

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

**ROBERT MACK, BRIAN DUDANIEC
ROBERT CINTRON, RHENDO
WHETSTONE and CAREY NICKS,
each individually and on behalf of All
others similarly situated,**

Plaintiff,

-against-

STONEMARK MANAGEMENT, LLC,

Defendant.

Case No.

**COLLECTIVE ACTION
COMPLAINT**

COME NOW Plaintiffs Robert Mack, Brian Dudaniec, Robert Cintron, Rhendo Whetstone and Carey Nicks, each individually and on behalf of all others similarly situated (“Plaintiffs”), by and through their attorneys C. Andrew Head and Bethany Hilbert of Head Law Firm, LLC, and Daniel Ford and Josh Sanford of Sanford Law Firm, PLLC, and for their Collective Action Complaint against Defendant Stonemark Management, LLC (“Defendant”), they do hereby state and allege as follows:

I. PRELIMINARY STATEMENTS

1. This is a collective action brought by Plaintiffs, each individually and on behalf of other hourly paid Maintenance Workers employed by Defendant at any time beginning three years preceding the filing of this Complaint (collectively, the “Maintenance Workers”).

2. Plaintiffs bring this action under the Fair Labor Standards Act, 29 U.S.C. § 201, *et seq.* (“FLSA”) for declaratory judgment, monetary damages, liquidated damages, prejudgment interest, costs, and reasonable attorneys’ fees as a result of Defendant’s failure to pay Plaintiffs and the Maintenance Workers lawful overtime compensation for hours worked in excess of forty (40) hours per week.

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

II. JURISDICTION AND VENUE

4. This Court 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.

5. Defendant’s headquarters and principal place of business are located within the Atlanta Division of the Northern District of Georgia.

6. Venue is proper within this district pursuant to 28 U.S.C. § 1391.

7. Defendant does business in this district and a substantial part of the alleged events and policies affecting Plaintiffs occurred in this district.

8. On information and belief, the payroll records and other documents related to the payroll practices that Plaintiffs challenge are located in this district.

III. THE PARTIES

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

10. Plaintiffs Robert Mack, Brian Dudaniec, and Carey Nicks are individual residents and domiciliaries of the State of Mississippi. They were each employed by Defendant as hourly paid Maintenance Workers.

11. Plaintiff Robert Cintron is an individual and resident and domiciliary of the State of Florida. He was employed by Defendant as an hourly paid Maintenance Worker.

12. Plaintiff Rhendo Whetstone is an individual and resident and domiciliary of the State of Alabama. He was employed by Defendant as an hourly paid Maintenance Worker.

13. Stonemark Management, LLC, is a limited liability company incorporated under the laws of the State of Georgia.

14. Plaintiffs worked for Defendant as Maintenance Workers within the period beginning three (3) years preceding the filing of this Complaint.

15. Plaintiffs were paid an hourly rate.

16. Plaintiffs were “employees” as defined by the FLSA.

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

18. Defendant owns and operates numerous large-scale residential properties throughout Georgia and other locations throughout the United States.

19. Defendant’s 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.

20. During each of the three years preceding the filing of this Complaint, Defendant 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.

21. Defendant has a website (stonemarkmanagementllc.com) which states its business, while headquartered in Atlanta, has a property portfolio of owned and

operated properties in states across the Southeast, including Georgia, Florida, Mississippi, Virginia, Texas, Alabama and Tennessee. The website gives the company's central address as 400 Interstate North Parkway, Suite 1300, Atlanta, Georgia 30339.

22. Defendant's registered agent for service of process is listed as Michael C. Taylor, 400 Interstate North Parkway, Suite 1300, Atlanta, Georgia 30339.

23. Defendant was at all times relevant hereto Plaintiffs' employer, as well as the employer of the Maintenance Workers.

24. Defendant is and has been engaged in interstate commerce as those terms are defined under the FLSA.

IV. FACTUAL ALLEGATIONS

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

26. During part of the three (3) years prior to the filing of this lawsuit, Plaintiffs and the Maintenance Workers worked for Defendant as Maintenance Workers at Defendant's locations in Mississippi and Florida.

27. Defendant directly hired Plaintiffs and the Maintenance Workers, paid them wages and benefits, controlled their work schedules, duties, protocols,

applications, assignments and employment conditions, and kept at least some records regarding their employment.

