

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

JERRI LYNN SERRA, Individually
and on behalf of others similarly situated,

Plaintiff,

Case No.:

v.

SHRINERS HOSPITALS FOR CHILDREN, INC.,

Defendant.

DEFENDANT’S NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1331, 1441, 1446, and 1447, Defendant Shriners Hospitals For Children Inc. (“Shriners”), hereby gives notice of removal of the case styled *Jerri Lynn Serra vs. Shriners Hospitals For Children, Inc.*, designated as Case No. 18-CA-009883, currently pending in the Circuit Court of the Thirteenth Judicial Circuit in and for Hillsborough County, Florida, to the United States District Court for the Middle District of Florida, Tampa Division. As grounds in support thereof, Defendant states:

1. Jerri Lynn Serra (“Plaintiff”) filed a Complaint that is pending in the Circuit Court of the Thirteenth Judicial Circuit in and for Hillsborough County, Florida, styled *Jerri Lynn Serra v. Shriners Hospitals for Children, Inc.*, designated as Case No. 18-CA-009883. (*See Exhibit A* – the Complaint.)

2. In her Complaint, Plaintiff asserts claims of unpaid overtime, individually and on behalf of others similarly situated, under the Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 201, *et. seq.*

3. Pursuant to 28 U.S.C. § 1441(a), “any civil action brought in a state court of which the district courts of the United States have original jurisdiction, may be removed by the defendant or defendants, to the district court of the United States for the district and division embracing the place where such action is pending.”

4. Because Plaintiff raises a federal claim under the FLSA, this action presents a federal question that is removable pursuant to 28 U.S.C. § 1441(a) and 28 U.S.C. § 1331.

5. Because the conduct alleged in the Complaint relates to Plaintiff’s alleged employment with Shriners in Hillsborough County, Florida, all conduct is alleged to have occurred within Hillsborough County, Florida, and Plaintiff filed her Complaint in the Circuit Court of the Thirteenth Judicial Circuit in and for Hillsborough County, Florida, Shriners files this Notice in the Tampa Division of the United States District Court for the Middle District of Florida. (*See Exhibit A* – the Complaint.)

6. Shriners was served with the Summons and Complaint on October 12, 2018. (*See Exhibit B* – Proof of Service on Defendant.) This removal is therefore timely as it is filed within thirty (30) days after receipt of the Summons and Complaint. *See* 28 U.S.C. § 1446(b).

7. Pursuant to 28 U.S.C. § 1446(a), with this notice, Shriners is simultaneously filing copies of all process, pleadings, and orders in the state court action, which are attached hereto as composite **Exhibit C**.

8. Pursuant to 28 U.S.C. § 1446(d), written notice of the filing of this Notice will be served on Plaintiff and a copy of this Notice will be filed concurrently with the Clerk of Circuit Court of the Thirteenth Judicial Circuit in and for Hillsborough County, Florida, which is attached hereto as **Exhibit D**.

WHEREFORE, on the foregoing basis, Shriners respectfully submits that removal of this action from the Circuit Court of the Thirteenth Judicial Circuit in and for Hillsborough County, Florida, to this Court is proper.

Respectfully submitted,

FORDHARRISON LLP

By: /s/ David M. Kalteux

Tracey K. Jaensch
Florida Bar No. 907057
tjaensch@fordharrison.com

David M. Kalteux
Florida Bar No. 118746
dkalteux@fordharrison.com

101 E. Kennedy Boulevard, Suite 900
Tampa, Florida 33602
Telephone: (813) 261-7800
Facsimile: (813) 261-7899

Attorneys for Defendant Shriners Hospitals
For Children Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on November 1, 2018, the undersigned filed the foregoing using the Court CM/ECF system, which will serve a true and correct copy of the foregoing to:

Wolfgang M. Florin
Christopher D. Gray
Florin, Gray, Bouzas, Owens, LLC
16524 Pointe Village Drive, Suite 100
Lutz, FL 33558
wolfgang@fgbolaw.com
chris@fgbolaw.com

/s/ David M. Kalteux
Attorney

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
CIVIL DIVISION

JERRI LYNN SERRA, Individually
and on behalf of others similarly situated,

CASE NO.

