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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CANDACE MITCHELL; JENNIFER
BECKER; KEITH BOOTHE; GRANT
BOWERS; GAVIN BROATCH;
ISABELLE CAMACHO; KENT
CUEVAS; MARY ENYEART;
ALEXANDER MILO FLORES;
PATRICIA FOSS; JENNIFER
GERAN; JAMES A. GOLDEN;
THAIRA HAMMI; RYAN HAY;
CYNTHIA HERNANDEZ;
STEPHANIE HOOVER; MIGUEL
HUERTA; GRAHAM HUFFORD;
WAYNE JARRELL; ANAS M.
KAZIHA; TERI KIPNIS;
NICOLAS B. MANANSALA;
ERIKA MCNEILL; GABRIELLE
MEAD; DEBRA OWEN; ALEC
PHILLIPP; MICHAEL PRINZ;
STEVEN RAMIREZ; PETE RAZO;
ANTHONY REA; ARNILDA REYES;
CATHERINE RIVERA; SCOTT
ROBINSON; RICHARD RUSSELL;
JIM SILVERSTEIN; CLEMENS
WASSENBERG; DANIEL WEISS;
LORETTA WILLIAMS; CODY
WILKINSON; GREGORY WOODS,
on behalf of themselves and all other
employees similarly situated,

Plaintiffs,

v.

CITY OF SAN DIEGO,

Defendant.

CASE NO. '17CV2014 H AGS

COMPLAINT FOR OVERTIME WAGES
UNDER FAIR LABOR STANDARDS
ACT

[29 U.S.C. §§ 201 et seq.]

JURY TRIAL DEMANDED

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I.

JURISDICTION

1. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1343(3), because the controversy arises under a law of the United States, specifically, the Fair Labor Standards Act of 1938, 29 U.S.C. §§ 201 et seq. (“FLSA”), and thus presents a federal question.

II.

VENUE

2. Venue is proper in the Southern District of California pursuant to 28 U.S.C. § 1391(b) because the City of San Diego is in this federal district and the acts, events, or omissions giving rise to the claims occurred in this District.

III.

PARTIES

3. Plaintiffs are current or former employees of the City of San Diego who bring this action on their own behalf and, pursuant to 29 U.S.C. § 216(b), on behalf of all other non-exempt employees and former employees similarly situated, to recover underpaid overtime compensation, liquidated damages, interest, attorneys’ fees and costs. Each Plaintiff’s written consent to become a party to this action is being contemporaneously filed or will be filed in the future pursuant to 29 U.S.C. § 216(b). This is a proposed collective action for which Plaintiffs seek timely conditional certification with notice and a consent to join form sent to all similarly situated non-exempt current and former employees informing them of their right to opt-into this action.

4. Defendant City of San Diego (“Defendant” or “City”), is or at all relevant times was, each Plaintiff’s employer. Defendant is a Charter City and a political subdivision of the State of California.

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1 IV.

2 GENERAL ALLEGATIONS

3 5. City recognizes its obligation to comply with the FLSA. Pursuant to City's
4 Charter, the San Diego City Council adopts a Salary Ordinance annually. At all relevant
5 times, these Salary Ordinances have included an express provision identical to the one stated
6 in Salary Ordinance O-20817, adopted on April 25, 2017: "WHEREAS, the United States
7 Supreme Court in *Garcia v. San Antonio Metropolitan Transit Authority*, 469 U.S. 528
8 (1985), held that the provisions of the Fair Labor Standards Act (FLSA), 29 U.S.C. § 201 *et*
9 *seq.*, as they relate to overtime pay, are applicable to states, cities, and local agencies,
10 including the City; and WHEREAS, it is necessary to ensure compliance with the FLSA,
11 including all applicable case law interpreting the FLSA and applicable regulations [...] BE
12 IT ORDAINED, by the Council of the City of San Diego, as follows (in pertinent part):

13 Section 3. Compliance with the FLSA

14 Full-time employees in the classifications listed in the Personnel
15 Manual Index Code H-4, Addendum A, Groups A, B, C [...], are
16 not exempt under the FLSA and are eligible for premium rate
17 overtime based on the employee's scheduled workweek.
Premium rate overtime will be computed in accordance with the
FLSA, including all applicable cases interpreting the FLSA, and
with all applicable regulations."

18 Each Plaintiff and those similarly-situated is or was employed in a job classification in
19 Groups A, B, or C.

20 6. City has also adopted Personnel Manual Index Code H-4 (last amended June
21 6, 2013) and Administrative Regulation 95.01 (effective August 27, 1986) for purposes of
22 FLSA compliance. These overtime compensation provisions cover Plaintiffs and all those
23 similarly situated.

24 7. Plaintiffs and those current or former employees similarly situated are or were
25 non-exempt employees of City who worked more than forty hours in one or more 7-day work
26 weeks during the relevant three-year period. Each was paid an overtime rate of pay for these
27 FLSA-eligible overtime hours worked. Each was entitled to have his or her premium
28 overtime rate of pay determined by reference to his or her "regular rate of pay," which is

1 defined under 29 U.S.C. § 207(e) as “all remuneration for employment paid to, or on behalf
2 of, the employee,” subject to a number of exclusions set forth in the FLSA.

