

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
FORT PIERCE DIVISION

Case No. \_\_\_\_\_

TIMOTHY PRICE,  
and other similarly situated individuals,

Plaintiff(s),

v.

DAWG, INC. d/b/a THEBESTIRS,  
a Foreign Profit Corporation  
and BRETT S. HARDT, individually

Defendants.

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**DEFENDANT, DAWG, INC.'S, NOTICE OF AND PETITION FOR REMOVAL**

Defendant, DAWG, INC. d/b/a TheBestIRS (“Defendant DAWG”), by and through its undersigned counsel and in accordance with the applicable Federal Rules of Civil Procedure and 28 U.S.C. §§ 1331, 1367, 1441, and 1446, hereby files this Notice of and Petition for Removal (the “Notice”). Defendant requests that the Court remove this action filed by Plaintiff, TIMOTHY PRICE, and other similarly situated individuals (“Plaintiff”) from the Circuit Court of the 19th Judicial Circuit in and for St. Lucie County, Florida, to the United States District Court for the Southern District of Florida, Fort Pierce Division. The removal of this action is based upon the following:

1. On or about December 28, 2017, Plaintiff commenced this action by filing a Complaint in the Circuit Court of the 19th Judicial Circuit in and for St. Lucie County, Florida, captioned Timothy Price v. Dawg, Inc. d/b/a TheBestIRS, et al. (the “Circuit Court case”). The Circuit Court case was assigned case number 2017CA002038AXXXHC. In the Complaint,

Plaintiff asserts two counts against Defendants pursuant to the Fair Labor Standards Act, 29 U.S.C. § 201 et seq. (“FLSA”): (1) an alleged wage and hour federal statutory violation against Defendant Dawg, and (2) an alleged wage and hour federal statutory violation against Defendant Brett S. Hardt (“Defendant Hardt”) (collectively “Defendants”). A copy of the Complaint is attached hereto as Exhibit “1.”

2. Because Plaintiff’s claims are asserted pursuant to federal law this action is within the original federal question jurisdiction of the United States District Court pursuant to 28 U.S.C. § 1331. Thus, this action is removable pursuant to 28 U.S.C. § 1441(a).

3. Plaintiff effectuated service of process on Defendant DAWG on December 19, 2017. Therefore, this Notice has been filed within thirty days after service upon Defendant Dawg of the pleading setting forth the claims for relief upon which this removal is based, as required by 28 U.S.C. § 1446(b). Plaintiff has not yet served Defendant Hardt.

4. As required by 28 U.S.C. § 1446(a), a copy of all other process, pleadings, and orders filed in this action are attached hereto as Exhibit “2.”

5. A removal is not proper unless “all defendants who have been properly joined and served ... consent to the removal of the action.” 28 U.S.C. § 1446(b)(2)(A). Although Defendant Hardt has not been served, Defendants have complied with this requirement because both Defendants consent to removal and are jointly filing this Notice of and Petition for Removal.

6. Pursuant to 28 U.S.C. § 1446(d), Defendant DAWG will promptly provide written notice of the removal to Plaintiff and will file a copy of this Notice with the Circuit Court of the 19th Judicial Circuit in and for St. Lucie County, Florida.

7. The United States District Court for the Southern District of Florida, Fort Pierce, includes the judicial county in which Plaintiff filed his Complaint. Thus, removal is proper to this Court.

WHEREFORE, Defendant, Dawg, Inc., respectfully requests that the United States District Court for the Southern District of Florida accept the removal of this action from the Circuit Court of the 19th Judicial Circuit in and for St. Lucie, Florida, and direct that the Circuit Court have no further jurisdiction of this matter unless and until this case is remanded.