28. Plaintiffs and the Maintenance Workers provided on-site maintenance services to the residents of Defendant's properties.

29. Plaintiffs and the Maintenance Workers were classified as hourly employees and paid an hourly rate.

30. Plaintiffs and the Maintenance Workers regularly worked in excess of forty (40) hours per week.

31. Plaintiffs and the Maintenance Workers, on a rotating schedule, in addition to their regular work schedule, were required to be on emergency call for on-site maintenance work, though they did not live on site.

32. Plaintiffs and the Maintenance Workers, while on call, would respond to a call, spend time on the phone discussing the maintenance work that needed to be performed, select and load into their vehicle the proper tools based on the maintenance work required, drive to Defendant's property, and perform on-site maintenance repair or services in addition to their normal work schedule.

33. It was Defendant's common practice to not pay Plaintiffs and the Maintenance Workers for all of the time they spent responding to emergency calls, traveling to Defendant's properties after loading specific tools for the purpose of

performing work at Defendant's properties, and performing the maintenance work itself.

34. As a result, Defendant did not pay Plaintiffs and the Maintenance Workers a proper overtime rate of one and one-half (1.5) times their regular rate for all hours in excess of forty (40) in a week during weeks in which Plaintiffs were on call.

35. Plaintiffs and the Maintenance 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.

36. Defendant paid Plaintiffs and the Maintenance Workers overtime compensation for some hours worked in excess of forty (40) hours per week, but refused to pay Plaintiffs and the Maintenance Workers for all hours worked, even though Defendant was aware of those additional hours worked.

37. Plaintiffs complained to Defendant regarding the non-payment of overtime compensation for all hours worked beyond forty (40) in a given week, but no action was taken.

38. Defendant knew, or showed reckless disregard for whether, the way it paid Plaintiffs and the Maintenance Workers violated the FLSA.

V. REPRESENTATIVE ACTION ALLEGATIONS

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

40. Plaintiffs brings 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).

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

- a) Payment for all hours worked, including payment of overtime premiums for all hours worked for Defendant in excess of forty (40) hours in a workweek; and
- b) Liquidated damages and/or prejudgment interest, and attorneys' fees and costs.

(the "Collective Action Members").

42. In conformity with the requirements of FLSA Section 16(b), Plaintiffs have attached hereto as Exhibit "A" their written Consents to Join this lawsuit.

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

44. The Collective Action Members are similarly situated in that they share these traits:

- a) They were classified by Defendant as non-exempt from the overtime requirements of the FLSA;
- b) They were paid hourly;
- c) They recorded their time in the same manner; and
- d) They were subject to Defendant's common practice of denying pay for all hours worked, including overtime pay for some hours worked over forty (40) per work week.

45. Plaintiffs are unable to state the exact number of the potential members of the FLSA Collective but believe that the group exceeds 100 persons.

46. Defendant can readily identify the Collective Action Members. The names and physical and mailing addresses of the Collective Action Members are available from Defendant, and a Court-approved Notice should be provided to the Collective Action Members 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 Plaintiffs' FLSA claim.

VI. FIRST CLAIM FOR RELIEF

(Individual Claims for Violation of FLSA)

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

48. 29 U.S.C. § 206 and 29 U.S.C. § 207 requires employers to pay employees 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. § 206; 29 U.S.C. § 207.

49. Defendant failed to pay Plaintiffs a proper overtime rate of one and one-half (1.5) times their regular rate for all hours worked over forty (40) hours per week, despite their entitlement thereto.

50. Defendant's conduct and practice, as described above, has been and is willful, intentional, unreasonable, arbitrary and in bad faith.

51. By reason of the unlawful acts alleged herein, Defendant is liable to Plaintiffs for, and Plaintiffs seek, unpaid overtime wages, liquidated damages, pre-judgment interest if liquidated damages are not awarded in full, costs, and attorneys' fees as provided by the FLSA.

VII. SECOND CLAIM FOR RELIEF

(Collective Action Claim for Violation of FLSA)

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

53. Plaintiffs assert this claim on behalf of the Collective Action Members to recover monetary damages owed by Defendant to Plaintiffs and the Collective Action Members for unpaid overtime compensation for all the hours he and they worked in excess of forty (40) each week.