Plaintiffs,
vs.

SHRINERS HOSPITALS FOR CHILDREN, INC.

Defendant.

COMPLAINT

COMES NOW, Plaintiff, JERRI LYNN SERRA, (hereinafter referred to as "PLAINTIFF") pursuant to the Fair Labor Standards Act of 1938, as amended, 29 U.S.C. § 201, et seq., by and through her undersigned counsel and sues the Defendant, SHRINERS HOSPITALS FOR CHILDREN, INC., (hereinafter referred to as "DEFENDANT") and states as follows:

JURISDICTION AND VENUE

1. This is an action for damages in excess of \$15,000.00.
2. Venue lies within Hillsborough County because a substantial part of the events giving rise to this claim arose in this Judicial District.

PARTIES

3. Plaintiff at all times material hereto was a resident of Hillsborough County, Florida.
4. Defendant is a foreign corporation licensed and authorized to conduct business in the State of Florida and doing business within Hillsborough County.
5. Defendant is an employer as defined by the laws under which this action is brought and employs the required number of employees.

GENERAL ALLEGATIONS

6. At all times material, Plaintiff was qualified to perform her job within the legitimate expectations of her employer.

7. Plaintiff has been required to retain the undersigned counsel to represent her in this action and is obligated to pay them a reasonable fee for their services.

FACTUAL ALLEGATIONS

8. Plaintiff was employed by Defendant from approximately November 19, 1984 through August 31, 2018 in various positions, the most recent two being Property Coordinator and Real Estate Marketing and Closing Process Manager.

9. Plaintiff was paid on a salary basis although she previously worked in the same or similar position as an hourly employee.

10. Plaintiff's job duties and responsibilities consisted primarily of legal assistant or paralegal duties in connection with real estate assets and liquidations of the organization.

11. Because of the legal nature of the work she was primarily engaged in Plaintiff was not lawfully permitted to exercise independent discretion and judgment nor did she supervise or manage any other employee.

12. Because of the excessive overtime hours she was working her department head converted her to a "Salary" without explanation.

13. Plaintiff regularly and routinely worked over forty (40) hours in a work week.

14. Plaintiff was not paid time and a one-half her regular hourly rate for each and every hour that she worked in excess of forty (40) hours in a work week for all weeks that she worked.

15. Plaintiff routinely worked twelve-hour work days, six to seven days per week.

COUNT I
FAIR LABOR STANDARD ACT

16. Plaintiff realleges paragraphs one (1) through fifteen (15) as though set forth fully herein.

17. At all times material, Defendant, failed to comply with 29 U.S.C. § 201 et seq., in that Plaintiff worked for Defendant's in excess of forty (40) hours per work week, but no provision was made by Defendant to compensate Plaintiff at the rate of time and one-half for the hours in excess of forty (40) that were worked each week.

18. Defendant's failure to pay Plaintiff the required overtime pay was intentional and willful.

19. As a direct and legal consequence of Defendant's unlawful acts, Plaintiff has suffered damages and has incurred, or will incur, costs and attorneys' fees in the prosecution of this matter.

WHEREFORE, Plaintiff prays for the following damages against Defendant:

- a. Overtime compensation
- b. Liquidated damages;
- c. Prejudgment interest;
- d. Payment of reasonable attorneys' fees and costs incurred in the prosecution of this claim.
- e. Equitable relief declaring and mandating the cessation of Defendant's unlawful pay policy; and
- f. Such other relief as the court may deem just and proper.

COUNT II

20. Plaintiff realleges paragraphs one (1) through fifteen (15) as though set forth fully herein.

21. At all times material, Defendant employed numerous individuals who were paid in a similar manner to Plaintiff. Such individuals were similarly situated to Plaintiff with respect to the terms and conditions of their employment.

22. Throughout their employment, individuals similarly situated to Plaintiff were required to work and did work a substantial number of hours in excess of forty (40) hours per work week.

23. At all times material, Defendant failed to comply with 29 U.S.C. § 201, et seq., in that individuals similarly situated to Plaintiff worked for Defendant in excess of the maximum hours provided by law, but no provision was made by Defendant to compensate such individuals at the rate of time and one-half for hours worked in excess of forty (40).