3 8. During each workweek when Plaintiffs and those similarly situated worked
4 FLSA-eligible overtime, each was also a participant in City’s Flexible Benefits Plan (“FBP”)
5 entitling him or her to an annual lump sum of money, commonly known as “flex dollars,” to
6 be used for the purchase of health and welfare benefits (by payments made by City on
7 employees’ behalf to trustees or third parties) or otherwise taken in various forms known as
8 “cash-in-lieu” payments.

9 9. During the relevant period, City did not count or include any of these “flex
10 dollars” as eligible “remuneration” when determining the employee’s premium overtime rate
11 payable for that workweek. Each Plaintiff and all similarly-situated non-exempt current and
12 former employees have been affected by the City’s conduct in the same manner because
13 City’s policy and practice of excluding all FBP-related compensation from eligible
14 “remuneration” when calculating an employee’s regular and premium overtime rates of pay
15 has been uniformly applied to all Plaintiffs and others similarly situated when they have
16 worked in excess of 40 hours in a 7-day work week during the relevant period.

17 10. On or about June 30, 2017, City notified all City employees by e-mail that,
18 effective July 1, 2017, “in accordance with recent changes to federal law regarding FLSA
19 overtime,” the City “will include in an employee’s FLSA overtime calculations the cash
20 value of any flexible benefit credits that they did not use to pay for health, dental, vision or
21 life insurance.” The City subsequently acknowledged in writing that the e-mail notification’s
22 reference to “recent changes to federal law regarding FLSA overtime,” refers to the decision
23 rendered in *Flores v. City of San Gabriel* (9th Cir. 2016) 824 F. 3d 890, review denied on
24 May 15, 2017 (“*Flores*”), addressing the proper treatment of an employer’s “flex dollars”
25 when determining what “remuneration” to include in an employee’s “regular rate of pay” and
26 what amount to pay as a premium for FLSA-eligible overtime.

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V.

FIRST CLAIM FOR RELIEF

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3 11. The allegations set forth in paragraphs 5 through 10 are hereby incorporated
4 by reference as if fully set forth.

5 12. At all relevant times, each Plaintiff and those similarly-situated was or is a non-
6 exempt employee of City employed in a job classification eligible to earn premium rate
7 overtime under the FLSA for all time worked in excess of 40 hours in a 7-day work week.
8 Each Plaintiff and those similarly-situated did in fact work such FLSA-eligible overtime
9 during the three-year period before the filing of this complaint and/or before the filing of his
10 or her Consent to become a party plaintiff, and the City was obligated to pay him or her
11 overtime calculated at one-and-one-half times his/her regular rate of pay, with that rate
12 calculated to include all eligible “remuneration” in accordance with 29 U.S.C. § 207(e).

13 13. At all relevant times, as a participant in City’s FBP, an IRS-qualified cafeteria-
14 style benefits program, each Plaintiff and those similarly situated had “flex dollars” available
15 as a form of compensation in addition to wages earned, with the option to take those “flex
16 dollars” in various cash forms in lieu of third-party-provided health and welfare benefits.

17 14. When determining an employee’s “regular rate of pay” for FLSA-eligible
18 overtime worked, the full amount of these cash-in-lieu of benefits payments constituted
19 “remuneration” and could not properly be treated as payments to an employee “not made as
20 compensation for his/her hours of employment” within the meaning of the exclusion set forth
21 in § 207(e)(2). (*Flores, supra* [such payments must be included in the “regular rate”]).

22 15. The City failed to count or include these cash-in-lieu of benefits payments
23 under its FBP as remuneration when determining an employee’s “regular rate” of pay.
24 Because the City excluded these payments, they are not incorporated into the City’s
25 calculation of the employee’s overtime rate. In this manner, the City underpaid Plaintiffs and
26 others similarly-situated for FLSA-eligible overtime hours worked because the premium
27 overtime rates paid did not represent time-and-one-half their eligible “regular rates” of pay.

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1 16. Each Plaintiff and those similarly-situated are entitled to receive the full
2 amount of FLSA-eligible premium rate overtime earned during the relevant period based on
3 a “regular rate of pay” which includes all cash-in-lieu of benefits payments as remuneration.

4 17. Each Plaintiff and those similarly situated are also presumptively entitled to
5 liquidated damages in an amount equal to the amount of the underpaid overtime City owes.
6 City did not act in good faith with reasonable grounds to believe that it was not in violation
7 of the FLSA and took no affirmative action to assure its FLSA compliance at any time before
8 *Flores* was decided by the District Court in 2013 (969 F. Supp.2d 1158), while it was
9 pending on appeal, or after the Ninth Circuit’s *Flores* decision was rendered in June 2016.

10 18. City’s violation of the FLSA as described herein was wilful within the meaning
11 of 29 U.S.C. § 255(a) because City acted voluntarily and deliberately when maintaining an
12 intentional practice of failing to compensate Plaintiffs and others similarly situated in
13 accordance with the FLSA. City continues to fail and refuse to compensate Plaintiffs and
14 others similarly situated for City’s underpayment of FLSA-eligible overtime hours worked.

15 VI.

16 SECOND CLAIM FOR RELIEF

17 19. The allegations set forth in paragraphs 5 through 10 are hereby incorporated
18 by reference as if fully set forth.

19 20. In addition to cash-in-lieu of benefits payments made under its FBP, City also
20 made payments on employees’ behalf to trustees or third parties for health, dental, vision, life
21 or similar insurance benefits. Under § 207(e)(4), such “contributions irrevocably made
22 pursuant to a bona fide plan” may be excluded from the regular rate of pay when calculating
23 premium rate FLSA overtime. However, for a plan to retain its bona fide status within the
24 meaning of § 207(e)(4), the plan must not give an employee the option to receive any part
25 of the employer’s contributions in cash instead of the benefits under the plan, or, if some cash
26 payment to an employee is allowed, it must be an incidental part of the plan.