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

55. 29 U.S.C. § 206 and 29 U.S.C. § 207 require employers to pay employees one and one-half (1.50) times the employee's regular rate for all hours that the employee works in excess of forty (40) per week. 29 U.S.C. § 206; 29 U.S.C. § 207.

56. Defendant failed to pay Plaintiffs and the Collective Action Members a proper overtime rate of one and one-half times (1.5) their regular rate for all hours worked over forty (40) hours per week, despite their entitlement thereto.

57. Defendant deliberately chose to only pay Plaintiffs and the Collective Action Members certain overtime premiums for only some of their overtime hours worked.

58. Defendant failed to keep records of the start and stop times of all hours worked by Plaintiffs and the Collective Action Members.

59. Because the Collective Action Members are similarly situated to Plaintiffs, and are owed overtime for the same reasons, the proposed collective is properly defined as follows:

All hourly-paid Maintenance Workers who were paid by Defendant on a pay date within the period beginning three years preceding the filing of this Complaint.

60. Defendant's conduct and practice, as described above, has been and is willful, intentional, unreasonable, arbitrary and in bad faith.

61. By reason of the unlawful acts alleged herein, Defendant is liable to Plaintiffs and the Collective Action Members for, and Plaintiffs and the Collective Action Members seek, unpaid overtime wages, liquidated damages, pre-judgment interest if liquidated damages are not awarded in full, costs, and attorneys' fees as provided by the FLSA.

VIII. PRAYER FOR RELIEF

WHEREFORE, premises considered, Plaintiffs Robert Mack, Brian Dudaniec, Robert Cintron, Rhendo Whetstone and Carey Nicks, each individually and on behalf of all others similarly situated respectfully pray that the Court enter judgment in favor of Plaintiffs and the Collective Action Members providing the following:

A. That Defendant be required to account to Plaintiffs and the collective action members for all of the hours worked by Plaintiffs and the collective action members and all monies paid to them;

B. A declaratory judgment that Defendant's practices alleged herein violate the FLSA and its attendant regulations;

C. Certification of a collective action, and proper notice to, together with an opportunity to participate in the litigation, all qualifying current and former employees;

D. Judgment for damages for all unpaid minimum and overtime compensation under the FLSA and its attendant regulations;

E. Judgment for liquidated damages pursuant to the FLSA and its attendant regulations, in an amount equal to all unpaid minimum and overtime

compensation owed to Plaintiffs and members of the collective action during the applicable statutory period;

F. An order directing Defendant to pay Plaintiffs and members of the collective action reasonable attorneys' fees and all costs connected with this action, and pre-judgment interest if not precluded by an award in full of all available liquidated damages; and

G. Such other and further relief as this Court may deem necessary, just and proper.

Respectfully submitted,

/s/ C. Andrew Head

C. Andrew Head, GA Bar No. 341472
Bethany Hilbert (to be admitted pro
hac vice)

HEAD LAW FIRM, LLC
4422 N. Ravenswood Ave.
Chicago, IL 60640

T: (404) 924-4151

F: (404) 796-7338

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Josh Sanford (to be admitted pro hac
vice)

josh@sanfordlawfirm.com

Daniel Ford (to be admitted pro hac
vice)

daniel@sanfordlawfirm.com

SANFORD LAW FIRM

One Financial Center
650 S. Shackleford, Suite 411
Little Rock, Arkansas 72211
Telephone: (501) 221-0088
Facsimile: (888) 787-2040

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

**ROBERT MACK, BRIAN DUDANIEC,
ROBERT CINTRON, RHENDO WHETSTONE,
and CAREY NICKS, Each Individually
and on Behalf of All Others Similarly Situated**

PLAINTIFFS

vs.

No. 1:19-cv-_____

STONEMARK MANAGEMENT, LLC

DEFENDANT

CONSENT TO JOIN COLLECTIVE ACTION

I am/was employed by Stonemark Management, LLC as a Maintenance Worker during some of the three years prior to the signing of this document. I understand this lawsuit is being brought under the Fair Labor Standards Act for unpaid overtime and/or minimum wage compensation. I consent to becoming a party-plaintiff in this lawsuit, to be represented by Head Law Firm, LLC, and to be bound by any settlement of this action or adjudication by the Court.

