

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA  
PITTSBURGH DIVISION**

<b>CHRISTOPHER MEALS</b> , On Behalf of	)	
Himself and All Others Similarly	)	Civil Action No.
Situated	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	
	)	
<b>KEANE FRAC GP LLC</b> ,	)	
<b>KEANE FRAC, LP, and</b>	)	
<b>KEANE GROUP HOLDINGS, LLC</b>	)	
	)	
Defendants	)	

**PLAINTIFF’S ORIGINAL COMPLAINT  
CLASS ACTION, COLLECTIVE ACTION, AND JURY  
DEMAND**

Plaintiff Christopher Meals, individually and on behalf of all others similarly situated, files this Complaint against Defendants Keane Frac GP LLC, Keane Frac, LP, and Keane Group Holdings, LLC (collectively as “Defendants” or “Keane”), and states as follows:

1. The Fair Labor Standards Act (“FLSA”) requires employers to include all compensation when determining their employees’ regular rate of pay. Defendants failed to include non-discretionary bonuses in its employees’ regular rates of pay. Consequently, Defendants owes Plaintiff and its other hourly, bonused employees back pay at the rate of time and one-half for all hours worked over 40 in a workweek, liquidated damages, attorneys’ fees and court costs.
2. Plaintiff sues on behalf of himself and all other similarly situated hourly employees who received bonuses pursuant to 29 U.S.C. § 216(b).
3. Plaintiff and the employees he seeks to represent under this FLSA collective

action are all current and former employees of Defendants who it paid on an hourly basis with bonuses within the last three (3) years (the “FLSA Bonus Class”).

4. Defendants likewise employs the same illegal pay practices within Pennsylvania. Defendants’ failure to include bonuses into employees’ regular rate of pay violates the Pennsylvania Minimum Wage Act (“PMWA”). *See* 34 Pa. Code § 231.43. As such, Plaintiff brings this action under the PMWA pursuant to Fed. R. Civ. P. 23 on behalf of all hourly paid employees who received bonuses and worked in Pennsylvania (the “Pennsylvania Bonus Class”) within the last three (3) years.

5. Finally, Defendants also misclassified Plaintiff as exempt when Defendants employed him in a Supervisor I role. Plaintiff thus seeks to represent all current and former Supervisor I employees who Defendants classified as exempt and employed within the last three (3) years (the “FLSA Supervisor I Class”).

6. Pursuant to Fed. R. Civ. P. 23, Plaintiff similarly seeks to represent all Supervisor I employees Defendants employed in Pennsylvania (the “Pennsylvania Supervisor I Class”) within the last three (3) years because Defendants misclassification of Supervisor Is violated the PMWA.

### **PARTIES**

7. Plaintiff Christopher Meals currently resides in Spring Hill, Florida. Defendants employed Plaintiff as a SEO II from approximately March 2013 through April 2014, a Treater in Training from approximately April 2014 through November 2015, and a Supervisor I from approximately November 2015 through March 2016 – all out of Defendants’ offices located in New Stanton, Pennsylvania. Plaintiff’s consent to become a Party Plaintiff pursuant to 29 U.S.C. § 226(b) is attached as an exhibit.

8. Defendant Keane Frac GP LLC is a Delaware limited liability company which conducts business in this judicial district and nationwide thru the internet and other media.

9. Defendant Kean Frac, LP is a Pennsylvania limited partnership which conducts business in this judicial district and nationwide thru the internet and other media.

10. Defendant Keane Group Holdings, LLC is a Delaware limited liability company which conducts business in this judicial district and nationwide thru the internet and other media.

### **JURISDICTION AND VENUE**

11. This Court has original federal question jurisdiction under 28 U.S.C. § 1331 for the claims brought under the Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 201, *et seq.*

12. This Court has jurisdiction over Plaintiff’s state law claims pursuant to 28 U.S.C. § 1367 because those claims are so related to their FLSA claims that they form part of the same case or controversy.

13. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b), inasmuch as Defendants have offices, conduct business, and can be found in the Western District of Pennsylvania, and the causes of action set forth herein have arisen and occurred in part in the Western District of Pennsylvania. Venue is also proper under 29 U.S.C. §1132(e)(2) because Defendants have substantial business contacts within the state of Pennsylvania.

### **FLSA COVERAGE**

14. At all material times, Defendants have been an employer within the meaning of the FLSA. 29 U.S.C. § 203(d).

15. At all material times, Defendants have been an enterprise in commerce or in the production of goods for commerce within the meaning of the FLSA. 29 U.S.C. § 203(s)(1).

16. At all material times, Defendants have had an annual gross business volume

in excess of the statutory standard.

17. At all material times, Plaintiff, the FLSA Bonus Class Members, and the FLSA Supervisor I Class Members are employees engaged in commerce or the production of goods for commerce as required by 29 U.S.C. § 207.

### **FACTUAL ALLEGATIONS**

18. Defendants constitute an oilfield services company that operates throughout the United States including in Pennsylvania, West Virginia, Texas, and North Dakota.

19. Plaintiff Meals worked for Defendants in oilfields in Pennsylvania as a SEO II from approximately March 2013 to April 2014.

20. Plaintiff Meals then worked for Defendants as a Treater in Training from approximately April 2014 to November 2015.

21. Defendants paid Plaintiff an hourly rate while he worked for Defendants in these jobs. He routinely worked more than 40 hours each week.

22. In addition to his hourly rate of pay, Defendants also paid Plaintiff, FLSA Bonus Class Members, and Pennsylvania Bonus Class Members a job bonus. This job bonus is a non-discretionary payment.

23. The job bonus is non-discretionary because Defendants based the bonus amount on the number of completions an operator performs in the field and the revenue Defendants derived from a job at an oil well. Typically, Defendants paid the bonus once a month.

24. The job bonus represents a significant portion of Plaintiff's, FLSA Bonus Class Members', and Pennsylvania Bonus Class Members' earnings. Often the bonus payments are equal to or exceed what Defendants paid these employees monthly for the hourly earnings.

25. Defendants did not include these bonus payments in the regular rate of pay for

purposes of determining overtime.

26. By failing to do so, Defendants paid overtime at an artificially lower rate than what the law requires, and thus violated the FLSA and Pennsylvania state law.

27. Plaintiff, the FLSA Bonus Class Members, and the Pennsylvania Bonus Class Members are required to work well in excess of forty (40) hours a week. A typical work schedule demands that such workers put in more than eighty (80) hours per week.

28. Plaintiff, the FLSA Bonus Class Members, and the Pennsylvania Bonus Class Members are not exempt employees under the FLSA or the PMWA.

29. Defendants classifies Plaintiff, the FLSA Bonus Class Members, and the Pennsylvania Bonus Class Members as non-exempt employees.

30. Defendants employed Plaintiff as a Supervisor I from approximately November 2015 to March 2016.

31. Defendants paid Plaintiff a salary no matter how many hours he worked per week plus a bonus.

32. Defendants did not pay overtime compensation to Plaintiff while Defendants employed him as a Supervisor I.

33. Likewise, Defendants did not pay overtime compensation to other Supervisor Is Defendants employed.

34. Defendants suffered and permitted Plaintiff, the FLSA Supervisor I Class Members, and the Pennsylvania Supervisor I Class Members to work more than forty hours per week without overtime compensation for all hours worked. For example, Plaintiff, the FLSA Supervisor I Class Members, and the Pennsylvania Supervisor I Class Members regularly worked at six to seven days a week. They usually began work in the early morning and continued working until late in the evening which caused their hours worked to exceed forty in a week on a regular basis.

35. Defendants knew Plaintiff, the FLSA Supervisor I Class Members, and the Pennsylvania Supervisor I Class Members worked more than forty hours in a week because Defendants expected them to perform work in the oil fields from early in the morning to well into the evening and on weekends. Defendants' managers also witnessed them working these long hours in the oil fields.

36. Defendants uniformly denied Plaintiff, the FLSA Supervisor I Class Members, and the Pennsylvania Supervisor I Class Members overtime pay.