27 21. On information and belief, City’s total cash-in-lieu of benefits payments under
28 its FBP were sufficiently large as a percentage of City’s total contributions during each

1 relevant year that these payments could not lawfully be deemed incidental within the
2 meaning of § 207(e)(4) and 29 C.F.R. § 778.215(a)(5), and, thus, could not lawfully be
3 excluded from a determination of “remuneration” and regular rates of pay. (See *Flores*.)

4 22. Accordingly, *in addition to* counting any cash-in-lieu of benefits payments as
5 remuneration when determining an employee’s “regular rate of pay” under the FLSA, City
6 was obligated to include as qualifying remuneration all “flex dollars” which City paid to
7 trustees or third parties on an employee’s behalf under its FBP.

8 23. Having failed to count these additional “flex dollars” paid to trustees or third
9 parties as remuneration, and thus having excluded the value of these payments from its
10 determination of an employee’s “regular rate of pay,” the City has further underpaid the
11 overtime earned by and owed to Plaintiffs and others similarly-situated.

12 24. Each Plaintiff and those similarly-situated are entitled to receive the full
13 amount of FLSA-eligible premium rate overtime earned based on a “regular rate of pay”
14 which includes as remuneration all “flex dollars” which City paid to trustees or third parties
15 on an employee’s behalf under its FBP.

16 25. Each Plaintiff and those similarly situated are also presumptively entitled to
17 liquidated damages in an amount equal to the amount of the underpaid overtime City owes.
18 City did not act in good faith with reasonable grounds to believe that it was not in violation
19 of the FLSA and took no affirmative action to assure its FLSA compliance at any time before
20 *Flores* was decided by the District Court in 2013 (969 F. Supp.2d 1158), while it was
21 pending on appeal, or after the Ninth Circuit’s *Flores* decision was rendered in June 2016.

22 26. City’s violation of the FLSA as described herein was wilful within the meaning
23 of 29 U.S.C. § 255(a) because City acted voluntarily and deliberately when maintaining an
24 intentional practice of failing to compensate Plaintiffs and others similarly situated in
25 accordance with the FLSA. City continues to fail and refuse to compensate Plaintiffs and
26 others similarly situated for City’s underpayment of FLSA-eligible overtime hours worked.

27 27. As City’s notice to employees dated June 30, 2017 confirms (see paragraph 10
28 above), City is continuing to violate the FLSA by excluding from remuneration those

1 contributions irrevocably being made to third party insurers under its FBP in reliance on the
2 *bona fide* status of its FBP under § 207(e)(4) despite the now-final decision in *Flores* holding
3 that this exclusion is not likely available to City's plan.

4 WHEREFORE, Plaintiffs pray for relief as follows:

5 1. That Notice be given to current and former non-exempt employees of City who
6 have worked FLSA-eligible overtime during the relevant period while also participating in
7 City's FBP informing them of their right to join in this action without retaliation;

8 2. That judgment be entered against the City in the amounts respectively due the
9 Plaintiffs and other similarly situated non-exempt employees and former employees of the
10 City for underpaid FLSA-eligible overtime compensation, liquidated damages, and
11 prejudgment interest as the Court may determine pursuant to 29 U.S.C. § 216(b);

12 3. That a permanent injunction be entered pursuant to 29 U.S.C. § 217 restraining
13 the City from further violations of the Fair Labor Standards Act on the basis of the
14 remuneration it pays employees under its Flexible Benefits Plan or otherwise;

15 4. That reasonable attorneys' fees and costs and expenses of suit be awarded
16 pursuant to 29 U.S.C. § 216(b); and,

17 5. For such additional and further relief as this Court may deem just.

18
19 Dated: September 29, 2017

Respectfully submitted,

SMITH, STEINER, VANDERPOOL & WAX, APC

20
21
22 By: s/Ann M. Smith
23 Attorneys for Plaintiffs CANDACE MITCHELL, et al.
24 E-mail: asmith@ssvwlaw.com
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JS 44 (Rev. 06/17)

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.)

<p>I. (a) PLAINTIFFS Candace Mitchell, et al., on behalf of themselves and others similarly situated</p> <p>(b) County of Residence of First Listed Plaintiff <u>San Diego</u> <i>(EXCEPT IN U.S. PLAINTIFF CASES)</i></p> <p>(c) Attorneys <i>(Firm Name, Address, and Telephone Number)</i> Ann M. Smith Smith, Steiner, Vanderpool & Wax, APC 401 W. A Street, Suite 320, San Diego, CA 92101; (619) 239-7200</p>	<p>DEFENDANTS City of San Diego</p> <p style="text-align: right;">'17CV2014 H AGS</p> <p>County of Residence of First Listed Defendant <u>San Diego</u> <i>(IN U.S. PLAINTIFF CASES ONLY)</i></p> <p>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.</p> <p>Attorneys <i>(If Known)</i> Kristin M. J. Zlotnik, Deputy City Attorney 1200 Third Avenue, Suite 1100 San Diego, CA 92101; (619) 533-5800</p>
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<p>II. BASIS OF JURISDICTION <i>(Place an "X" in One Box Only)</i></p> <p><input type="checkbox"/> 1 U.S. Government Plaintiff</p> <p><input checked="" type="checkbox"/> 3 Federal Question <i>(U.S. Government Not a Party)</i></p> <p><input type="checkbox"/> 2 U.S. Government Defendant</p> <p><input type="checkbox"/> 4 Diversity <i>(Indicate Citizenship of Parties in Item III)</i></p>	<p>III. CITIZENSHIP OF PRINCIPAL PARTIES <i>(Place an "X" in One Box for Plaintiff and One Box for Defendant)</i></p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td></td> <td style="text-align: center;">PTF</td> <td style="text-align: center;">DEF</td> <td></td> <td style="text-align: center;">PTF</td> <td style="text-align: center;">DEF</td> </tr> <tr> <td>Citizen of This State</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business In This State</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business In Another State</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> </tr> </table>		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
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IV. NATURE OF SUIT *(Place an "X" in One Box Only)* Click here for: Nature of Suit Code Descriptions.