24. Defendant's failure to pay such similarly situated individuals the required overtime pay was intentional and willful.

25. As a direct and legal consequence of Defendant's unlawful acts, individuals similarly situated to Plaintiff have suffered damages and have incurred, or will incur, costs and attorneys' fees in the prosecution of this matter.

WHEREFORE, Plaintiff individually and on behalf of others similarly situated, respectfully request all legal and equitable relief allowed by law, including judgment against Defendant for overtime compensation, liquidated damages, prejudgment interest, payment of reasonable attorneys' fees and costs incurred in the prosecution of this claim and such other relief as the Court may deem just and proper.

DEMAND FOR JURY TRIAL

Plaintiff requests a jury trial on all issues so triable.

Dated this 9th day of October 2018.

FLORIN, GRAY, BOUZAS, OWENS, LLC

/s/Wolfgang M. Florin

Wolfgang M. Florin

Florida Bar No. 907804

wolfgang@fgbolaw.com

Christopher D. Gray

Florida Bar No.: 0902004

chris@fgbolaw.com

16524 Pointe Village Drive, Suite 100

Lutz, FL 33558

Telephone (727) 254-5255

Facsimile (727) 483-7942

Attorneys for Plaintiff



**Service of Process
Transmittal**

10/12/2018
CT Log Number 534214468

TO: Michelle Ellis
Shriners Hospitals for Children
2900 N Rocky Point Dr
Tampa, FL 33607-1460

RE: Process Served in Florida

FOR: Shriners Hospitals for Children (Domestic State: CO)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: JERRI LYN SERRA, PLTF. vs. SHRINES HOSPITALS FOR CHILDREN INC, DFT.

DOCUMENT(S) SERVED: SUMMONS, COMPLAINT

COURT/AGENCY: HHILLSBOROUGH COUNTY-13th JUDICIAL CIRCUIT COURT, FL
Case # 18CA009883

NATURE OF ACTION: Employee Litigation

ON WHOM PROCESS WAS SERVED: C T Corporation System, Plantation, FL

DATE AND HOUR OF SERVICE: By Process Server on 10/12/2018 at 12:32

JURISDICTION SERVED : Florida

APPEARANCE OR ANSWER DUE: Within 20 days after service of this summons on that defendant, exclusive of the day of service

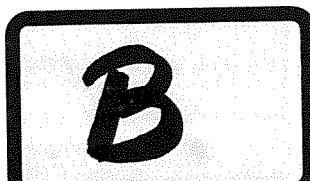
ATTORNEY(S) / SENDER(S): WOLFGANG M. FLORIN
FLORIN, GRAY, BOUZAS, OWENS, LLC
16524 POINTC VILLAGE DRIVE, SUITE 100
LUTZ, FL 33558
727-254-5255

REMARKS: According to the Florida Secretary of State, the only company registered beginning with the name SHRINES HOSPITALS FOR CHILDREN INC is Shriners Hospitals for Children

ACTION ITEMS: SOP Papers with Transmittal, via UPS Next Day Air , 1ZX212780105879724
Email Notification, Michelle Ellis MEllis@shrinenet.org
Email Notification, Laurie Spieler LSpieler@shrinenet.org
Email Notification, Lori Czternastek Lczternastek@shrinenet.org
Email Notification, Cathy Higgins chiggins@shrinenet.org

SIGNED: C T Corporation System
ADDRESS: 1200 South Pine Island Road
Plantation, FL 33324
TELEPHONE: 954-473-5503

Information displayed on this transmittal is for CT Corporation's record keeping purposes only and is provided to the recipient for quick reference. This information does not constitute a legal opinion as to the nature of action, the amount of damages, the answer date, or any information contained in the documents themselves. Recipient is responsible for interpreting said documents and for taking appropriate action. Signatures on certified mail receipts confirm receipt of package only, not contents.



IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT,
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
CIRCUIT CIVIL DIVISION

Jerri Lynn Serra

Plaintiff(s)

vs

Case No.: **18-CA-009883**

Shriners Hospitals for Children Inc

Defendant(s)

Division B

SUMMONS

THE STATE OF FLORIDA:

To Each Sheriff of the State:

YOU ARE COMMANDED to serve this summons and a copy of the complaint or petition in this action on defendant(s)

Shriners Hospitals for Children Inc
c/o CT Corporation System as Registered Agent
1200 S. Pine Island Road
Plantation, FL 33324

Each defendant is required to serve written defenses to the complaint or petition on **WOLFGANG MICHAEL FLORIN**, plaintiff's attorney, whose address is **FLORIN GRAY BOUZAS OWENS LLC 16524 POINTE VILLAGE DR STE 100 LUTZ FL 33558** within 20¹ days after service of this summons on that defendant, exclusive of the day of service, and to file the original of the defenses with the clerk of this court either before service on plaintiff's attorney or immediately thereafter. If a defendant fails to do so, a default will be entered against that defendant for the relief demanded in the complaint or petition.

DATED on October 10, 2018.

Attorney: **WOLFGANG MICHAEL FLORIN**

Attorney For: **Jerri Lynn Serra**

Address: **FLORIN GRAY BOUZAS OWENS**

LLC

16524 POINTE VILLAGE DR STE 100

LUTZ FL 33558

PAT FRANK

As Clerk of the Court

Dana Caranante



Dana Caranante, Deputy Clerk

Florida Bar No: **907804**

Prepared By: Lisa Mangual, Deputy Clerk

P.O. Box 3360

800 E Twigg St

Tampa, FL 33601

Room 101

Tampa FL 33602

(813)276-8100

¹ Except when suit is brought pursuant to section 768.28, Florida Statutes, if the State of Florida, one of its agencies, or one of its officials or employees sued in his or her official capacity is a defendant, the time to be inserted as to it is 40 days. When suit is brought pursuant to section 768.28, Florida Statutes, the time to be inserted is 30 days.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator, Hillsborough County Courthouse, 800 E. Twigg St., Room 604, Tampa, Florida 33602, (813) 272-7040, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

Florida Rules of Civil Procedure Form 1.902(a), Summons (06/10)



Electronically Filed: Hillsborough County / 13th Judicial Circuit

IMPORTANT

A lawsuit has been filed against you. You have 20 calendar days after this summons is served on you to file a written response to the attached complaint with the clerk of this court. A phone call will not protect you. Your written response, including the case number given above and the names of the parties, must be filed if you want the court to hear your side of the case. If you do not file your response on time, you may lose the case, and your wages, money, and property may thereafter be taken without further warning from the court. There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may call an attorney referral service or a legal aid office (listed in the phone book).

If you choose to file a written response yourself, at the same time you file your written response to the court you must also mail or take a copy of your written response to the "Plaintiff/Plaintiff's Attorney" named in the documents.

IMPORTANTE

Usted ha sido demandado legalmente. Tiene 20 días, contados a partir del recibo de esta notificación, para contestar la demanda adjunta, por escrito, y presentarla ante este tribunal. Una llamada telefónica no lo protegerá. Si usted desea que el tribunal considere su defensa, debe presentar su respuesta por escrito, incluyendo el número del caso y los nombres de las partes interesadas. Si usted no contesta la demanda a tiempo, podría perder el caso y podría ser despojado de sus ingresos y propiedades, o privado de sus derechos, sin previo aviso del tribunal. Existen otros requisitos legales. Si lo desea, puede usted consultar a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a una de las oficinas de asistencia legal que aparecen en la guía telefónica.

Si desea responder a la demanda por su cuenta, al mismo tiempo en que presenta su respuesta ante el tribunal, deberá usted enviar por correo o entregar una copia de su respuesta a la persona denominada abajo como "Plaintiff/Plaintiff's Attorney" (Demandante o Abogado del Demandante).