37. Defendants treated/classified Plaintiff, the FLSA Supervisor I Class Members, and the Pennsylvania Supervisor I Class Members as exempt employees, and therefore did not pay them all overtime compensation to which they are entitled, even though they routinely worked overtime hours. Defendants uniformly applied this policy and practice to all Supervisor Is.

38. Plaintiff, the FLSA Supervisor I Class Members, and the Pennsylvania Supervisor I Class Members are and were non-exempt employees who are and were entitled to overtime pay.

39. Plaintiff, the FLSA Supervisor I Class Members, and the Pennsylvania Supervisor I Class Members performed oil field manual production work, the same work performed by non-exempt, hourly employees.

40. Plaintiff, the FLSA Supervisor I Class Members, and the Pennsylvania Supervisor I Class Members did not perform duties which qualify for any "white collar" exemption or any other exemption.

41. Plaintiff, the FLSA Supervisor I Class Members, and the Pennsylvania Supervisor I Class Members did not regularly supervise the work of two or more employees.

42. Plaintiff, the FLSA Supervisor I Class Members, and the Pennsylvania Supervisor I Class Members did not exercise discretion and independent judgment as to

matters of significance.

43. Plaintiff, the FLSA Supervisor I Class Members, and the Pennsylvania Supervisor I Class Members did not perform office work related to Defendants' general business operations or its customers.

44. Plaintiff, the FLSA Supervisor I Class Members, and the Pennsylvania Supervisor I Class Members had no advance knowledge in a field of science or learning which required specialized instruction that was required to perform the job.

45. Defendants do not require Plaintiff, the FLSA Supervisor I Class Members, and the Pennsylvania Supervisor I Class Members to have a college degree to obtain a Supervisor I job.

46. All Supervisor Is are similarly situated in that they share common job duties and descriptions, Defendants treated them as exempt employees at relevant times, and they all performed work without overtime compensation.

47. Because Defendants did not pay Plaintiff, the FLSA Supervisor I Class Members, and the Pennsylvania Supervisor I Class Members for all the hours they worked including overtime hours, Defendants' wage statements did not accurately reflect compensation that Defendants was legally required to pay Plaintiff, the FLSA Supervisor I Class Members, and the Pennsylvania Supervisor I Class Members for hours they worked.

48. Defendants thus did not provide Plaintiff, the FLSA Supervisor I Class Members, and the Pennsylvania Supervisor I Class Members with accurate paychecks.

49. Defendants did not pay Plaintiff, the FLSA Supervisor I Class Members, and the Pennsylvania Supervisor I Class Members for all of their overtime hours. Accordingly, Defendants did not provide Plaintiff, the FLSA Class Members, and the Pennsylvania Supervisor I Class Members with all compensation owed to them, including their unpaid overtime, at the time they separated from the Company.

50. Defendants' actions in this case were willful and in bad faith. Defendants knew the requirement to pay overtime at the rate of time and one half the regular rates of pay of its employees but intentionally and/or willfully chose to ignore such requirements. Defendants also knew or should have known that the job bonuses were non-discretionary. Defendants intentionally and/or willfully chose to ignore the requirement to include such payments in the regular rate of pay. Defendants likewise knew or should have known that the Supervisor Is were misclassified production employees to whom Defendants was legally required to pay overtime compensation.

51. Moreover, Defendants have been sued several times for like wage and hour violations including in this District.

### **COLLECTIVE ACTION ALLEGATIONS**

52. Plaintiff brings Count I on behalf of himself and all other similarly situated employees as authorized under the FLSA, 29 U.S.C. § 216(b). The similarly situated employees are:

All current and former employees paid on an hourly basis with paid bonuses who worked in the United States at any time within the last three years up to the entry of judgment in this case (the "FLSA Bonus Class").

53. Plaintiff knows that FLSA Bonus Class Members exist who have been denied the FLSA's overtime premium by being subjected to the same illegal pay practices described above. Plaintiff's knowledge is based on working and talking with other employees of Defendants.

