

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

ANTHONY RODRIGUEZ, and all others  
similarly situated,

Plaintiff,

v.

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

SEASONS HOSPICE & PALLIATIVE  
CARE OF SOUTHERN FLORIDA, INC.,

Defendant.

\_\_\_\_\_ /

**DEFENDANT'S NOTICE OF REMOVAL**

Defendant, Seasons Hospice & Palliative Care of Southern Florida, Inc., by its attorneys and pursuant to 28 U.S.C. §§ 1441 and 1446, files this Notice of Removal of Case No. 2018-013298-CA-01, which is pending in the Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade County, Florida. In support of this Notice, Defendant states as follows:

1. On April 24, 2018, Plaintiff Anthony Rodriguez filed an action in the Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade County, Florida titled *Anthony Rodriguez v. Seasons Hospice & Palliative Care of Broward Florida, LLC and Jeffrey P. Friemark*, Case No. 2018-013298-CA-01.

2. On June 1, 2018, Plaintiff filed an Amended Complaint whereby he removed the previously named defendants from the action and named Defendant, Seasons Hospice & Palliative Care of Southern Florida, Inc., as the sole defendant in this case. In his Amended Complaint, Plaintiff alleges that Defendant violated the overtime and anti-retaliation provisions of the Fair Labor Standards Act of 1938, as amended, 29 U.S.C. § 201 *et seq.* ("FLSA").

3. Plaintiff emailed a copy of the Amended Complaint to the undersigned on June 1, 2018, and the undersigned accepted service of the same on Defendant's behalf on June 4, 2018.

Pursuant to 28 U.S.C. § 1446(a), true and correct copies of the Summons, Amended Complaint, and all other process, pleadings, and orders served on Defendant are attached as Exhibit A.

4. Pursuant to 28 U.S.C. § 1331, this Court has original jurisdiction over this action because Plaintiff's FLSA claims arise under the laws of the United States. Accordingly, this action is removable to this Court pursuant to 28 U.S.C. § 1441(a).

5. Because this action is pending in the Eleventh Judicial Circuit in and for Miami-Dade County, venue for these purposes is proper in this Court pursuant to 28 U.S.C. § 1441(a).

6. This Notice of Removal is timely pursuant to 28 U.S.C. § 1446(b) as it is being filed within thirty (30) days after Defendant's receipt of a copy of the initial pleading setting forth the claim against it for relief upon which this action is based.

7. Prompt written notice of this Notice of Removal is being sent to Plaintiff and to the Clerk of the Court of the Eleventh Judicial Circuit in and for Miami-Dade County, Florida, as required by 28 U.S.C. § 1446(d). A copy of the notice is attached as Exhibit B.

8. The undersigned has read this Notice of Removal, and to the best of the undersigned's knowledge, information, and belief, formed after reasonable inquiry, certifies that Defendant's factual allegations have evidentiary support and its legal contentions are warranted by existing law. The undersigned also certifies that this Notice is not interposed for any improper purpose, such as to harass, cause needless delay, or increase the cost of litigation.

Date: June 8, 2018

Respectfully submitted,

By s/ Kevin M. Young

---

Kevin M. Young  
Florida Bar No. 114151  
SEYFARTH SHAW LLP  
1075 Peachtree St. NE, Suite 2500  
Atlanta, Georgia 30309-3958  
Telephone: (404) 885-1500  
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Email: [kyoung@seyfarth.com](mailto:kyoung@seyfarth.com)

Counsel for Defendant

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

ANTHONY RODRIGUEZ, and all others  
similarly situated,

Plaintiff,

v.

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

SEASONS HOSPICE & PALLIATIVE  
CARE OF SOUTHERN FLORIDA, INC.,

Defendant.