<p>CONTRACT</p> <p><input type="checkbox"/> 110 Insurance</p> <p><input type="checkbox"/> 120 Marine</p> <p><input type="checkbox"/> 130 Miller Act</p> <p><input type="checkbox"/> 140 Negotiable Instrument</p> <p><input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment</p> <p><input type="checkbox"/> 151 Medicare Act</p> <p><input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)</p> <p><input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits</p> <p><input type="checkbox"/> 160 Stockholders' Suits</p> <p><input type="checkbox"/> 190 Other Contract</p> <p><input type="checkbox"/> 195 Contract Product Liability</p> <p><input type="checkbox"/> 196 Franchise</p>	<p>TORTS</p> <p>PERSONAL INJURY</p> <p><input type="checkbox"/> 310 Airplane</p> <p><input type="checkbox"/> 315 Airplane Product Liability</p> <p><input type="checkbox"/> 320 Assault, Libel & Slander</p> <p><input type="checkbox"/> 330 Federal Employers' Liability</p> <p><input type="checkbox"/> 340 Marine</p> <p><input type="checkbox"/> 345 Marine Product Liability</p> <p><input type="checkbox"/> 350 Motor Vehicle</p> <p><input type="checkbox"/> 355 Motor Vehicle Product Liability</p> <p><input type="checkbox"/> 360 Other Personal Injury</p> <p><input type="checkbox"/> 362 Personal Injury - Medical Malpractice</p> <p>PERSONAL INJURY</p> <p><input type="checkbox"/> 365 Personal Injury - Product Liability</p> <p><input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability</p> <p><input type="checkbox"/> 368 Asbestos Personal Injury Product Liability</p> <p>PERSONAL PROPERTY</p> <p><input type="checkbox"/> 370 Other Fraud</p> <p><input type="checkbox"/> 371 Truth in Lending</p> <p><input type="checkbox"/> 380 Other Personal Property Damage</p> <p><input type="checkbox"/> 385 Property Damage Product Liability</p>	<p>FORFEITURE/PENALTY</p> <p><input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881</p> <p><input type="checkbox"/> 690 Other</p> <p>LABOR</p> <p><input checked="" type="checkbox"/> 710 Fair Labor Standards Act</p> <p><input type="checkbox"/> 720 Labor/Management Relations</p> <p><input type="checkbox"/> 740 Railway Labor Act</p> <p><input type="checkbox"/> 751 Family and Medical Leave Act</p> <p><input type="checkbox"/> 790 Other Labor Litigation</p> <p><input type="checkbox"/> 791 Employee Retirement Income Security Act</p> <p>IMMIGRATION</p> <p><input type="checkbox"/> 462 Naturalization Application</p> <p><input type="checkbox"/> 465 Other Immigration Actions</p>	<p>BANKRUPTCY</p> <p><input type="checkbox"/> 422 Appeal 28 USC 158</p> <p><input type="checkbox"/> 423 Withdrawal 28 USC 157</p> <p>PROPERTY RIGHTS</p> <p><input type="checkbox"/> 820 Copyrights</p> <p><input type="checkbox"/> 830 Patent</p> <p><input type="checkbox"/> 835 Patent - Abbreviated New Drug Application</p> <p><input type="checkbox"/> 840 Trademark</p> <p>SOCIAL SECURITY</p> <p><input type="checkbox"/> 861 HIA (1395ff)</p> <p><input type="checkbox"/> 862 Black Lung (923)</p> <p><input type="checkbox"/> 863 DIWC/DIWW (405(g))</p> <p><input type="checkbox"/> 864 SSID Title XVI</p> <p><input type="checkbox"/> 865 RSI (405(g))</p> <p>FEDERAL TAX SUITS</p> <p><input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)</p> <p><input type="checkbox"/> 871 IRS—Third Party 26 USC 7609</p>	<p>OTHER STATUTES</p> <p><input type="checkbox"/> 375 False Claims Act</p> <p><input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))</p> <p><input type="checkbox"/> 400 State Reapportionment</p> <p><input type="checkbox"/> 410 Antitrust</p> <p><input type="checkbox"/> 430 Banks and Banking</p> <p><input type="checkbox"/> 450 Commerce</p> <p><input type="checkbox"/> 460 Deportation</p> <p><input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations</p> <p><input type="checkbox"/> 480 Consumer Credit</p> <p><input type="checkbox"/> 490 Cable/Sat TV</p> <p><input type="checkbox"/> 850 Securities/Commodities/Exchange</p> <p><input type="checkbox"/> 890 Other Statutory Actions</p> <p><input type="checkbox"/> 891 Agricultural Acts</p> <p><input type="checkbox"/> 893 Environmental Matters</p> <p><input type="checkbox"/> 895 Freedom of Information Act</p> <p><input type="checkbox"/> 896 Arbitration</p> <p><input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision</p> <p><input type="checkbox"/> 950 Constitutionality of State Statutes</p>
<p>REAL PROPERTY</p> <p><input type="checkbox"/> 210 Land Condemnation</p> <p><input type="checkbox"/> 220 Foreclosure</p> <p><input type="checkbox"/> 230 Rent Lease & Ejectment</p> <p><input type="checkbox"/> 240 Torts to Land</p> <p><input type="checkbox"/> 245 Tort Product Liability</p> <p><input type="checkbox"/> 290 All Other Real Property</p>	<p>CIVIL RIGHTS</p> <p><input type="checkbox"/> 440 Other Civil Rights</p> <p><input type="checkbox"/> 441 Voting</p> <p><input type="checkbox"/> 442 Employment</p> <p><input type="checkbox"/> 443 Housing/Accommodations</p> <p><input type="checkbox"/> 445 Amer. w/Disabilities - Employment</p> <p><input type="checkbox"/> 446 Amer. w/Disabilities - Other</p> <p><input type="checkbox"/> 448 Education</p>	<p>PRISONER PETITIONS</p> <p>Habeas Corpus:</p> <p><input type="checkbox"/> 463 Alien Detainee</p> <p><input type="checkbox"/> 510 Motions to Vacate Sentence</p> <p><input type="checkbox"/> 530 General</p> <p><input type="checkbox"/> 535 Death Penalty</p> <p>Other:</p> <p><input type="checkbox"/> 540 Mandamus & Other</p> <p><input type="checkbox"/> 550 Civil Rights</p> <p><input type="checkbox"/> 555 Prison Condition</p> <p><input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement</p>		