I declare under penalty of perjury that the foregoing is true and correct.



ROBERT MACK
c/o Head Law Firm, LLC
1170 Howell Mill Road,
Suite 305
Atlanta, Georgia 30318
TELEPHONE: (404) 924-4151
FACSIMILE: (404) 796-7338
Date: January 11, 2019

IN THE UNITED STATES DISTRICT COURT
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Atlanta, Georgia 30318
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RHENDO WHETSTONE
c/o Head Law Firm, LLC
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TELEPHONE: (404) 924-4151
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I declare under penalty of perjury that the foregoing is true and correct.

Carey Nicks

CAREY NICKS

c/o Head Law Firm, LLC
1170 Howell Mill Road,
Suite 305

Atlanta, Georgia 30318

TELEPHONE: (404) 924-4151

FACSIMILE: (404) 796-7338

Date: January 11, 2019

JS44 (Rev. 6/2017 NDGA)

CIVIL COVER SHEET

The JS44 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 is required for the use of the Clerk of Court for the purpose of initiating the civil docket record. (SEE INSTRUCTIONS ATTACHED)

I. (a) PLAINTIFF(S)
 ROBERT MACK, BRIAN DUDANIEK, ROBERT CINTRON,
 RHENDO WHETSTONE, and CAREY NICKS, Each
 Individually and on Behalf of All Others Similarly Situated

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF Hinds County, Mississippi
 (EXCEPT IN U.S. PLAINTIFF CASES)

DEFENDANT(S)
 STONEMARK MANAGEMENT, LLC

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, TELEPHONE NUMBER, AND E-MAIL ADDRESS)
 C. Andrew Head
 Head Law Firm, LLC
 4422 N. Ravenswood Ave., Chicago, IL 60640
 (404) 924-4151

ATTORNEYS (IF KNOWN)

II. BASIS OF JURISDICTION
 (PLACE AN "X" IN ONE BOX ONLY)

1 U.S. GOVERNMENT PLAINTIFF
 2 U.S. GOVERNMENT DEFENDANT
 3 FEDERAL QUESTION (U.S. GOVERNMENT NOT A PARTY)
 4 DIVERSITY (INDICATE CITIZENSHIP OF PARTIES IN ITEM III)

III. CITIZENSHIP OF PRINCIPAL PARTIES
 (PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)
 (FOR DIVERSITY CASES ONLY)

PLF	DEF	PLF	DEF
<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 4	<input type="checkbox"/> 4
	CITIZEN OF THIS STATE		INCORPORATED OR PRINCIPAL PLACE OF BUSINESS IN THIS STATE
<input type="checkbox"/> 2	<input type="checkbox"/> 2	<input type="checkbox"/> 5	<input type="checkbox"/> 5
	CITIZEN OF ANOTHER STATE		INCORPORATED AND PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE
<input type="checkbox"/> 3	<input type="checkbox"/> 3	<input type="checkbox"/> 6	<input type="checkbox"/> 6
	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY		FOREIGN NATION

IV. 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 District)
 6 MULTIDISTRICT LITIGATION - TRANSFER
 7 APPEAL TO DISTRICT JUDGE FROM MAGISTRATE JUDGE JUDGMENT
 8 MULTIDISTRICT LITIGATION - DIRECT FILE

V. 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. Section 201, Unpaid Overtime Wages

(IF COMPLEX, CHECK REASON BELOW)

<input type="checkbox"/> 1. Unusually large number of parties.	<input type="checkbox"/> 6. Problems locating or preserving evidence
<input type="checkbox"/> 2. Unusually large number of claims or defenses.	<input type="checkbox"/> 7. Pending parallel investigations or actions by government.
<input type="checkbox"/> 3. Factual issues are exceptionally complex	<input type="checkbox"/> 8. Multiple use of experts.
<input type="checkbox"/> 4. Greater than normal volume of evidence.	<input type="checkbox"/> 9. Need for discovery outside United States boundaries.
<input type="checkbox"/> 5. Extended discovery period is needed.	<input type="checkbox"/> 10. Existence of highly technical issues and proof.