54. The FLSA Bonus Class Members are similarly situated to Plaintiff in that they share the same/similar duties and were subject to the same pay policies.

55. On information and belief, Defendants implemented the same compensation structure which failed to include paid bonuses into the regular rate of pay for all FLSA Bonus Class Members.



56. Accordingly, Plaintiff and the FLSA Bonus Class Members were subject to Defendants' policy, decision, and/or plan of failing to pay appropriate overtime compensation because Defendants failed to include paid bonuses into the regular rate of pay.

57. Defendants are liable under the FLSA for failing to properly compensate Plaintiff and the FLSA Bonus Class, and as such, notice should be sent to the FLSA Bonus. There are numerous similarly situated, current and former employees of Defendants who have been denied overtime pay in violation of the FLSA who would benefit from the issuance of a Court supervised notice of the present lawsuit and the opportunity to join. Those similarly situated employees are known to Defendants and are readily identifiable through Defendants' records.

58. Plaintiff brings Count II on behalf of himself and all other similarly situated employees as authorized under the FLSA, 29 U.S.C. § 216(b). The similarly situated employees are:

All current and former Supervisor I employees who Defendants designated as exempt and who worked in the United States at any time within the last three years up to the entry of judgment in this case (the "FLSA Supervisor I Class").

59. Plaintiff knows that FLSA Supervisor I Class Members exist who have been denied the FLSA's overtime premium by being subjected to the same illegal pay practices described above. Plaintiff's knowledge is based on working and talking with other employees of Defendants.

60. The FLSA Supervisors I Class Members are similarly situated to Plaintiff in that they share the same/similar duties and were subject to the same pay policies.

61. On information and belief, Defendants implemented the same compensation structure under which Defendants designated all FLSA Supervisor I Class Members as exempt and did not pay them overtime compensation no matter how many hours they worked

per week.

62. Accordingly, Plaintiff and the FLSA Supervisor I Class Members were subject to Defendants' policy, decision, and/or plan of failing to pay appropriate overtime compensation because Defendants designated them as exempt.

63. Defendants are liable under the FLSA for failing to properly compensate Plaintiff and the FLSA Supervisor I Class, and as such, notice should be sent to the FLSA Supervisor I Class. There are numerous similarly situated, current and former employees of Defendants who have been denied overtime pay in violation of the FLSA who would benefit from the issuance of a Court supervised notice of the present lawsuit and the opportunity to join. Those similarly situated employees are known to Defendants and are readily identifiable through Defendants' records.

#### **CLASS ACTION ALLEGATIONS**

64. Plaintiff sues on his own behalf and on behalf of the Pennsylvania Bonus Class Members and Pennsylvania Supervisor I Class Members pursuant to Fed. R. Civ. P. 23(a) and (b)(3).

65. Defendants violated the PMWA by failing pay overtime at the legally mandated rate of time and one half the regular rate of pay for all hours worked by failing to pay overtime on a regular rate of pay inclusive of the bonuses.

66. The Pennsylvania Bonus Class is so numerous that joinder of all members is impracticable. The number of Pennsylvania Bonus Class Members is believed to number over 30. These similarly situated employees are known to Defendants, are readily identifiable, and can be located through Defendants' records.

67. There are common questions of law and fact common to the members of the Pennsylvania Bonus Class that predominate over any questions solely affecting the individual members of the Class, including, without limitation:

- a. Whether Defendants failed to pay Plaintiff and the Pennsylvania Bonus Class Members the legally required overtime for hours worked in excess of forty hours per week;
- b. Whether the bonuses paid to Plaintiff and the Pennsylvania Bonus Class Members were nondiscretionary; and
- c. Whether Defendants is liable for all damages claimed by Plaintiff and Pennsylvania Bonus Class Members, including, without limitation, compensatory, interest, costs, and attorneys' fees.

68. Plaintiff's claims are typical of the claims of the Pennsylvania Bonus Class Members. Plaintiff and Pennsylvania Bonus Class Members work or have worked for Defendants in the same/similar job, performing substantially the same work, and have been subjected to Defendants' common practice and policy of failing to properly pay the appropriate overtime rate by failing to include bonuses in the regular rate of pay for overtime calculation purposes.