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):*
29 U.S.C. section 207

Brief description of cause:
Underpayment of FLSA-eligible overtime worked

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 Roger T. Benitez DOCKET NUMBER '17CV1464 BEN BGS

DATE 09/29/2017 SIGNATURE OF ATTORNEY OF RECORD s/ Ann M. Smith

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

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5 Attorneys for Plaintiffs

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7
8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA

10 CANDACE MITCHELL, et al.,
11 on behalf of themselves and all other
employees similarly situated,

12 Plaintiffs,

13 v.

14 CITY OF SAN DIEGO,

15 Defendant.
16

CASE NO. '17CV2014 H AGS

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

17
18 I, Candace A. Mitchell, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).
22

23 Dated: 9/28/17

By: Candace A. Mitchell
Candace A. Mitchell

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1 ANN M. SMITH, ESQ. (SBN 120733)
2 SMITH, STEINER, VANDERPOOL
& WAX, APC
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5 Attorneys for Plaintiffs

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7

8

UNITED STATES DISTRICT COURT

9

SOUTHERN DISTRICT OF CALIFORNIA

10 CANDACE MITCHELL, et al.,
11 on behalf of themselves and all other
employees similarly situated,

12 Plaintiffs,

13 v.

14 CITY OF SAN DIEGO,

15 Defendant.

16

CASE NO. '17CV2014 H AGS

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

17

18 I, Jennifer Becker, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).

22

23 Dated: 9/28/17

By: Jennifer Becker
Jennifer Becker

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5 Attorneys for Plaintiffs

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UNITED STATES DISTRICT COURT

9

SOUTHERN DISTRICT OF CALIFORNIA

10 CANDACE MITCHELL, et al.,
11 on behalf of themselves and all other
employees similarly situated,

12 Plaintiffs,

13 v.

14 CITY OF SAN DIEGO,

15 Defendant.

16

CASE NO. '17CV2014 H AGS

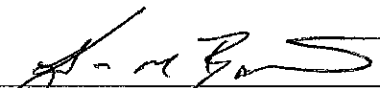
CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

17

18 I, Keith Boothe, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).

22

23 Dated: 9-28-17

By: 
Keith Boothe

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UNITED STATES DISTRICT COURT

9

SOUTHERN DISTRICT OF CALIFORNIA

10 CANDACE MITCHELL, et al.,
on behalf of themselves and all other
11 employees similarly situated,

12 Plaintiffs,

13 v.

14 CITY OF SAN DIEGO,

15 Defendant.
16

CASE NO. '17CV2014 H AGS

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

17

18 I, Grant Bowers, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).

22

23 Dated: 9-28-17

By: 
Grant Bowers

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UNITED STATES DISTRICT COURT

9

SOUTHERN DISTRICT OF CALIFORNIA

10 CANDACE MITCHELL, et al.,
11 on behalf of themselves and all other
employees similarly situated,

12 Plaintiffs,

13 v.

14 CITY OF SAN DIEGO,

15 Defendant.

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CASE NO. '17CV2014 H AGS

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

18 I, Gavin Broatch, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).

22

23 Dated: 9/29/17

By: 
Gavin Broatch

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5 Attorneys for Plaintiffs

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CANDACE MITCHELL, et al.,
on behalf of themselves and all other
employees similarly situated,

Plaintiffs,

v.

CITY OF SAN DIEGO,

Defendant.