\_\_\_\_\_ /

**CERTIFICATE OF SERVICE**

I certify that on June 8, 2018, I electronically filed DEFENDANT'S NOTICE OF REMOVAL with the Clerk of Court and sent notification of such filing by the United States Postal Service to the following attorneys of record:

Jason S. Remer  
jremer@rpgattorneys.com  
Brody M. Shulman  
bshulman@rgpattorneys.com  
REMER & GEORGES-PIERRE, PLLC  
44 West Flagler St., Suite 2200  
Miami, Florida 33130

s/ Kevin M. Young  
\_\_\_\_\_  
Counsel for Defendant

# EXHIBIT A

## 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 ELEVENTH JUDICIAL CIRCUIT,  
IN AND FOR MIAMI-DADE COUNTY, FLORIDA

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

Judge: \_\_\_\_\_

ANTHONY RODRIGUEZ

Plaintiff

vs.

SEASONS HOSPICE & PALLIATIVE CARE OF BROWARD FL, JEFFREY P FRIEMARK

Defendant

### II. TYPE OF CASE

- ☐ Condominium
- ☐ Contracts and indebtedness
- ☐ Eminent domain
- ☐ Auto negligence
- ☐ Negligence – other
  - ☐ Business governance
  - ☐ Business torts
  - ☐ Environmental/Toxic tort
  - ☐ Third party indemnification
  - ☐ Construction defect
  - ☐ Mass tort
  - ☐ Negligent security
  - ☐ Nursing home negligence
  - ☐ Premises liability – commercial
  - ☐ Premises liability – residential
- ☐ Products liability
- ☐ Real Property/Mortgage foreclosure
  - ☐ Commercial foreclosure \$0 - \$50,000
  - ☐ Commercial foreclosure \$50,001 - \$249,999
  - ☐ Commercial foreclosure \$250,000 or more
  - ☐ Homestead residential foreclosure \$0 - 50,000
  - ☐ Homestead residential foreclosure \$50,001 - \$249,999
  - ☐ Homestead residential foreclosure \$250,000 or more
  - ☐ Non-homestead residential foreclosure \$0 - \$50,000
  - ☐ Non-homestead residential foreclosure \$50,001 - \$249,999

- ☐ Non-homestead residential foreclosure \$250,00 or more
- ☐ Other real property actions \$0 - \$50,000
- ☐ Other real property actions \$50,001 - \$249,999
- ☐ Other real property actions \$250,000 or more
- ☐ Professional malpractice
  - ☐ Malpractice – business
  - ☐ Malpractice – medical
  - ☐ Malpractice – other professional
- ☒ Other
  - ☐ Antitrust/Trade Regulation
  - ☐ Business Transaction
  - ☐ Circuit Civil - Not Applicable
  - ☐ Constitutional challenge-statute or ordinance
  - ☐ Constitutional challenge-proposed amendment
  - ☐ Corporate Trusts
  - ☒ Discrimination-employment or other
  - ☐ Insurance claims
  - ☐ Intellectual property
  - ☐ Libel/Slander
  - ☐ Shareholder derivative action
  - ☐ Securities litigation
  - ☐ Trade secrets
  - ☐ Trust litigation

**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)

4

**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

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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 FL Bar No.: 165580  
Attorney or party

(Bar number, if attorney)

Jason S Remer 04/24/2018  
(Type or print name)

Date

**IN THE CIRCUIT COURT OF THE 11th  
JUDICIAL CIRCUIT IN AND FOR  
MIAMI DADE COUNTY, FLORIDA.**

**CASE NO:** \_\_\_\_\_

**ANTHONY RODRIGUEZ,  
and other similarly situated individuals,**

**Plaintiff,**

**vs.**

**SEASONS HOSPICE & PALLIATIVE  
CARE OF BROWARD FLORIDA, LLC.,  
Florida Limited Liability Company and  
JEFFREY P. FRIEMARK, Individually,**

**Defendants.**

\_\_\_\_\_ /

**COMPLAINT**

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

COMES NOW, the Plaintiff, ANTHONY RODRIGUEZ, and other similarly situated individuals (hereinafter "Plaintiff"), on behalf of himself and other employees and former employees similarly situated, by and through undersigned counsel, who files this Complaint against Defendants, SEASONS HOSPICE & PALLIATIVE CARE OF BROWARD FLORIDA, LLC., Florida Limited Liability Company and JEFFREY P. FRIEMARK, 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 and costs pursuant to the Fair Labor Standards Act, as amended (29 U.S.C. §201, et seq., hereinafter called the "FLSA") to recover unpaid minimum wage and/or overtime compensation, an additional equal amount



as liquidated damages, reasonable attorneys' fees and costs. The jurisdiction of the Court over this controversy is based upon 29 U.S.C. §216(b).