69. Defendants acted or refused to act on grounds generally applicable to the Pennsylvania Bonus Class Members as a whole by engaging in the same violations of law with respect to the Pennsylvania Bonus Class Members, thereby making any final relief appropriate with respect to the Pennsylvania Bonus Class as a whole.

70. Plaintiff will fairly and adequately represent and protect the interests of the Pennsylvania Bonus Class.

71. Plaintiff has retained counsel competent and experienced in complex wage and hour litigation and class and collective action litigation.

72. Defendants has damaged the Pennsylvania Bonus Class Members. They are entitled to recover damages as a result of Defendants' common and uniform policies, practices, and procedures.

73. Defendants likewise violated the PMWA by misclassifying Supervisor I employees as exempt from overtime compensation and thus failing pay overtime at the legally mandated rate of time and one half the regular rate of pay for all hours worked inclusive of the bonuses.

74. The Pennsylvania Supervisor I Class is so numerous that joinder of all members is impracticable. The number of Pennsylvania Supervisor I Class Members is believed to number over 30. These similarly situated employees are known to Defendants, are readily identifiable, and can be located through Defendants' records.

75. There are common questions of law and fact common to the members of the Pennsylvania Supervisor I Class that predominate over any questions solely affecting the individual members of the Class, including, without limitation:

- a. Whether Defendants classified Plaintiff and the Pennsylvania Supervisor I Class Members as exempt and thus failed to pay them the legally required overtime for hours worked in excess of forty hours per week;
- b. Whether Defendant misclassified Plaintiff and the Pennsylvania Supervisor I Class Members as exempt; and
- c. Whether Defendants is liable for all damages claimed by Plaintiff and Pennsylvania Supervisor I Class Members, including, without limitation, compensatory, interest, costs, and attorneys' fees.

76. Plaintiff's claims are typical of the claims of the Pennsylvania Supervisor I Class Members. Plaintiff and Pennsylvania Supervisor I Class Members work or have worked for Defendants in the same/similar job, performing substantially the same work, and have been subjected to Defendants' common practice and policy of misclassifying them as exempt and thus failing to properly pay the appropriate overtime rate for hours worked over 40 per week.

77. Defendants acted or refused to act on grounds generally applicable to the Pennsylvania Supervisor I Class Members as a whole by engaging in the same violations of law with respect to the Pennsylvania Supervisor I Class Members, thereby making any final relief appropriate with respect to the Pennsylvania Supervisor I Class as a whole.

78. Plaintiff will fairly and adequately represent and protect the interests of the Pennsylvania Supervisor I Class.

79. Plaintiff has retained counsel competent and experienced in complex wage and hour litigation and class and collective action litigation.

80. Defendants has damaged the Pennsylvania Supervisor I Class Members. They are entitled to recover damages as a result of Defendants' common and uniform policies, practices, and procedures.

81. A Class Action is superior to other available methods for the fair and efficient adjudication of this case, particularly in the context of wage litigation such as the instant case where individual workers lack the financial resources to vigorously prosecute a lawsuit in federal court against a large company, such as Defendants.

82. Furthermore, class treatment is superior because it will obviate the need for unduly duplicative litigation that might result in inconsistent judgments about Defendants' practices.

**COUNT I**

**Collective Action under § 216(b) of the Fair Labor Standards Act  
Overtime Claims – FLSA Bonus Class**

83. Plaintiff incorporates the above paragraphs of this Complaint into this Count.

84. Defendants' practice of failing to pay Plaintiff and FLSA Bonus Class Members overtime at a rate not less than one and one-half times their regular rate for all hours over forty (40) violates the FLSA because Defendants failed to include non-discretionary bonuses into the regular rate of pay for overtime calculation purposes. *See* 29

U.S.C. § 207.

85. None of the exemptions provided by the FLSA are applicable to the Defendants, or to the Plaintiff and FLSA Bonus Class Members.