IMPORTANT

Des poursuites judiciaires ont été entreprises contre vous. Vous avez 20 jours consécutifs à partir de la date de l'assignation de cette citation pour déposer une réponse écrite à la plainte ci-jointe auprès de ce tribunal. Un simple coup de téléphone est insuffisant pour vous protéger. Vous êtes obligés de déposer votre réponse écrite, avec mention du numéro de dossier ci-dessus et du nom des parties nommées ici, si vous souhaitez que le tribunal entende votre cause. Si vous ne déposez pas votre réponse écrite dans le délai requis, vous risquez de perdre la cause ainsi que votre salaire, votre argent, et vos biens peuvent être saisis par la suite, sans aucun préavis ultérieur du tribunal. Il y a d'autres obligations juridiques et vous pouvez requérir les services immédiats d'un avocat. Si vous ne connaissez pas d'avocat, vous pourriez téléphoner à un service de référence d'avocats ou à un bureau d'assistance juridique (figurant à l'annuaire de téléphones).

Si vous choisissez de déposer vous-même une réponse écrite, il vous faudra également, en même temps que cette formalité, faire parvenir ou expédier une copie de votre réponse écrite au "Plaintiff/Plaintiff's Attorney" (Plaignant ou à son avocat) nommé ci-dessous.

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 THIRTEENTH JUDICIAL CIRCUIT,
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA

Case No.: _____
Judge: _____

Jerri Lynn Serra

Plaintiff

vs.

Shriners Hospitals for Children Inc

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)

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/ Wolfgang M Florin FL Bar No.: 907804
Attorney or party

(Bar number, if attorney)

Wolfgang M Florin 10/09/2018
(Type or print name)

Date

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
CIVIL DIVISION

JERRI LYNN SERRA, Individually
and on behalf of others similarly situated,

CASE NO.

Plaintiffs,

vs.

SHRINERS HOSPITALS FOR CHILDREN, INC.

Defendant.

REQUEST FOR DIVISION ASSIGNMENT

This is a request based on local Administrative Order(s) for the Clerk of the Court to assign the
above styled case in the:

Tampa Division

East Division

Prior Division (Please indicate Case Number and Division of previously filed

action: _____)

I understand that the actual division assignment will be in accordance with the Hillsborough
County Administrative Orders. If there is no supported request for specific division assignment,
this action will be assigned a division based on a random and equitable distribution system.

Name of Attorney: Wolfgang M. Florin

Address: 16524 Pointe Village Drive, Suite 100, Lutz, FL 33558

Phone Number: (727) 254-5255

Email Addresses: wolfgang@fgbolaw.com; tina@fgbolaw.com

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL
CIRCUIT OF THE STATE OF FLORIDA, IN AND FOR HILLSBOROUGH COUNTY
CIRCUIT CIVIL DIVISION

Jerri Lynn Serra, individually and on behalf of others similarly situated

Plaintiff(s)

CASE NO.: _____

VS.

DIVISION: _____

Shriners Hospitals for Children, Inc.

Defendant(s)

REQUEST FOR ISSUANCE OF SUMMONS -CIRCUIT CIVIL

This is a request for issuance of service of process by the Clerk of court as follows:

*PLEASE NOTE THAT A SEPARATE REQUEST
IS REQUIRED FOR EACH PARTY TO BE SERVED*

Type of Process: (choose one)
<input checked="" type="checkbox"/> Initial Summons <input type="checkbox"/> Alias Summons <input type="checkbox"/> Pluries Summons
Type of Summons: (choose one)
Circuit Court Summons:
Indicate days to respond <input checked="" type="checkbox"/> 20 <input type="checkbox"/> 30 <input type="checkbox"/> 45 <input type="checkbox"/> 60 <input type="checkbox"/> Other _____
Non-Residential Eviction: <input type="checkbox"/> Mailing <input type="checkbox"/> No Mailing
Residential Eviction - <input type="checkbox"/> 5 day only <input type="checkbox"/> 5 day with 20 day attached
<input type="checkbox"/> Mailing <input type="checkbox"/> No Mailing
Party information:
Party To Be Served:
Name: Shriners Hospitals for Children, Inc c/o CT Corporation System as Registered Agent
Address: 1200 S. Pine Island Road
City/State/Zip: Plantation, FL 33324
Email Address to Return Issued Summons: wolfgang@fgbolaw.com; tina@fgbolaw.com

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
CIRCUIT CIVIL DIVISION

JERRI LYNN SERRA, Individually
and on behalf of others similarly situated,

Plaintiff,

Case No.: 18-CA-009883

v.