CASE NO. '17CV2014 H AGS

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

I, Isabelle Camacho, want to join this lawsuit to seek unpaid overtime compensation which may be owed to me by the City of San Diego. Accordingly, I consent to become a party plaintiff to this action under the Fair Labor Standards Act, 29 U.S.C. § 216(b).

Dated: 9-28-17

By: Isabelle Camacho
Isabelle Camacho

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8

UNITED STATES DISTRICT COURT

9

SOUTHERN DISTRICT OF CALIFORNIA

10 CANDACE MITCHELL, et al.,
11 on behalf of themselves and all other
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12 Plaintiffs,

13 v.

14 CITY OF SAN DIEGO,

15 Defendant.
16

CASE NO. '17CV2014 H AGS


CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

17

18 I, Kent Cuevas, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).

22

23 Dated: 9/28/17

By: 
Kent Cuevas

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8

UNITED STATES DISTRICT COURT

9

SOUTHERN DISTRICT OF CALIFORNIA

10 CANDACE MITCHELL, et al.,
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12 Plaintiffs,

13 v.

14 CITY OF SAN DIEGO,

15 Defendant.

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CASE NO. '17CV2014 H AGS

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

18 I, Mary Enyeart, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).

22

23 Dated: 09/28/2017

By: Mary Enyeart
Mary Enyeart

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8

UNITED STATES DISTRICT COURT

9

SOUTHERN DISTRICT OF CALIFORNIA

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11 employees similarly situated,

12 Plaintiffs,

13 v.

14 CITY OF SAN DIEGO,

15 Defendant.

16

CASE NO. '17CV2014 H AGS

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

17

18 I, Alexander Milo Flores, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).

22

23 Dated: 09/29/2017

By: 
Alexander Milo Flores

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8

UNITED STATES DISTRICT COURT

9

SOUTHERN DISTRICT OF CALIFORNIA

10 CANDACE MITCHELL, et al.,)
on behalf of themselves and all other)
11 employees similarly situated,)

12 Plaintiffs,)

13 v.)

14 CITY OF SAN DIEGO,)

15 Defendant.)
16

CASE NO. '17CV2014 H AGS

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

17

18 I, Patricia Foss, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).

22

23 Dated: 9/27/17

By: 

24

Patricia Foss

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8

UNITED STATES DISTRICT COURT

9

SOUTHERN DISTRICT OF CALIFORNIA

10 CANDACE MITCHELL, et al.,)
on behalf of themselves and all other)
11 employees similarly situated,)

12 Plaintiffs,

13 v.

14 CITY OF SAN DIEGO,

15 Defendant.
16

CASE NO. '17CV2014 H AGS

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

17

18 I, Jennifer Geran, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).

22

23 Dated: 9/28/17

By: Jennifer Geran
Jennifer Geran

24

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UNITED STATES DISTRICT COURT

9

SOUTHERN DISTRICT OF CALIFORNIA

10 CANDACE MITCHELL, et al.,
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employees similarly situated,

12 Plaintiffs,

13 v.

14 CITY OF SAN DIEGO,

15 Defendant.

16

CASE NO. '17CV2014 H AGS

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

17

18 I, James A. Golden, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).

22

23 Dated: 9.29.17

By: 
James A. Golden

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8

UNITED STATES DISTRICT COURT

9

SOUTHERN DISTRICT OF CALIFORNIA

10 CANDACE MITCHELL, et al.,
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12 Plaintiffs,

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14 CITY OF SAN DIEGO,

15 Defendant.
16

CASE NO. '17CV2014 H AGS

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

17

18 I, Thaira Hammi, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).

22

23 Dated: 9/29/2017

By: Thaira Hammi

24

Thaira Hammi

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5 Attorneys for Plaintiffs

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CANDACE MITCHELL, et al.,
on behalf of themselves and all other
employees similarly situated,

Plaintiffs,

v.

CITY OF SAN DIEGO,

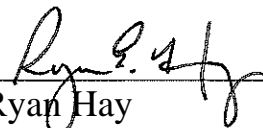
Defendant.

CASE NO. '17CV2014 H AGS

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

I, Ryan Hay, want to join this lawsuit to seek unpaid overtime
compensation which may be owed to me by the City of San Diego. Accordingly, I
consent to become a party plaintiff to this action under the Fair Labor Standards Act,
29 U.S.C. § 216(b).

Dated: 9/28/2017

By: 
Ryan Hay

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8

UNITED STATES DISTRICT COURT

9

SOUTHERN DISTRICT OF CALIFORNIA

10 CANDACE MITCHELL, et al.,
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11 employees similarly situated,

12 Plaintiffs,

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15 Defendant.

16

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CASE NO. '17CV2014 H AGS

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]


18

I, Cynthia Hernandez, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).

22

23

Dated: 9/28/2017

By: Cynthia Hernandez


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8

UNITED STATES DISTRICT COURT

9

SOUTHERN DISTRICT OF CALIFORNIA

10 CANDACE MITCHELL, et al.,
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12 Plaintiffs,

13 v.

14 CITY OF SAN DIEGO,

15 Defendant.
16

CASE NO. '17CV2014 H AGS

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

17

18 I, Stephanie Hoover, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).

22

23 Dated: September 28, 2017 By: Stephanie Hoover
24 Stephanie Hoover

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8

UNITED STATES DISTRICT COURT

9

SOUTHERN DISTRICT OF CALIFORNIA

10 CANDACE MITCHELL, et al.,
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12 Plaintiffs,

13 v.