86. Defendants has not made a good faith effort to comply with the FLSA.

87. Defendants' method of paying Plaintiff and FLSA Class Members in violation of the FLSA was willful and was not based on a good faith and reasonable belief that its conduct did not violate the FLSA. The foregoing conduct, as alleged, constitutes a willful violation of the FLSA within the meaning of 29 U.S.C. § 255(a).

### **COUNT II**

#### **Collective Action under § 216(b) of the Fair Labor Standards Act Overtime Claims – FLSA Supervisor I Class**

88. Plaintiff incorporate the above paragraphs of this Complaint into this Count.

89. Defendants' practice of failing to pay Plaintiff and FLSA Supervisor I Class Members overtime at a rate not less than one and one-half times their regular rate for all hours over forty (40) violates the FLSA because Defendants designated them as exempt and failed to pay them overtime. See 29 U.S.C. § 207.

90. None of the exemptions provided by the FLSA are applicable to the Defendants, or to the Plaintiff and FLSA Supervisor I Class Members.

91. Defendants has not made a good faith effort to comply with the FLSA. Defendants' method of paying Plaintiff and FLSA Class Members in violation of the FLSA was willful and was not based on a good faith and reasonable belief that its conduct did not violate the FLSA. The foregoing conduct, as alleged, constitutes a willful violation of the FLSA within the meaning of 29 U.S.C. § 255(a).

### **COUNT III**

#### **Rule 23 Class Action -- Violation of the Pennsylvania Minimum Wage Act Overtime Claims -- Pennsylvania Bonus Class Members**

92. Plaintiff incorporates the preceding paragraphs by reference.

93. The PMWA requires that employees receive overtime compensation “not less than one and one-half times” the employee’s regular rate of pay for all hours worked over 40 in a workweek. *See* 43 P.S. § 333.104(c). Under the PMWA, the regular rate of pay “shall be deemed to include all remuneration for employment.” 34 Pa. Code § 231.43.

94. Defendants violated the PMWA by failing to include all remuneration in the regular rate of Plaintiff and the Pennsylvania Bonus Class Members by excluding the bonus payments.

95. Defendants are an employer covered by the PMWA’s mandates, and Plaintiff and the other Pennsylvania Bonus Class Members are employees entitled to the PMWA’s protections.

96. As described above, Defendants violated the PMWA by paying overtime in a manner that is not permissible under Pennsylvania law.

97. Due to Defendants’ PMWA violations, Plaintiff and the Pennsylvania Bonus Class Members are entitled to recover from Defendants their unpaid overtime compensation for all hours worked by them in excess of forty in a workweek and reasonable attorney’s fees and costs, pursuant to the PMWA.

#### **COUNT IV**

#### **Rule 23 Class Action -- Violation of the Pennsylvania Minimum Wage Act Overtime Claims -- Pennsylvania Supervisor I Class Members**

98. Plaintiff incorporates the preceding paragraphs by reference.

99. The PMWA requires that non-exempt employees receive overtime compensation “not less than one and one-half times” the employee’s regular rate of pay for all hours worked over 40 in a workweek. *See* 43 P.S. § 333.104(c).

100. Defendants violated the PMWA by misclassifying Plaintiff and the Pennsylvania Supervisor I Class Members and thus failing to pay them overtime

compensation at the appropriate regular rate of pay for all hours worked over 40 per week.

101. Defendants are an employer covered by the PMWA's mandates, and Plaintiff and the other Pennsylvania Supervisor I Class Members are employees entitled to the PMWA's protections.

102. As described above, Defendants violated the PMWA by misclassifying Plaintiff and the Supervisor I Class Members and thus failing to pay them overtime.

103. Due to Defendants' PMWA violations, Plaintiff and the Pennsylvania Supervisor I Class Members are entitled to recover from Defendants their unpaid overtime compensation for all hours worked by them in excess of forty in a workweek and reasonable attorney's fees and costs, pursuant to the PMWA.