CONTINUED ON REVERSE

FOR OFFICE USE ONLY			
RECEIPT # _____	AMOUNT \$ _____	APPLYING IFP _____	MAG. JUDGE (IFP) _____
JUDGE _____	MAG. JUDGE _____ <i>(Referral)</i>	NATURE OF SUIT _____	CAUSE OF ACTION _____

VI. NATURE OF SUIT (PLACE AN "X" IN ONE BOX ONLY)

CONTRACT - "0" MONTHS DISCOVERY TRACK

- 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT
- 152 RECOVERY OF DEFAULTED STUDENT LOANS (Excl. Veterans)
- 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS

CONTRACT - "4" MONTHS DISCOVERY TRACK

- 110 INSURANCE
- 120 MARINE
- 130 MILLER ACT
- 140 NEGOTIABLE INSTRUMENT
- 151 MEDICARE ACT
- 160 STOCKHOLDERS' SUITS
- 190 OTHER CONTRACT
- 195 CONTRACT PRODUCT LIABILITY
- 196 FRANCHISE

REAL PROPERTY - "4" MONTHS DISCOVERY TRACK

- 210 LAND CONDEMNATION
- 220 FORECLOSURE
- 230 RENT LEASE & EJECTMENT
- 240 TORTS TO LAND
- 245 TORT PRODUCT LIABILITY
- 290 ALL OTHER REAL PROPERTY

TORTS - PERSONAL INJURY - "4" MONTHS DISCOVERY TRACK

- 310 AIRPLANE
- 315 AIRPLANE PRODUCT LIABILITY
- 320 ASSAULT, LIBEL & SLANDER
- 330 FEDERAL EMPLOYERS' LIABILITY
- 340 MARINE
- 345 MARINE PRODUCT LIABILITY
- 350 MOTOR VEHICLE
- 355 MOTOR VEHICLE PRODUCT LIABILITY
- 360 OTHER PERSONAL INJURY
- 362 PERSONAL INJURY - MEDICAL MALPRACTICE
- 365 PERSONAL INJURY - PRODUCT LIABILITY
- 367 PERSONAL INJURY - HEALTH CARE/ PHARMACEUTICAL PRODUCT LIABILITY
- 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY

TORTS - PERSONAL PROPERTY - "4" MONTHS DISCOVERY TRACK

- 370 OTHER FRAUD
- 371 TRUTH IN LENDING
- 380 OTHER PERSONAL PROPERTY DAMAGE
- 385 PROPERTY DAMAGE PRODUCT LIABILITY

BANKRUPTCY - "0" MONTHS DISCOVERY TRACK

- 422 APPEAL 28 USC 158
- 423 WITHDRAWAL 28 USC 157

CIVIL RIGHTS - "4" MONTHS DISCOVERY TRACK

- 440 OTHER CIVIL RIGHTS
- 441 VOTING
- 442 EMPLOYMENT
- 443 HOUSING/ ACCOMMODATIONS
- 445 AMERICANS with DISABILITIES - Employment
- 446 AMERICANS with DISABILITIES - Other
- 448 EDUCATION

IMMIGRATION - "0" MONTHS DISCOVERY TRACK

- 462 NATURALIZATION APPLICATION
- 465 OTHER IMMIGRATION ACTIONS

PRISONER PETITIONS - "0" MONTHS DISCOVERY TRACK

- 463 HABEAS CORPUS- Alien Detainee
- 510 MOTIONS TO VACATE SENTENCE
- 530 HABEAS CORPUS
- 535 HABEAS CORPUS DEATH PENALTY
- 540 MANDAMUS & OTHER
- 550 CIVIL RIGHTS - Filed Pro se
- 555 PRISON CONDITION(S) - Filed Pro se
- 560 CIVIL DETAINEE: CONDITIONS OF CONFINEMENT

PRISONER PETITIONS - "4" MONTHS DISCOVERY TRACK

- 550 CIVIL RIGHTS - Filed by Counsel
- 555 PRISON CONDITION(S) - Filed by Counsel

FORFEITURE/PENALTY - "4" MONTHS DISCOVERY TRACK

- 625 DRUG RELATED SEIZURE OF PROPERTY 21 USC 881
- 690 OTHER

LABOR - "4" MONTHS DISCOVERY TRACK

- 710 FAIR LABOR STANDARDS ACT
- 720 LABOR/MGMT. RELATIONS
- 740 RAILWAY LABOR ACT
- 751 FAMILY and MEDICAL LEAVE ACT
- 790 OTHER LABOR LITIGATION
- 791 EMPL. RET. INC. SECURITY ACT