2. Plaintiff was at all times relevant to this action, and continues to be, a resident in Miami Dade County Florida, within the jurisdiction of this Honorable Court. Plaintiff is a covered employee for purposes of the FLSA.

3. Defendant, SEASONS HOSPICE & PALLIATIVE CARE OF BROWARD FLORIDA, LLC, having its main place of business in Miami Dade County, Florida, where Plaintiff worked for Defendant and at all times material hereto was and is engaged in interstate commerce.

4. Defendant, JEFFREY P. FRIEMARK, is a corporate officer of, and exercised operational control over the activities of, corporate Defendant, SEASONS HOSPICE & PALLIATIVE CARE OF BROWARD FLORIDA, LLC.

5. Venue is proper in Miami Dade County because all of the actions that form the basis of this Complaint occurred within Miami Dade County and payment was due in Miami Dade County.

6. All conditions precedent for the filing of this action before this Court has been previously met, including the exhaustion of all pertinent administrative procedures and remedies.

**PLAINTIFF'S FACTUAL ALLEGATIONS COMMON TO ALL COUNTS**

7. Plaintiff, ANTHONY RODRIGUEZ, was employed with Defendants from on or about September 18, 2017 to on or about February 8, 2018, as a non-exempt Clinical Liaison going to Hospitals, admitting and interacting with patients.

8. 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.

9. During the time period September 18, 2017 to on or about February 8, 2018, Defendants failed to compensate Plaintiff at the required minimum wage and/or overtime rate of one and a half times Plaintiff's regular rate for all hours worked in excess of forty (40) within a single work week.
10. During the relevant time period Plaintiff performed numerous hours of overtime each week for which Defendants failed to pay Plaintiff at one and a half times Plaintiff's regular rate of pay.
11. During the relevant time period, Plaintiff was paid approximately thirty seven dollars and fifty cents (\$37.50) for hours work weekly.
12. At all times material hereto Defendants 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.
13. During Plaintiff's employment, Plaintiff complained to his supervisor Keith Liburd ("Liburd") about unpaid overtime wages for billing patients after hours and no remedial action was taken.
14. Subsequently, on or about February 8, 2018, Plaintiff was terminated in retaliation of his complaints of unpaid wages.

**COUNT I**

***Wage & Hour Federal Statutory Violation Against  
SEASONS HOSPICE & PALLIATIVE  
CARE OF BROWARD FLORIDA, LLC***

15. Plaintiff re-adopt each and every factual allegation as stated in paragraphs 1 through 12 of this complaint as if set out in full herein.

16. This action is brought by Plaintiff and other similarly-situated individuals to recover from Defendant unpaid 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.
17. 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."
18. Jurisdiction is conferred on this Court by Title 29 U.S.C. § 216(b).
19. 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.
20. 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.
21. 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 (r) 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.

22. Plaintiff seeks to recover for unpaid wages accumulated from the date of hire.

23. 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.

24. 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.

25. 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**, Plaintiffs 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; and
- C. Award Plaintiff an equal amount in double damages/liquidated damages; and

- 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  
JEFFREY P. FRIEMARK***

- 26. 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.
- 27. This action is brought by Plaintiff and other similarly-situated individuals to recover from Defendant unpaid 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.
- 28. 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."
- 29. At the times mentioned, Defendant JEFFREY P. FRIEMARK had the authority and/or power to alter the terms and conditions of Plaintiff's employment in the areas of his employment (hire/fire), scheduled hours and/or rate of pay.
- 30. Defendant FRIEMARK 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 this individual Defendant acted directly in the interests of Defendant employer in relation to the employees of Defendant employer, including Plaintiff.

31. Defendant FRIEMARK had operational control of the business and is thus jointly liable for Plaintiff's damages.

32. Defendant FRIEMARK 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 since the commencement of Plaintiff's employment with Defendant as set forth above.