**WHEREFORE**, Plaintiff, on behalf of himself and all FLSA Bonus Class Members, FLSA Supervisor I Class Members, Pennsylvania Bonus Class Members, and Pennsylvania Supervisor I Class Members prays for relief as follows:

A. Designation of this action as a collective action on behalf of the FLSA Bonus Class and FLSA Supervisor I Class, and prompt issuance of notice pursuant to 29 U.S.C. § 216(b) to all similarly situated members of those FLSA Classes, apprising them of the pendency of this action, and permitting them to assert timely FLSA claims in this action by filing individual Consent to Join forms pursuant to 29 U.S.C. § 216(b);

B. Designation of this action as a class action on behalf of the Pennsylvania Bonus Class and Pennsylvania Supervisor I Class Members, and prompt issuance of notice pursuant to Federal Rule of Civil Procedure 23;

C. A declaration that Defendants is financially responsible for notifying the FLSA Bonus Class, FLSA Supervisor I Class, the Pennsylvania Bonus Class, and Pennsylvania Supervisor I Class Members of Defendants' alleged wage and hour violations;

D. Judgment against Defendants for an amount equal to Plaintiff, the FLSA Bonus



Class', the FLSA Supervisor I Class', the Pennsylvania Bonus Class', and Pennsylvania Supervisor I Class Members' unpaid overtime wages at the applicable rates;

- E. A finding that Defendants' conduct was willful;
- F. An equal amount to the overtime wages as liquidated damages;
- G. All costs and attorney' fees incurred prosecuting these claims, including expert fees;
- H. Pre-judgment and post-judgment interest, as provided by law;
- I. Leave to add additional plaintiffs by motion, the filing of written consent forms, or any other method approved by the Court; and
- J. Such further relief as the Court deems just and equitable.

**Demand for Jury Trial**

Plaintiff, individually and behalf of all other similarly situated, hereby demands a jury trial on all causes of action and claims with respect to which they have a right to jury trial pursuant to Federal Rule of Civil Procedure 38(b).

Dated: November 4, 2016

Respectfully submitted,

/s/ Rowdy B. Meeks

Rowdy B. Meeks\*

Kansas Bar No.16068

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*\*pro hac vice motion forthcoming*

Attorneys for Plaintiffs

JS 44 (Rev. 07/16)

### CIVIL COVER SHEET

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**

Christopher Meals, on behalf of himself and all others similarly situated

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

(c) Attorneys (Firm Name, Address, and Telephone Number)

Rowdy B. Meeks - Rowdy Meeks Legal Group LLC  
8201 Mission Rd., Suite 250, Prairie Village, KS 66208 (913) 766-5587

**DEFENDANTS**

Keane Frac GP LLC, Keane Frac, LP, and Keane Group Holdings, 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.

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	<b>PERSONAL INJURY</b> <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 <b>PERSONAL PROPERTY</b> <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  <b>LABOR</b> <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  <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157  <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark  <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))  <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS			
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>Habeas Corpus:</b> <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 <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

**V. ORIGIN** (Place an "X" in One Box Only)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from Another District (specify)
- 6 Multidistrict Litigation - Transfer
- 8 Multidistrict Litigation - Direct File

**VI. CAUSE OF ACTION**

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

Brief description of cause:  
Failure to pay overtime in violation of FLSA and state law

**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 10/28/2016 SIGNATURE OF ATTORNEY OF RECORD  
/s/ Rowdy B. Meeks

FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_

JS 44A REVISED June, 2009  
IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA  
THIS CASE DESIGNATION SHEET MUST BE COMPLETED

**PART A**

This case belongs on the (  Erie  Johnstown  Pittsburgh) calendar.

1. **ERIE CALENDAR** - If cause of action arose in the counties of Crawford, Elk, Erie, Forest, McKean, Venang or Warren, OR any plaintiff or defendant resides in one of said counties.
2. **JOHNSTOWN CALENDAR** - If cause of action arose in the counties of Bedford, Blair, Cambria, Clearfield or Somerset OR any plaintiff or defendant resides in one of said counties.
3. Complete if on **ERIE CALENDAR**: I certify that the cause of action arose in \_\_\_\_\_ County and that the \_\_\_\_\_ resides in \_\_\_\_\_ County.
4. Complete if on **JOHNSTOWN CALENDAR**: I certify that the cause of action arose in \_\_\_\_\_ County and that the \_\_\_\_\_ resides in \_\_\_\_\_ County.