Dated: February 5, 2018

Respectfully submitted,

JACKSON LEWIS P.C.  
One Biscayne Tower, Suite 3500  
2 South Biscayne Boulevard  
Miami, Florida 33131  
Telephone: 305-577-7600  
Facsimile: 305-373-4466

*s/ Scott S. Allen*

---

Scott S. Allen, Esq.  
Florida Bar No. 143278  
E-mail: *scott.allen@jacksonlewis.com*  
Ingrid Cepero, Esq.  
Florida Bar No. 117648  
E-mail: *ingrid.cepero@jacksonlewis.com*

*Attorneys for Defendants*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 5th day of February 2018, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record on the attached Service List in the manner specified, either via transmissions of Notices of Electronic Filing generated by CM/ECF System or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

s/ Scott S. Allen  
Scott S. Allen, Esq.

**SERVICE LIST**

Jason S. Remer, Esq.  
Email: *jremer@rgpattorneys.com*  
Brody M. Shulman, Esq.  
Email: *bshulman@rgpattorneys.com*  
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*Attorneys for Plaintiff*

Scott S. Allen, Esq.  
Email: *scott.allen@jacksonlewis.com*  
Ingrid Cepero, Esq.  
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Telephone: 305-577-7600  
Facsimile: 305-373-4466

*Attorneys for Defendants*

JS 44 (Rev. 06/17) FLSD Revised 06/01/2017

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.) NOTICE: Attorneys MUST Indicate All Re-filed Cases Below.

I. (a) PLAINTIFFS Timothy Price, and other similarly situated individuals

DEFENDANTS DAWG, INC. d/b/a TheBestIRS, a foreign for profit corporation and Brett S. Hardt, individually,

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

County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) Attorneys (Firm Name, Address, and Telephone Number) Jason S. Remer, Esq. and Brody M. Shulman, Esq., Remer & Georges-Pierre, PLLC, 44 W. Flagler St., Suite 2200, Miami, FL 33130 - Tel. (305) 416-5000

Attorneys (If Known) Scott S. Allen, Esq. and Ingrid Cepero, Esq., Jackson Lewis P.C., One Biscayne Tower, Suite 3500, 2 So. Biscayne Blvd., Miami, FL 33131 - Tel. (305) 577-7600

(d) Check County Where Action Arose: MIAMI-DADE MONROE BROWARD PALM BEACH MARTIN ST. LUCIE INDIAN RIVER OKEECHOBEE HIGHLANDS

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff Federal Question (U.S. Government Not a Party)
2 U.S. Government Defendant 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)

- Citizen of This State
Citizen of Another State
Citizen or Subject of a Foreign Country
Incorporated or Principal Place of Business In This State
Incorporated and Principal Place of Business In Another State
Foreign Nation

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Grid of legal categories including CONTRACT, REAL PROPERTY, CIVIL RIGHTS, PERSONAL INJURY, LABOR, FOREIGN JURISDICTION, LABOR, IMMIGRATION, FEDERAL TAX SUITS, and OTHERS. Includes checkboxes for various codes like 110 Insurance, 210 Land Condemnation, 440 Other Civil Rights, etc.

V. ORIGIN (Place an "X" in One Box Only)
1 Original Proceeding
2 Removed from State Court
3 Re-filed (See V1 below)
4 Reinstated or Reopened
5 Transferred from another district (specify)
6 Multidistrict Litigation Transfer
7 Appeal to District Judge from Magistrate Judgment
8 Multidistrict Litigation - Direct File
9 Remanded from Appellate Court

VI. RELATED/ RE-FILED CASE(S) (See instructions): a) Re-filed Case YES NO b) Related Cases YES NO
JUDGE: DOCKET NUMBER:

VII. CAUSE OF ACTION Cite the U.S. Civil Statute under which you are filing and Write a Brief Statement of Cause (Do not cite jurisdictional statutes unless diversity):
Fair Labor Standards Act, 29 U.S.C. § 201 et seq. Plaintiff asserts wage and hour federal statutory violations against Defendants DAWG, INC. and Brett S. Hart.
LENGTH OF TRIAL via 3.4 days estimated (for both sides to try entire case)

VIII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

ABOVE INFORMATION IS TRUE & CORRECT TO THE BEST OF MY KNOWLEDGE
DATE February 5, 2017
SIGNATURE OF ATTORNEY OF RECORD [Signature]

# **EXHIBIT 1**

Filing # 65880666 E-Filed 12/28/2017 12:54:40 PM

IN THE CIRCUIT COURT OF THE 19TH  
JUDICIAL CIRCUIT IN AND FOR ST.  
LUCIE COUNTY, FLORIDA.