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

- A. Adjudge and decree that Defendant FRIEMARK has violated the FLSA and has done so willfully, intentionally and with reckless disregard for Plaintiff's rights;
- B. Adjudge and decree that Defendant FRIEMARK is an individual with operational control and is, thus, jointly and severally liable under the FSA for unpaid wages at issue;
- C. Award Plaintiff actual damages in the amount shown to be due for unpaid minimum wage compensation for hours worked in excess of forty (40) weekly, with interest;
- 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, where applicable.

**COUNT III**

***Retaliatory Discharge Against  
SEASONS HOSPICE & PALLIATIVE  
CARE OF BROWARD FLORIDA, LLC***

33. Plaintiff realleges and reavers paragraph 1 through 6, 13 through 14, of the Complaint as if fully set forth herein.



34. Defendant's conduct as set forth above constitutes a violation of the FLSA's anti-retaliation provision.

35. The motivating factor that caused Plaintiff's adverse employment action as described above was Plaintiff's complaint regarding not being properly paid for all hours worked.

36. The Defendant's conduct was in direct violation of the FLSA, and, as a direct result, Plaintiff have been damaged.

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

A. Adjudge and decree that Defendant has violated the FLSA and have done so willfully, intentionally and with reckless disregard for Plaintiff rights;

B. Enter judgment against the Defendant for all back wages from the date of discharge to the present date and an equal amount of back wages as liquidated damages, and;

C. Enter judgment against the Defendant for all front wages until Plaintiff becomes 65 years of age; and

D. Enter an award against Defendant and award Plaintiff compensatory damages for mental anguish, personal suffering, and loss of enjoyment of life;

E. Award Plaintiff the costs of this action, together with a reasonable attorneys' fees; and

F. Grant Plaintiff such additional relief as the Court deems just and proper under the circumstances.

**COUNT IV**  
***Retaliatory Discharge Against***  
***JEFFREY P. FRIEMARK***

37. Plaintiff realleges and reavers paragraph 1 through 6, 13 through 14, of the Complaint as if fully set forth herein.

38. Defendant's conduct as set forth above constitutes a violation of the FLSA's anti-retaliation provision.

39. The motivating factor that caused Plaintiff's adverse employment action as described above was Plaintiff's complaint regarding not being properly paid for all hours worked.

40. The Defendant's conduct was in direct violation of the FLSA, and, as a direct result, Plaintiff have been damaged.

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

A. Adjudge and decree that Defendant has violated the FLSA and have done so willfully, intentionally and with reckless disregard for Plaintiff' rights;

B. Enter judgment against the Defendant for all back wages from the date of discharge to the present date and an equal amount of back wages as liquidated damages, and;

C. Enter judgment against the Defendant for all front wages until Plaintiff becomes 65 years of age; and

D. Enter an award against Defendant and award Plaintiff compensatory damages for mental anguish, personal suffering, and loss of enjoyment of life;

E. Award Plaintiff the costs of this action, together with a reasonable attorneys' fees; and

F. Grant Plaintiff such additional relief as the Court deems just and proper under the circumstances.

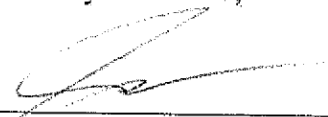


**JURY DEMAND**

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

Dated 4-20-18

Respectfully submitted,



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Jason S. Remer, Esq.  
Florida Bar No.: 165580  
jrem@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

IN THE CIRCUIT COURT OF THE 11th  
JUDICIAL CIRCUIT IN AND FOR  
MIAMI DADE COUNTY, FLORIDA.

CASE NO: 2018-013298-CA-01

ANTHONY RODRIGUEZ,  
and other similarly situated individuals,

Plaintiff,

vs.

SEASONS HOSPICE & PALLIATIVE  
CARE OF BROWARD FLORIDA, LLC.,  
Florida Limited Liability Company and  
JEFFREY P. FRIEMARK, Individually,

Defendants.