**PART B** (You are to check ONE of the following)

1.  This case is related to Number \_\_\_\_\_ . Short Caption \_\_\_\_\_
2.  This case is not related to a pending or terminated case.

**DEFINITIONS OF RELATED CASES:**

**CIVIL:** Civil cases are deemed related when a case filed relates to property included in another suit or involves the same issues of fact or it grows out of the same transactions as another suit or involves the validity or infringement of a patent involved in another suit  
**EMINENT DOMAIN:** Cases in contiguous closely located groups and in common ownership groups which will lend themselves to consolidation for trial shall be deemed related.

**HABEAS CORPUS & CIVIL RIGHTS:** All habeas corpus petitions filed by the same individual shall be deemed related. All pro se Civil Rights actions by the same individual shall be deemed related.

**PART C**

**I. CIVIL CATEGORY** (Select the applicable category).

1.  Antitrust and Securities Act Cases
2.  Labor-Management Relations
3.  Habeas corpus
4.  Civil Rights
5.  Patent, Copyright, and Trademark
6.  Eminent Domain
7.  All other federal question cases
8.  All personal and property damage tort cases, including maritime, FELA, Jones Act, Motor vehicle, products liability, assault, defamation, malicious prosecution, and false arrest
9.  Insurance indemnity, contract and other diversity cases.
10.  Government Collection Cases (shall include HEW Student Loans (Education), V A Overpayment, Overpayment of Social Security, Enlistment Overpayment (Army, Navy, etc.), HUD Loans, GAO Loans (Misc. Types), Mortgage Foreclosures, SBA Loans, Civil Penalties and Coal Mine Penalty and Reclamation Fees.)

I certify that to the best of my knowledge the entries on this Case Designation Sheet are true and correct

/s/ Rowdy B. Meeks

Date: October 28, 2016

\_\_\_\_\_  
ATTORNEY AT LAW

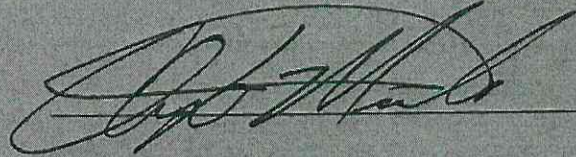
NOTE: ALL SECTIONS OF BOTH FORMS MUST BE COMPLETED BEFORE CASE CAN BE PROCESSED.



**CONSENT TO BECOME PARTY PLAINTIFF**  
Fair Labor Standards Act of 1938, 29 U.S.C. 216(b)

I hereby consent to be a party plaintiff seeking unpaid wages and overtime against Keane Group Holdings, LLC and its related companies. For purposes of pursuing my unpaid wage and overtime claims against Keane Group Holdings, LLC and its related companies, I choose to be represented by Rowdy Meeks Legal Group LLC and other attorneys with whom they may associate.

Date: 9-27-2016



Printed Name: CHRISTOPHER MEKS



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

UNITED STATES DISTRICT COURT

for the

Western District of Pennsylvania

Christopher Meals, on behalf of himself and all others
similarly situated

Plaintiff(s)

v.

Keane Frac GP LLC, Keane Frac, LP, and Keane
Group Holdings, LLC

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Keane Frac, LP
CT Corporation System
116 Pine St. - Suite 320
Dauphin County
Harrisburg, PA 17101

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:

Rowdy B. Meeks
Rowdy Meeks Legal Group LLC
8201 Mission Rd., Suite 250
Prairie Village, KS 66208
(913) 766-5587
Rowdy.Meeks@rmllegalgroup.com

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

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 \$ \_\_\_\_\_ 0.00 \_\_\_\_\_ .

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:

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

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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:



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

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Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

# ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Fracking Company Keane Frac GP LLC Hit with Overtime Wage Lawsuit](#)

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