PROPERTY RIGHTS - "4" MONTHS DISCOVERY TRACK

- 820 COPYRIGHTS
- 840 TRADEMARK

PROPERTY RIGHTS - "8" MONTHS DISCOVERY TRACK

- 830 PATENT
- 835 PATENT-ABBREVIATED NEW DRUG APPLICATIONS (ANDA) - a/k/a Hatch-Waxman cases

SOCIAL SECURITY - "0" MONTHS DISCOVERY TRACK

- 861 HIA (1395f)
- 862 BLACK LUNG (923)
- 863 DIWC (405(g))
- 863 DIWW (405(g))
- 864 SSID TITLE XVI
- 865 RSI (405(g))

FEDERAL TAX SUITS - "4" MONTHS DISCOVERY TRACK

- 870 TAXES (U.S. Plaintiff or Defendant)
- 871 IRS - THIRD PARTY 26 USC 7609

OTHER STATUTES - "4" MONTHS DISCOVERY TRACK

- 375 FALSE CLAIMS ACT
- 376 Qui Tam 31 USC 3729(a)
- 400 STATE REAPPORTIONMENT
- 430 BANKS AND BANKING
- 450 COMMERCE/ICC RATES/ETC.
- 460 DEPORTATION
- 470 RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS
- 480 CONSUMER CREDIT
- 490 CABLE/SATELLITE TV
- 890 OTHER STATUTORY ACTIONS
- 891 AGRICULTURAL ACTS
- 893 ENVIRONMENTAL MATTERS
- 895 FREEDOM OF INFORMATION ACT
- 899 ADMINISTRATIVE PROCEDURES ACT / REVIEW OR APPEAL OF AGENCY DECISION
- 950 CONSTITUTIONALITY OF STATE STATUTES

OTHER STATUTES - "8" MONTHS DISCOVERY TRACK

- 410 ANITRUST
- 850 SECURITIES / COMMODITIES / EXCHANGE

OTHER STATUTES - "0" MONTHS DISCOVERY TRACK

- 896 ARBITRATION (Confirm / Vacate / Order / Modify)

*** PLEASE NOTE DISCOVERY TRACK FOR EACH CASE TYPE. SEE LOCAL RULE 26.3**

VII. REQUESTED IN COMPLAINT:

CHECK IF CLASS ACTION UNDER F.R.Civ.P. 23 DEMAND \$ _____

JURY DEMAND YES NO (CHECK YES ONLY IF DEMANDED IN COMPLAINT)

VIII. RELATED/REFILED CASE(S) IF ANY

JUDGE _____ DOCKET NO. _____

CIVIL CASES ARE DEEMED RELATED IF THE PENDING CASE INVOLVES: (CHECK APPROPRIATE BOX)

- 1. PROPERTY INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
- 2. SAME ISSUE OF FACT OR ARISES OUT OF THE SAME EVENT OR TRANSACTION INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
- 3. VALIDITY OR INFRINGEMENT OF THE SAME PATENT, COPYRIGHT OR TRADEMARK INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
- 4. APPEALS ARISING OUT OF THE SAME BANKRUPTCY CASE AND ANY CASE RELATED THERETO WHICH HAVE BEEN DECIDED BY THE SAME BANKRUPTCY JUDGE.
- 5. REPETITIVE CASES FILED BY PRO SE LITIGANTS.
- 6. COMPANION OR RELATED CASE TO CASE(S) BEING SIMULTANEOUSLY FILED (INCLUDE ABBREVIATED STYLE OF OTHER CASE(S)):

7. EITHER SAME OR ALL OF THE PARTIES AND ISSUES IN THIS CASE WERE PREVIOUSLY INVOLVED IN CASE NO. _____, WHICH WAS DISMISSED. This case IS IS NOT (check one box) SUBSTANTIALLY THE SAME CASE.



SIGNATURE OF ATTORNEY OF RECORD

1/11/19
DATE

ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Stonemark Management Hit with Maintenance Workers' Unpaid Overtime Lawsuit](#)