SUMMONS IN A CIVIL CASE

TO: SEASONS HOSPICE & PALLIATIVE CARE OF BROWARD FLORIDA, LLC, 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

IN THE CIRCUIT COURT OF THE 11th  
JUDICIAL CIRCUIT IN AND FOR  
MIAMI DADE COUNTY, FLORIDA.

CASE NO: 2018 -013298-CA-01

**ANTHONY RODRIGUEZ,**  
**and other similarly situated individuals,**

**Plaintiff,**

**vs.**

**SEASONS HOSPICE & PALLIATIVE  
CARE OF BROWARD FLORIDA, LLC.,  
Florida Limited Liability Company and  
JEFFREY P. FRIEMARK, Individually,**

**Defendants.**

---

**SUMMONS IN A CIVIL CASE**

**TO: JEFFREY P. FRIEMARK**

5200 NE 2nd Avenue  
Miami, FL 33137

**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 11th  
JUDICIAL CIRCUIT IN AND FOR  
MIAMI DADE COUNTY, FLORIDA.

CASE NO: 2018-013298-CA-01

ANTHONY RODRIGUEZ,  
and other similarly situated individuals,

Plaintiff,

vs.

SEASONS HOSPICE & PALLIATIVE  
CARE OF BROWARD FLORIDA, LLC.,  
Florida Limited Liability Company and  
JEFFREY P. FRIEMARK, Individually,

Defendants.

SUMMONS IN A CIVIL CASE

TO: SEASONS HOSPICE & PALLIATIVE CARE OF BROWARD FLORIDA, LLC, 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.

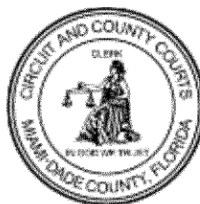
5/3/2018

CLERK

(BY) DEPUTY CLERK

*Shadrick Flores* 309876

DATE



IN THE CIRCUIT COURT OF THE 11th  
JUDICIAL CIRCUIT IN AND FOR  
MIAMI DADE COUNTY, FLORIDA.

CASE NO: 2018-013298-CA-01

ANTHONY RODRIGUEZ,  
and other similarly situated individuals,

Plaintiff,

vs.

SEASONS HOSPICE & PALLIATIVE  
CARE OF BROWARD FLORIDA, LLC.,  
Florida Limited Liability Company and  
JEFFREY P. FRIEMARK, Individually,

Defendants.

---

SUMMONS IN A CIVIL CASE

TO: JEFFREY P. FRIEMARK

5200 NE 2nd Avenue  
Miami, FL 33137

**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.

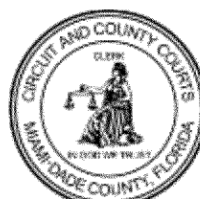
5/3/2018

CLERK

(BY) DEPUTY CLERK

*Shadrake Flores* 309876

DATE



**RETURN OF SERVICE**

**State of Florida**

**County of MIAMI-DADE**

**Circuit Court**

Case Number: 2018-13298-CA-01

Plaintiff:

**ANTHONY RODRIGUEZ**

vs.

Defendant:

**SEASON'S HOSPICE & PALLIATIVE CARE OF BROWARD FLORIDA,  
LLC., ET. AL.,**

For:

Jason S. Remer  
REMER & GEORGES-PIERRE, PLLC  
44 West Flagler Street  
Ste 2200  
Miami, FL 33130

Received by OJF SERVICES, INC. on the 3rd day of May, 2018 at 4:44 pm to be served on SEASON'S HOSPICE & PALLIATIVE CARE OF BROWARD FLORIDA, LLC C/O CORPORATION SERVICE COMPANY, 1201 HAYS ST, TALLAHASSEE, FL 32301.

I, INA MATHERS, do hereby affirm that on the 4th day of May, 2018 at 1:23 pm, I:

Served the within named CORPORATION by delivering a true copy of the **SUMMONS AND COMPLAINT** with the date and hour of service endorsed thereon by me to CORPORATION SERVICE COMPANY as REGISTERED AGENT, by serving KARA STOVER as PROCESS CLERK authorized to accept service for registered agent.

I certify that I have no interest in the above action, am of legal age and have proper authority in the jurisdiction in which the service was made.