CASE NO: 562017CA002038AXXXHC

TIMOTHY PRICE,  
and other similarly-situated individuals,

Plaintiff(s),

vs.

DAWG, INC *d/b/a* THEBESTIRS  
a Foreign Profit Corporation and  
BRETT S. HARDT, Individually.

Defendants.

---

COMPLAINT

(OPT-IN PURSUANT TO 29 U.S.C § 216(B))

COMES NOW, Plaintiff, TIMOTHY PRICE ("Plaintiff"), on behalf of himself and other current and former similarly situated employees, by and through undersigned counsel, file this Complaint against Defendants, DAWG, INC *d/b/a* THEBESTIRS a Foreign Profit Corporation and BRETT S. HARDT, Individually ("Collectively Defendants") and states as follows:

JURISDICTION

1. This is an action by the Plaintiff, and other similarly-situated individuals, for damages exceeding \$15,000 excluding attorneys' fees or costs pursuant to the Fair Labor Standards Act, as amended (29 U.S.C. §201, et seq., hereinafter called the "FLSA"), to recover unpaid overtime and/or minimum wage compensation, an additional equal amount as liquidated damages and reasonable attorneys' fees and costs.

2. The jurisdiction of the Court over this controversy is based upon 29 U.S.C. §216(b).
3. Plaintiff was at all times relevant to this action, and continues to be, residents of St. Lucie County Florida, within the jurisdiction of this Honorable Court. Plaintiff is a covered employee for purposes of the FLSA.
4. Defendant, DAWG, INC, having its main place of business in St. Lucie County, Florida, where Plaintiff worked for Defendant and at all times material hereto was and is engaged in interstate commerce.
5. Defendant, BRETT S. HARDT, is a corporate officer of, and exercised operational control over the activities of, corporate Defendant, DAWG, INC.
6. Venue is proper in St. Lucie because all of the actions that form the basis of this Complaint occurred within St. Lucie County and payment was due in Broward County.
7. Declaratory, injunctive, legal and equitable relief sought pursuant to the laws set forth above together with attorneys' fees, costs and damages.
8. All conditions precedent for the filing of this action before this Court have been previously met, including the exhaustion of all pertinent administrative procedures and remedies.

**FACTUAL ALLEGATIONS COMMON TO ALL COUNTS**

9. Plaintiff, TIMOTHY PRICE was employed with Defendants as a non-exempt Independent Field Adjuster from approximately October 2016 to November 2016.
10. At all times material hereto, Plaintiff and Defendants were engaged in an implied agreement whereby Plaintiff would be employed by Defendants and that Plaintiff would be properly paid as provided for by, and not in violation of, the laws of the United States and the State of Florida.



11. During the time period from October 2016 to November 2016, Defendant failed to compensate Plaintiff at the required minimum wage and at rate of one and a half times Plaintiff's regular rate of pay for all hours worked in excess of forty (40) within a single work week. Plaintiff should be compensated at the correct minimum wage and the rate of one and a half times Plaintiff's regular rate for those hours that Plaintiff worked in excess of forty (40) per week, as required by the FLSA.
12. At all times material hereto Defendant had or should have had full knowledge of all hours worked by Plaintiff, including those hours worked by Plaintiff in excess of forty (40) in a given week.

