss of wages and other benefits suffered by reason of Defendants unlawful conduct, including interest on such back wages, together with costs and attorney's fees pursuant to the FLSA, and such other further relief as this Court deems just and proper, including reinstatement of Plaintiff in such employment at rates and under conditions no less favorable than those to which Plaintiff would have been entitled but for the discriminatory treatment.

Under penalty of perjury, I do hereby swear and affirm that the factual statements presented above are true and accurate.



William F. Johnson

DATED this 11th day of July 2017,



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Email -

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JS 44 (Rev. 11/15)

CIVIL COVER SHEET

RECEIVED

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
 William F. Johnson

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

(c) Attorneys (Firm Name, Address, and Telephone Number)
 Law office w. John Gadd
 2727 Ulmerton Road, Clearwater, FL 33762

DEFENDANTS Complete Development, Inc.
 Trojan Labor Hillsborough
 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)

	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)

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"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<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"/> 840 Trademark	<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	LABOR	SOCIAL SECURITY	
<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	<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	<input type="checkbox"/> 861 HIA (1395if) <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))	
			IMMIGRATION	FEDERAL TAX SUITS	
			<input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	

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

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
 29 USC 201, et seq.

Brief description of cause:
 Unpaid wages

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: 8/21/2017

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: [Trojan Labor, Complete Development Facing FLSA Lawsuit](#)