  
INA MATHERS  
Certified Process Server #260

OJF SERVICES, INC.  
13727 S.W. 152ND ST.  
PMB# 354  
MIAMI, FL 33177  
(954) 929-4215

Our Job Serial Number: OJF-2018006035  
Ref: 6035





Filing # 71369651 E-Filed 04/27/2018 04:20:17 PM

IN THE CIRCUIT COURT OF THE 11th  
JUDICIAL CIRCUIT IN AND FOR  
MIAMI DADE COUNTY, FLORIDA.

CASE NO: 2018-013298-GA-01

ANTHONY RODRIGUEZ,  
and other similarly situated individuals,

Plaintiff,

vs.

SEASONS HOSPICE & PALLIATIVE  
CARE OF BROWARD FLORIDA, LLC.,  
Florida Limited Liability Company and  
JEFFREY P. FRIEMARK, Individually,

Defendants.

DATE 5/4/18

TIME: 4:44pm

INITIALS: IM

ID#: #260

SUMMONS IN A CIVIL CASE

TO: SEASONS HOSPICE & PALLIATIVE CARE OF BROWARD FLORIDA, LLC, 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

(BY) DEPUTY CLERK

DATE



6035

IN THE CIRCUIT COURT OF THE  
ELEVENTH JUDICIAL CIRCUIT, IN  
AND FOR MIAMI-DADE COUNTY,  
FLORIDA

ANTHONY RODRIGUEZ, and other similarly  
situated individuals,

Plaintiff,

v.

SEASONS HOSPICE & PALLIATIVE CARE  
OF BROWARD FLORIDA, LLC., Florida  
Limited Liability Company and JEFFREY P.  
FRIEMARK, Individually,

Defendants.

Case No. 2018-013298-CA-01

**DEFENDANTS' UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND  
TO PLAINTIFF'S COMPLAINT**

Defendants, Seasons Hospice & Palliative Care of Broward Florida, LLC and Jeffrey P. Friemark, by and through their undersigned counsel, and pursuant to Florida Rules of Civil Procedure 1.100, 1.1.60, and 1.090, hereby move for an extension of time to file their response to Plaintiff's Complaint. In support of their Motion, Defendants state as follows:

1. Plaintiff filed his Complaint on April 24, 2018.
2. Plaintiff served his Complaint on Defendants on May 4, 2018. Accordingly, pursuant to Florida Rule of Civil Procedure 1.140, Defendants' deadline to respond to Plaintiff's Complaint is May 24, 2018.
3. Defense counsel was recently retained to represent Defendants, and requires additional time to receive and review the information necessary to respond to the allegations in Plaintiff's Complaint. Defendants anticipate that an extension through and including June 11, 2018 will provide them with sufficient time to prepare their response to Plaintiff's Complaint.



4. This is the first extension of time Defendants have requested. Defendants affirm that this request is not made for the purposes of delay.

5. Defendants' counsel has conferred with Plaintiff's counsel regarding the relief sought herein, and Plaintiff's counsel does not oppose the requested relief.

6. WHEREFORE, Defendants respectfully request that the Court grant this Motion, and extend their deadline to respond to Plaintiff's Complaint through and including June 11, 2018.

Dated: May 21, 2018.

Respectfully submitted,

*s/Kevin M. Young*

Kevin M. Young

Florida Bar No. 114151

kyoung@seyfarth.com

Katherine M. Smallwood

Florida Bar No. 0089669

ksmallwood@seyfarth.com

SEYFARTH SHAW LLP

1075 Peachtree St. NE, Suite 2500

Atlanta, Georgia 30309

Telephone: (404) 885-1500

Facsimile: (404) 892-7056

*Counsel for Defendants*

**Certificate of Service**

I hereby certify that a true and correct copy of the foregoing **Defendants' Unopposed Motion for an Extension of Time to Respond to Plaintiff's Complaint** was served electronically on May 21, 2018 on all counsel or parties of record on the Service List below.