**COUNT I**  
***Wage & Hour Federal Statutory Violation Against***  
***DAWG, INC***

13. Plaintiff re-adopts each and every factual allegation as stated in paragraphs 1 through 12 of this complaint as if set out in full herein.
14. This action is brought by Plaintiff and other similarly-situated individuals to recover from Defendants unpaid minimum wage and overtime compensation, as well as an additional amount as liquidated damages, costs, and reasonable attorney's fees under the provisions of 29 U.S.C. § 201 *et seq.*, and specifically under the provisions of 29 U.S.C. § 207.
15. 29 U.S.C. § 207 (a)(1) states, "No employer shall employ any of his employees... for a work week longer than 40 hours unless such employee receives compensation for his employment in excess of the hours above-specified at a rate not less than one and a half times the regular rate at which he is employed."
16. Jurisdiction is conferred on this Court by Title 29 U.S.C. § 216(b).

17. At all times pertinent to this Complaint, Defendant operated as an organization which sells and/or markets its services and/or goods to customers from throughout the United States and also provides its services for goods sold and transported from across state lines of other states, and the Defendant obtains and solicits funds from non-Florida sources, accepts funds from non-Florida sources, uses telephonic transmissions going over state lines to do its business, transmits funds outside the State of Florida, and otherwise regularly engages in interstate commerce, particularly with respect to its employees.
18. Upon information and belief, the annual gross revenue of the Defendant was at all times material hereto in excess of \$500,000 per annum, and, by virtue of working in interstate commerce, otherwise satisfies the FLSA's coverage requirements.
19. By reason of the foregoing, the Defendant is and was, during all times hereafter mentioned, an enterprise engaged in commerce or in the production of goods for commerce as defined in §§ 3 (x) and 3(s) of the FLSA, 29 U.S.C. § 203(r) and 203(s). Defendant's business activities involve those to which the Fair Labor Standards Act applies. The Plaintiff's work for the Defendant likewise affects interstate commerce.
20. Plaintiff seeks to recover for unpaid wages accumulated from the date of hire.
21. At all times material hereto, the Defendant failed to comply with Title 29 U.S.C. §§ 201-219 and 29 C.F.R. § 516.2 and § 516.4 *et seq.* in that Plaintiff performed services and worked in excess of the maximum hours provided by the FLSA but no provision was made by the Defendant to properly pay him at the rate of time and one half for all hours worked in excess of forty hours (40) per workweek as provided in the FLSA.
22. Defendant knew and/or showed reckless disregard of the provisions of the FLSA concerning the payment of overtime wages as required by the Fair Labor Standards Act

and remain owing Plaintiff these unpaid wages since the commencement of Plaintiff's employment with Defendant as set forth above. As such, Plaintiff is entitled to recover double damages.

23. Defendant never posted any notice, as required by the Fair Labor Standards Act and Federal Law, to inform employees of their federal rights to overtime and minimum wage payments.

WHEREFORE, Plaintiff respectfully prays for the following relief against Defendant:

- A. Adjudge and decree that Defendant has violated the FLSA and has done so willfully, intentionally and with reckless disregard for Plaintiff's rights;
- B. Award Plaintiff actual damages in the amount shown to be due for unpaid minimum wage and overtime compensation for hours worked in excess of forty (40) weekly, with interest;
- C. Award Plaintiff an equal amount in double damages/liquidated damages;
- D. Award Plaintiff the costs of this action, together with a reasonable attorneys' fees; and
- E. Grant Plaintiff such additional relief as the Court deems just and proper under the circumstances.

**COUNT II**

***Wage & Hour Federal Statutory Violation Against BRETT S. HARDT  
(Non-Payment of Wages)***

24. Plaintiff re-adopts each and every factual allegation as stated in paragraphs 1 through 12 of this Complaint as if set out in full herein.

25. At the times mentioned, Defendant HARDT was, and is now, a corporate officer of corporate Defendant DAWG, INC.

26. Defendant HARDT was an employer of Plaintiff within the meaning of Section 3(d) of the "Fair Labor Standards Act" [29 U.S.C. § 203(d)], in that Defendant HARDT acted directly in the interests of the corporate Defendant-employer in relation to the employees of the corporate Defendant-employer, including Plaintiff.
27. The FLSA defines the term "employer" broadly to include "both the employer for whom the employee directly works as well as 'any person acting directly or indirectly in the interests of an employer in relation to an employee.'"<sup>1</sup>
28. Based on this broad definition, Defendant HARDT, in his status as a corporate officer with operational control of a Defendant-corporation's covered enterprise is an employer along with the Defendant-corporation, jointly and severally liable under the FLSA for unpaid wages."<sup>2</sup>
29. Defendant HARDT willfully and intentionally refused to properly pay Plaintiff wages as required by the law of the United States as set forth above and remains owing Plaintiff these wages.