14 CITY OF SAN DIEGO,

15 Defendant.

16

17

CASE NO. '17CV2014 H AGS

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

18 I, Miguel Huerta, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).

22

23 Dated: 9/28/2017

By: Miguel G. Huerta
Miguel Huerta

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8

UNITED STATES DISTRICT COURT

9

SOUTHERN DISTRICT OF CALIFORNIA

10 CANDACE MITCHELL, et al.,)
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12 Plaintiffs,

13 v.

14 CITY OF SAN DIEGO,

15 Defendant.
16

CASE NO. '17CV2014 H AGS


CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

17

18 I, Graham C. Hufford, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).

22

23 Dated: 28 SEPT 17

By: 
Graham C. Hufford

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8

UNITED STATES DISTRICT COURT

9

SOUTHERN DISTRICT OF CALIFORNIA

10 CANDACE MITCHELL, et al.,
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11 employees similarly situated,

12 Plaintiffs,

13 v.

14 CITY OF SAN DIEGO,

15 Defendant.

16

17

CASE NO. '17CV2014 H AGS

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

18 I, Wayne Jarrell, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).

22

23 Dated: 9/29/2017

By: Wayne Jarrell
Wayne Jarrell

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5 Attorneys for Plaintiffs
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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA

10 CANDACE MITCHELL, et al.,
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12 Plaintiffs,

13 v.

14 CITY OF SAN DIEGO,

15 Defendant.
16

CASE NO. '17CV2014 H AGS

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

17
18 I, Anas M. Kaziha, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).

22
23 Dated: 9/29/17

By: 
24 Anas M. Kaziha
25
26
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6
7

8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA

10 CANDACE MITCHELL, et al.,
on behalf of themselves and all other
11 employees similarly situated,

12 Plaintiffs,

13 v.

14 CITY OF SAN DIEGO,

15 Defendant.
16

CASE NO. '17CV2014 H AGS

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

17
18 I, Teri Kipnis, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).

22
23 Dated: 9/28/2017

By: 
Teri Kipnis

24
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8

UNITED STATES DISTRICT COURT

9

SOUTHERN DISTRICT OF CALIFORNIA

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12 Plaintiffs,

13 v.

14 CITY OF SAN DIEGO,

15 Defendant.
16

CASE NO. '17CV2014 H AGS

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

17

18 I, Nicolas B. Manansala, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).

22

23 Dated: 9/30/17

By: 

24

Nicolas B. Manansala

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8

UNITED STATES DISTRICT COURT

9

SOUTHERN DISTRICT OF CALIFORNIA

10 CANDACE MITCHELL, et al.,
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12 Plaintiffs,

13 v.

14 CITY OF SAN DIEGO,

15 Defendant.

16

CASE NO. '17CV2014 H AGS

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

17

18 I, Erika McNeill, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).

22

23 Dated: 9/28/2017

By: Erika McNeill
Erika McNeill

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5 Attorneys for Plaintiffs

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7
8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA

10 CANDACE MITCHELL, et al.,)
on behalf of themselves and all other)
11 employees similarly situated,)
12 Plaintiffs,)
13 v.)
14 CITY OF SAN DIEGO,)
15 Defendant.)
16 _____)

CASE NO. '17CV2014 H AGS

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

17
18 I, Gabrielle A. Mead, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).

22
23 Dated: 9-26-17

By: 
Gabrielle A. Mead

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UNITED STATES DISTRICT COURT

9

SOUTHERN DISTRICT OF CALIFORNIA

10 CANDACE MITCHELL, et al.,
11 on behalf of themselves and all other
employees similarly situated,

12 Plaintiffs,

13 v.

14 CITY OF SAN DIEGO,

15 Defendant.

16

17

CASE NO. '17CV2014 H AGS

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

18 I, Debra Owen, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).

22

23 Dated: Sept 29, 2017

By: Debra Owen
Debra Owen

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5 Attorneys for Plaintiffs

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CANDACE MITCHELL, et al.,
on behalf of themselves and all other
employees similarly situated,

Plaintiffs,

v.

CITY OF SAN DIEGO,

Defendant.

CASE NO. '17CV2014 H AGS

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

I, Alec Phillipp, want to join this lawsuit to seek unpaid overtime
compensation which may be owed to me by the City of San Diego. Accordingly, I
consent to become a party plaintiff to this action under the Fair Labor Standards Act,
29 U.S.C. § 216(b).

Dated: 9/28/2017

By: *Alec Phillipp*
Alec Phillipp

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UNITED STATES DISTRICT COURT

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SOUTHERN DISTRICT OF CALIFORNIA

10 CANDACE MITCHELL, et al.,
on behalf of themselves and all other
11 employees similarly situated,

12 Plaintiffs,

13 v.

14 CITY OF SAN DIEGO,

15 Defendant.
16

CASE NO. '17CV2014 H AGS

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

17

18 I, Michael Prinz, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).

22

23 Dated: 9.28.17

By: 
Michael Prinz

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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA

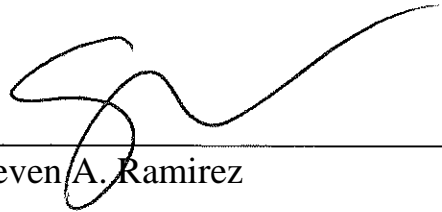
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12 Plaintiffs,
13 v.
14 CITY OF SAN DIEGO,
15 Defendant.
16

CASE NO. '17CV2014 H AGS

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

17
18 I, Steven A. Ramirez, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).