**SERVICE LIST**

Jason S. Remer, Esq.  
jrem@rpgattorneys.com  
Brody M. Shulman, Esq.  
**REMER & GEORGES-PIERRE, PLLC**  
44 West Flagler Street, Suite 2200  
Miami, FL 33130  
Telephone: (305) 416) 500  
Facsimile: (305) 416-5005  
*Attorneys for Plaintiff*

*s/Kevin M. Young*

---

One of the Attorneys for Defendants

**RETURN OF SERVICE**

State of Florida

County of MIAMI-DADE

Circuit Court

Case Number: 2018-13298-CA-01

Plaintiff:

**ANTHONY RODRIGUEZ**

vs.

Defendant:

**SEASON'S HOSPICE & PALLIATIVE CARE OF BROWARD FLORIDA, LLC., ET. AL.,**

For:

Jason S. Remer

REMER & GEORGES-PIERRE, PLLC

44 West Flagler Street

Ste 2200


Miami, FL 33130

Received by OJF SERVICES, INC. on the 3rd day of May, 2018 at 4:46 pm to be served on **JEFFREY P. FRIEMARK, 5200 NE 2ND AVE, MIAMI, FL 33137.**

I, Hugo Mata, do hereby affirm that on the **22nd day of May, 2018** at **7:56 pm**, I:

**INDIVIDUAL/PERSONAL:** served by delivering a true copy of the **SUMMONS AND COMPLAINT** to: **JEFFREY P. FRIEMARK** at the address of: **10225 COLLINS AVE, APT. 1901, MIAMI BEACH, FL 33154** with the date and hour of service endorsed thereon by me, and informed said person of the contents therein, in compliance with state statutes.

I CERTIFY THAT I AM OVER THE AGE OF 18, HAVE NO INTEREST IN THE ABOVE ACTION, AND THAT I AM A CERTIFIED PROCESS SERVER, IN GOOD STANDING, IN THE JUDICIAL CIRCUIT IN WHICH THE PROCESS WAS SERVED. "UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING (DOCUMENT) AND THAT THE FACTS STATED IN IT ARE TRUE, 92.525.



Hugo Mata  
CPS #324

OJF SERVICES, INC.  
13727 S.W. 152nd Street  
P.M.B. 354  
Miami, FL 33177  
(786) 293-5750

Our Job Serial Number: OJF-2018006037



IN THE CIRCUIT COURT OF THE 11th  
JUDICIAL CIRCUIT IN AND FOR  
MIAMI DADE COUNTY, FLORIDA.

CASE NO: 2018-013298-CA-01

ANTHONY RODRIGUEZ,  
and other similarly situated individuals,

Plaintiff,

vs.

SEASONS HOSPICE & PALLIATIVE  
CARE OF BROWARD FLORIDA, LLC.,  
Florida Limited Liability Company and  
JEFFREY P. FRIEMARK, Individually,

Defendants.

DATE 5/22/18 TIME 7:56P  
INITIALS HM ID # 324

SUMMONS IN A CIVIL CASE

TO: JEFFREY P. FRIEMARK

5200 NE 2nd Avenue  
Miami, FL 33137

② 10225 Collins Ave.  
Apt 1901  
Miami Beach, FL 33154

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.

5/3/2018

CLERK

Shirley Hester 309876  
(BY) DEPUTY CLERK

DATE



6037.

# EXHIBIT B

**IN THE CIRCUIT COURT OF THE  
11th JUDICIAL CIRCUIT IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA**

**CASE NO. 2018-013298-CA-01**

ANTHONY RODRIGUEZ, and all  
others similarly situated,

Plaintiff,

v.

SEASONS HOSPICE & PALLIATIVE  
CARE OF SOUTHERN FLORIDA,  
INC.,

Defendant.