**WHEREFORE**, Plaintiff respectfully prays for the following relief against Defendant HARDT:

- A. Adjudge and decree that Defendant HARDT has violated the FLSA and has done so willfully, intentionally and with reckless disregard for Plaintiff's rights;
- B. Adjudge and decree that Defendant HARDT is an individual with operational control and is, thus, jointly and severally liable under the FLSA for unpaid wages at issue;
- C. Award Plaintiff actual damages in the amount shown to be due for unpaid wages, with interest; and

<sup>1</sup> *Josendis v. Wall to Wall Residence Repairs, Inc.*, 662 F.3d 1292, 1298 (11th Cir. 2011.)

<sup>2</sup> *Patel v. Wargo*, 803 F.2d 632, 637-38 (11th Cir. 1986)

- D. Award Plaintiff an equal amount in double damages/liquidated damages; and
- E. Award Plaintiff the costs of this action, together with a reasonable attorneys' fees;
- F. Grant Plaintiff such additional relief as the Court deems just and proper under the circumstances; and
- G. Grant Plaintiff a Trial by Jury.

**JURY DEMAND**

Plaintiff demands trial by jury of all issues triable as of right by jury.

Dated 12-22-17

Respectfully submitted,

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Jason S. Remer, Esq.  
Florida Bar No.: 0165580  
jremmer@rgpattorneys.com  
Brody M. Shulman, Esq.  
Fla. Bar No.: 092044

**REMER & GEORGES-PIERRE, PLLC**  
44 West Flagler Street, Suite 2200  
Miami, FL 33130  
Telephone: (305) 416-5000  
Facsimile: (305) 416-5005

# **EXHIBIT 2**

Filing # 65880666 E-Filed 12/28/2017 12:54:40 PM

**FORM 1.997. CIVIL COVER SHEET**

The civil cover sheet and the information contained in it neither replace nor supplement the filing and service of pleadings or other documents as required by law. This form must be filed by the plaintiff or petitioner for the use of the Clerk of Court for the purpose of reporting judicial workload data pursuant to section 25.075, Florida Statutes. (See instructions for completion.)

**I. CASE STYLE**

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT,  
IN AND FOR ST. LUCIE COUNTY, FLORIDA

Case No.: 562017CA002038AXXXHC  
Judge: Janet C Croom

TIMOTHY PRICE  
Plaintiff

vs.