SHRINERS HOSPITALS FOR CHILDREN, INC.,

Defendant.

DEFENDANT'S NOTICE OF FILING NOTICE OF REMOVAL

Defendant Shriners Hospitals for Children, Inc. ("Shriners") by and through its undersigned counsel and pursuant to 28 U.S.C. § 1446(d), hereby gives notice in the above-captioned action that on November 1, 2018, Shriners filed a Notice of Removal in the United States District Court for the Middle District of Florida, Tampa Division, which was served on Plaintiff's counsel by U.S. mail and e-mail on November 1, 2018. (A copy of the Notice of Removal is attached hereto as **Exhibit A.**)

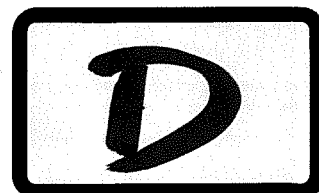
Respectfully submitted,

FORDHARRISON LLP

By: /s/ David M. Kalteux

Tracey K. Jaensch
Florida Bar No. 907057
tjaensch@fordharrison.com
David M. Kalteux
Florida Bar No. 118746
dkalteux@fordharrison.com

101 E. Kennedy Boulevard, Suite 900
Tampa, Florida 33602
Telephone: (813) 261-7800
Facsimile: (813) 261-7899
Attorneys for Defendant Shriners Hospitals
For Children Inc.



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on November 1, 2018, I filed the foregoing using the Florida Courts E-Filing Portal which will send a true and correct copy via e-mail to:

Wolfgang M. Florin
Christopher D. Gray
Florin, Gray, Bouzas, Owens, LLC
16524 Pointe Village Drive, Suite 100
Lutz, FL 33558
wolfgang@fgbolaw.com
chris@fgbolaw.com

/s/ David M. Kalteux
Attorney

WSACTIVE LLP:10109835.1

JS 44 (Rev. 08/18)

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 JERRI LYNN SERRA,</p> <p>(b) County of Residence of First Listed Plaintiff _____ (EXCEPT IN U.S. PLAINTIFF CASES)</p> <p>(c) Attorneys (Firm Name, Address, and Telephone Number) Wolfgang M. Florin, Christopher D. Gray, Florin, Gray, et al., 16524 Pointe Village Dr., Ste. 100, Luz, FL 33558; wolfgang@fgbolaw.com; chris@fgbolaw.com</p>	<p>DEFENDANTS SHRINERS HOSPITALS FOR CHILDREN, INC.</p> <p>County of Residence of First Listed Defendant _____ (IN U.S. PLAINTIFF CASES ONLY)</p> <p>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.</p> <p>Attorneys (If Known) Tracey K. Jaensch, David M. Kalteux, FordHarrison LLP, 101 E. Kennedy Blvd., Ste 900., Tampa, FL 33602; (813) 261-7800 tjaensch@fordharrison.com; dkalteux@fordharrison.com</p>
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<p>II. BASIS OF JURISDICTION (Place an "X" in One Box Only)</p> <p><input type="checkbox"/> 1 U.S. Government Plaintiff</p> <p><input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)</p> <p><input type="checkbox"/> 2 U.S. Government Defendant</p> <p><input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)</p>	<p>III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in one Box for Plaintiff and One Box for Defendant)</p> <table style="width:100%;"> <tr> <td style="width:33%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> <td style="width:33%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; 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
	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																				
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Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

IV. NATURE OF SUIT (Place an "X" in One Box Only) Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS			
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input checked="" type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

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

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

VI. CAUSE OF ACTION

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

Brief description of cause:
 Unpaid Wages 29 U.S.C. Section 201

VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. **DEMAND \$** _____ CHECK YES only if demanded in complaint: **JURY DEMAND:** Yes No

VIII. RELATED CASE(S) IF ANY (See instructions): JUDGE _____ DOCKET NUMBER _____

DATE: 11/01/2018 SIGNATURE OF ATTORNEY OF RECORD: /s/ David M. Kalteux

FOR OFFICE USE ONLY

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

ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Shriners Hospitals for Children Hit with Unpaid Overtime Lawsuit in Florida](#)