/

---

**NOTICE OF FILING OF DEFENDANT'S NOTICE OF REMOVAL TO THE UNITED  
STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF FLORIDA**

To: Clerk of the Court  
Eleventh Judicial Circuit in and for Miami-Dade County, Florida  
73 W. Flagler Street  
Miami, Florida 33130

*Counsel for Plaintiff*

Jason S. Remer  
Brody M. Shulman  
REMER & GEORGES-PIERRE, PLLC  
44 West Flagler St., Suite 2200  
Miami, Florida 33130

Defendant SEASONS HOSPICE & PALLIATIVE CARE OF SOUTHERN FLORIDA, INC., by its attorneys and pursuant to 28 U.S.C. § 1446(d), notifies you that on June 8, 2018, it filed its Notice of Removal of this action in the United States District Court for the Southern District of Florida. A copy of Defendant's Notice of Removal is attached as Exhibit 1. Pursuant to 28 U.S.C. § 1446(d), the Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade

County, Florida, shall proceed no further with this matter, Case No. 2018-013298-CA-01, unless and until the case is remanded.

Date: June 8, 2018

Respectfully submitted,

By: s/ Kevin M. Young  
Kevin M. Young  
Florida Bar No. 114151  
SEYFARTH SHAW LLP  
1075 Peachtree Street, N.E.  
Suite 2500  
Atlanta, Georgia 30309-3958  
Telephone: (404) 885-1500  
Facsimile: (404) 892-7056  
Email: kyoung@seyfarth.com

Counsel for Defendant

**IN THE CIRCUIT COURT OF THE  
11th JUDICIAL CIRCUIT IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA**

**CASE NO. 2018-013298-CA-01**

ANTHONY RODRIGUEZ, and all  
others similarly situated,

Plaintiff,

v.

SEASONS HOSPICE & PALLIATIVE  
CARE OF SOUTHERN FLORIDA,  
INC.,

Defendant.

/

**CERTIFICATE OF SERVICE**

This is to certify that on June 8, 2018, I filed **Notice of Filing of Defendant's Notice of Removal to the United States District Court for the Southern District of Florida** with the Clerk of Court via the Florida Court's portal system, which will electronically forward a copy of such filing to the following attorneys of record:

Jason S. Remer  
jremer@rpgattorneys.com  
Brody M. Shulman  
bshulman@rgpattorneys.com  
REMER & GEORGES-PIERRE, PLLC  
44 West Flagler St., Suite 2200  
Miami, Florida 33130

s/ Kevin M. Young  
Counsel for Defendant



ent 1-3 Entered on FLS

**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.**

.. (a) **PLAINTIFFS** Anthony Rodriguez

**DEFENDANTS** Seasons Hospice & Palliative Care of Southern  
Florida, Inc.

**(b) County of Residence of First Listed Plaintiff** **Miami-Dade County**  
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant **Miami-Dade County**  
(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)**

Attorneys (If Known)

See attachment

See attachment

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

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

<input checked="" type="checkbox"/>	1	U.S. Government Plaintiff	<input checked="" type="checkbox"/> 3	Federal Question <i>(U.S. Government Not a Party)</i>
<input type="checkbox"/>	2	U.S. Government Defendant	<input type="checkbox"/> 4	Diversity <i>(Indicate Citizenship of Parties in Item III)</i>

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff)  
(For Diversity Cases Only) and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated <i>or</i> 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 <i>and</i> 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

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

[Click here for: Nature of Suit Code Descriptions](#)

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

**JUDGE:**

b) Related Cases ☐ YES ☒ NO

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*):  
 Plaintiff asserts claims under 29 U.S.C. §§ 207 (FLSA unpaid overtime) and § 215 (FLSA retaliatory discharge)

LENGTH OF TRIAL via      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 3-25-15 SIGNATURE OF ATTORNEY OF RECORD

June 8, 2018

**FOR OFFICE USE ONLY**

RECEIPT #

AMOUNT

IFP

JUDGE

MAG JUDGE

**Attachment to Civil Cover Sheet**

*Attorneys for Plaintiff*

Jason S. Remer  
Brody M. Shulman  
REMER & GEORGES-PIERRE, PLLC  
44 West Flagler Street  
Suite 2200  
Miami, Florida 33130  
Telephone: (305) 416-5000

*Attorneys for Defendant*

Kevin M. Young  
SEYFARTH SHAW LLP  
1075 Peachtree Street NE  
Suite 2500  
Atlanta, Georgia 30309  
Telephone: (404) 885-1500

# ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Seasons Hospice & Palliative Care Named in Former Employee's Wage and Hour Suit](#)

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