DAWG INC dba THEBESTIRS, BRETT S HARLT  
Defendant

**II. TYPE OF CASE**

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li><input type="checkbox"/> Condominium</li> <li><input type="checkbox"/> Contracts and indebtedness</li> <li><input type="checkbox"/> Eminent domain</li> <li><input type="checkbox"/> Auto negligence</li> <li><input type="checkbox"/> Negligence – other                         <ul style="list-style-type: none"> <li><input type="checkbox"/> Business governance</li> <li><input type="checkbox"/> Business torts</li> <li><input type="checkbox"/> Environmental/Toxic tort</li> <li><input type="checkbox"/> Third party indemnification</li> <li><input type="checkbox"/> Construction defect</li> <li><input type="checkbox"/> Mass tort</li> <li><input type="checkbox"/> Negligent security</li> <li><input type="checkbox"/> Nursing home negligence</li> <li><input type="checkbox"/> Premises liability – commercial</li> <li><input type="checkbox"/> Premises liability – residential</li> </ul> </li> <li><input type="checkbox"/> Products liability</li> <li><input type="checkbox"/> Real Property/Mortgage foreclosure                         <ul style="list-style-type: none"> <li><input type="checkbox"/> Commercial foreclosure \$0 - \$50,000</li> <li><input type="checkbox"/> Commercial foreclosure \$50,001 - \$249,999</li> <li><input type="checkbox"/> Commercial foreclosure \$250,000 or more</li> <li><input type="checkbox"/> Homestead residential foreclosure \$0 – 50,000</li> <li><input type="checkbox"/> Homestead residential foreclosure \$50,001 - \$249,999</li> <li><input type="checkbox"/> Homestead residential foreclosure \$250,000 or more</li> <li><input type="checkbox"/> Non-homestead residential foreclosure \$0 - \$50,000</li> <li><input type="checkbox"/> Non-homestead residential foreclosure \$50,001 - \$249,999</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> Non-homestead residential foreclosure \$250,00 or more</li> <li><input type="checkbox"/> Other real property actions \$0 - \$50,000</li> <li><input type="checkbox"/> Other real property actions \$50,001 - \$249,999</li> <li><input type="checkbox"/> Other real property actions \$250,000 or more</li> <li><input type="checkbox"/> Professional malpractice                         <ul style="list-style-type: none"> <li><input type="checkbox"/> Malpractice – business</li> <li><input type="checkbox"/> Malpractice – medical</li> <li><input type="checkbox"/> Malpractice – other professional</li> </ul> </li> <li><input checked="" type="checkbox"/> Other                         <ul style="list-style-type: none"> <li><input type="checkbox"/> Antitrust/Trade Regulation</li> <li><input type="checkbox"/> Business Transaction</li> <li><input type="checkbox"/> Circuit Civil - Not Applicable</li> <li><input type="checkbox"/> Constitutional challenge-statute or ordinance</li> <li><input type="checkbox"/> Constitutional challenge-proposed amendment</li> <li><input type="checkbox"/> Corporate Trusts</li> <li><input checked="" type="checkbox"/> Discrimination-employment or other</li> <li><input type="checkbox"/> Insurance claims</li> <li><input type="checkbox"/> Intellectual property</li> <li><input type="checkbox"/> Libel/Slander</li> <li><input type="checkbox"/> Shareholder derivative action</li> <li><input type="checkbox"/> Securities litigation</li> <li><input type="checkbox"/> Trade secrets</li> <li><input type="checkbox"/> Trust litigation</li> </ul> </li> </ul> |
|--|---|

**COMPLEX BUSINESS COURT**

This action is appropriate for assignment to Complex Business Court as delineated and mandated by the Administrative Order. Yes  No

**III. REMEDIES SOUGHT (check all that apply):**

- Monetary;
- Non-monetary declaratory or injunctive relief;
- Punitive

**IV. NUMBER OF CAUSES OF ACTION: ( )**

(Specify)

2

**V. IS THIS CASE A CLASS ACTION LAWSUIT?**

- Yes
- No

**VI. HAS NOTICE OF ANY KNOWN RELATED CASE BEEN FILED?**

- No
- Yes – If “yes” list all related cases by name, case number and court:

**VII. IS JURY TRIAL DEMANDED IN COMPLAINT?**

- Yes
- No

---

I CERTIFY that the information I have provided in this cover sheet is accurate to the best of my knowledge and belief, and that I have read and will comply with the requirements of Florida Rule of Judicial Administration 2.425.

Signature s/ Jason S Remer  
Attorney or party

FL Bar No.: 165580

(Bar number, if attorney)

Jason S Remer 12/28/2017  
(Type or print name)

Date



Filing # 65880666 E-Filed 12/28/2017 12:54:40 PM

IN THE CIRCUIT COURT OF THE 19TH  
JUDICIAL CIRCUIT IN AND FOR ST.  
LUCIE COUNTY, FLORIDA.

CASE NO: 562017CA002038AXXXHC

TIMOTHY PRICE,  
and other similarly situated individuals,

Plaintiff (s),

vs.