22
23 Dated: 9/28/17

By: 
Steven A. Ramirez

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UNITED STATES DISTRICT COURT

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SOUTHERN DISTRICT OF CALIFORNIA

10 CANDACE MITCHELL, et al.,
11 on behalf of themselves and all other
employees similarly situated,

12 Plaintiffs,

13 v.

14 CITY OF SAN DIEGO,

15 Defendant.

16

CASE NO. '17CV2014 H AGS

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

17

18 I, Pete Razo, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).

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23 Dated: 09/08/17

By: 
Pete Razo

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UNITED STATES DISTRICT COURT

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SOUTHERN DISTRICT OF CALIFORNIA

10 CANDACE MITCHELL, et al.,
on behalf of themselves and all other
11 employees similarly situated,

12 Plaintiffs,

13 v.

14 CITY OF SAN DIEGO,

15 Defendant.
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CASE NO. '17CV2014 H AGS


CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

17

18 I, Anthony Rea, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).

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23 Dated: 9-28-2017

By: 
Anthony Rea

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UNITED STATES DISTRICT COURT

9

SOUTHERN DISTRICT OF CALIFORNIA

10 CANDACE MITCHELL, et al.,)
on behalf of themselves and all other)
11 employees similarly situated,)

CASE NO. '17CV2014 H AGS

12 Plaintiffs,

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

13 v.

14 CITY OF SAN DIEGO,

15 Defendant.

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18 I, Arnilda P. Reyes, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).

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23 Dated: 09-28-2017

By: 
Arnilda P. Reyes

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UNITED STATES DISTRICT COURT

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SOUTHERN DISTRICT OF CALIFORNIA

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12 Plaintiffs,

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14 CITY OF SAN DIEGO,

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16

17

CASE NO. '17CV2014 H AGS

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

18

I, Catherine Rivera, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).

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23

Dated: 9-28-17

By: 

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Catherine Rivera

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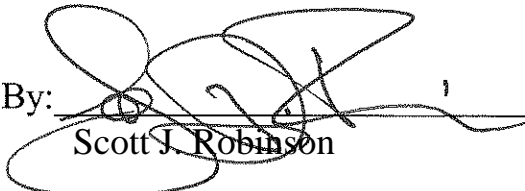
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11 employees similarly situated,)
12 Plaintiffs,)
13 v.)
14 CITY OF SAN DIEGO,)
15 Defendant.)
16

CASE NO.

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

17
18 I, Scott J. Robinson, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).

22
23 Dated: 9/28/2017

By: 
Scott J. Robinson

1 ANN M. SMITH, ESQ. (SBN 120733)
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UNITED STATES DISTRICT COURT

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SOUTHERN DISTRICT OF CALIFORNIA

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on behalf of themselves and all other
11 employees similarly situated,

12 Plaintiffs,

13 v.

14 CITY OF SAN DIEGO,

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CASE NO. '17CV2014 H AGS

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

18 I, Richard Russell, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).

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23 Dated: 9-29-17

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By: Richard Russell
Richard Russell

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5 Attorneys for Plaintiffs

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CANDACE MITCHELL, et al.,
on behalf of themselves and all other
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Plaintiffs,

v.

CITY OF SAN DIEGO,

Defendant.

CASE NO. '17CV2014 H AGS

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

I, Jim Silverstein, want to join this lawsuit to seek unpaid overtime
compensation which may be owed to me by the City of San Diego. Accordingly, I
consent to become a party plaintiff to this action under the Fair Labor Standards Act,
29 U.S.C. § 216(b).

Dated: 9/29/2017

By: Jim Silverstein
Jim Silverstein

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UNITED STATES DISTRICT COURT

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SOUTHERN DISTRICT OF CALIFORNIA

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CASE NO. '17CV2014 H AGS

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

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I, Clemens Wassenberg, want to join this lawsuit to seek unpaid overtime compensation which may be owed to me by the City of San Diego. Accordingly, I consent to become a party plaintiff to this action under the Fair Labor Standards Act, 29 U.S.C. § 216(b).

Dated: 09/29/2017

By: C. Wassenberg
Clemens Wassenberg

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15 Defendant.

CASE NO. '17CV2014 H AGS

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

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17
18 I, Daniel Weiss, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).

22
23 Dated: 9/28/17

By: 
Daniel Weiss

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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA

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14 CITY OF SAN DIEGO,)
15 Defendant.)
16

CASE NO. '17CV2014 H AGS

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

17
18 I, Cody Wilkinson, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).

22
23 Dated: 9/28/2017

By: 
Cody Wilkinson

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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA

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15 Defendant.
16

CASE NO. '17CV2014 H AGS

CONSENT TO JOIN ACTION UNDER
FAIR LABOR STANDARDS ACT
[29 U.S.C. § 216(b)]

17
18 I, Gregory Woods, want to join this lawsuit to seek unpaid overtime
19 compensation which may be owed to me by the City of San Diego. Accordingly, I
20 consent to become a party plaintiff to this action under the Fair Labor Standards Act,
21 29 U.S.C. § 216(b).

22
23 Dated: 09/28/2017

By: Gregory Woods
Gregory Woods

ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [40 Plaintiffs Allege City of San Diego Miscalculated Wage Rates, Owes OT](#)