DAWG, INC *d/b/a* THEBESTIRS  
a Foreign Profit Corporation and  
BRETT S. HARDT, Individually.

Defendants.

---

**SUMMONS IN A CIVIL CASE**

TO: DAWG, INC, through its Registered Agent:

CORPORATION SERVICE COMPANY  
1201 HAYS STREET  
TALLAHASSEE, FL 32301-2525

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY

JASON S. REMER, ESQ.  
REMER & GEORGES-PIERRE, PLLC.  
44 WEST FLAGLER STREET  
SUITE 2200  
MIAMI, FL 33130

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

\_\_\_\_\_  
CLERK.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
(BY) DEPUTY CLERK

Filing # 65880666 E-Filed 12/28/2017 12:54:40 PM

IN THE CIRCUIT COURT OF THE 19TH  
JUDICIAL CIRCUIT IN AND FOR ST.  
LUCIE COUNTY, FLORIDA.

CASE NO: 562017CA002038AXXXHC

TIMOTHY PRICE,  
and other similarly situated individuals,

Plaintiff (s),

vs.

DAWG, INC *d/b/a* THEBESTIRS  
a Foreign Profit Corporation and  
BRETT S. HARDT, Individually.

Defendants,

---

**SUMMONS IN A CIVIL CASE**

**TO: BRETT S. HARDT**

15685 N CAVE CREEK ROAD, SUITE 200  
PHOENIX, AZ 85032

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY

JASON S. REMER, ESQ.  
REMER & GEORGES-PIERRE, PLLC.  
44 WEST FLAGLER STREET  
SUITE 2200  
MIAMI, FL 33130

an answer to the complaint which is herewith served upon you, within **20 days** after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

\_\_\_\_\_  
CLERK

DATE

\_\_\_\_\_  
(BY) DEPUTY CLERK

IN THE CIRCUIT COURT OF THE 19TH  
JUDICIAL CIRCUIT IN AND FOR ST.  
LUCIE COUNTY, FLORIDA.

CASE NO: 562017CA002038AXXXHC

TIMOTHY PRICE,  
and other similarly situated individuals,

Plaintiff (s),

vs.

DAWG, INC d/b/a THEBESTIRS  
a Foreign Profit Corporation and  
BRETT S. HARDT, Individually.

Defendants.

---

SUMMONS IN A CIVIL CASE

TO: DAWG, INC, through its Registered Agent:

CORPORATION SERVICE COMPANY  
1201 HAYS STREET  
TALLAHASSEE, FL 32301-2525

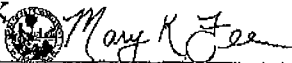
YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY

JASON S. REMER, ESQ.  
REMER & GEORGES-PIERRE, PLLC.  
44 WEST FLAGLER STREET  
SUITE 2200  
MIAMI, FL 33130

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT

CLERK



DATE 12/28/2017

(BY) DEPUTY CLERK

IN THE CIRCUIT COURT OF THE 19TH  
JUDICIAL CIRCUIT IN AND FOR ST.  
LUCIE COUNTY, FLORIDA.

CASE NO: 562017CA002038AXXXHC

TIMOTHY PRICE,  
and other similarly situated individuals,

Plaintiff (s),

vs.

DAWG, INC d/b/a THEBESTIRS  
a Foreign Profit Corporation, and  
BRETT S. HARDT, Individually.

Defendants,

---

**SUMMONS IN A CIVIL CASE**

**TO: BRETT S. HARDT**

15685 N CAVE CREEK ROAD, SUITE 200  
PHOENIX, AZ 85032

**YOU ARE HEREBY SUMMONED** and required to serve upon **PLAINTIFF'S ATTORNEY**

JASON S. REMER, ESQ.  
REMER & GEORGES-PIERRE, PLLC.  
44 WEST FLAGLER STREET  
SUITE 2200  
MIAMI, FL 33130

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT

CLERK

DATE 12/28/2017



*Mary K. Fee*

(BY) DEPUTY CLERK

# ClassAction.org

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