

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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INES CABRERA, on behalf of herself, individually,  
and on behalf of all others similarly-situated

Plaintiff,

**Docket No.: 16-cv-03234**  
**(ADS) (SIL)**

-against-

CHRISTOPHER STEPHENS, d/b/a 7-ELEVEN, and  
ATTAULLAH KHAN, an individual,

Defendants.

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**COURT AUTHORIZED NOTICE OF LAWSUIT**

If you worked at one or more 7-Eleven stores located in Long Island, New York, and owned or operated by CHRISTOPHER STEPHENS, or ATTAULLAH KHAN, individually (collectively as “Defendants or 7-ELEVEN”), any time between February 20, 2014 and the present, ***please read this Notice.***

*Important: You are NOT being sued. This Notice is NOT a solicitation from a lawyer.  
The Court authorized this Notice.*

- Plaintiff, Ines Cabrera, is a former employee of 7-ELEVEN where she worked as an “hourly employee.”
- Plaintiff brought this lawsuit against Defendants on behalf of herself and all other current and former employees who worked for Defendants at any of their locations in Long Island at any time between February 20, 2014 and the present. Plaintiff claims that she worked in excess of forty hours per week and that Defendants did not pay her at the proper overtime rate for all hours worked each week in excess of forty, or the applicable minimum wage rate for all hours worked, in violation of the Fair Labor Standards Act and New York Labor law. Defendants deny any wrongdoing and deny that Ms. Cabrera was underpaid for any hours that she worked.
- The Court has authorized the parties to send out this Notice. The Court has not decided who is right or who is wrong. However, your legal rights may be affected, and you have a choice to make now.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT	
ASK TO BE INCLUDED	If you choose to be included in this collective action, you must complete the consent form at the end of this Notice. You may then share in any proceeds from a settlement or judgment if those bringing the claims are successful, but you give up any rights to separately sue the Defendants for the same legal claims in this lawsuit.
DO NOTHING	By doing nothing, you will not be included in this lawsuit relating to claims under the Fair Labor Standards Act.

1. Why did I get this notice?

You are getting this notice because Defendants' records show that you may have worked for them at some point between February 20, 2014 and the present, in a job similar to the one held by Plaintiff.

2. What is a collective action and who is involved?

In a collective action lawsuit, one or more persons can bring a lawsuit on behalf of others who have similar claims. The individual who brought this lawsuit is called the Plaintiff. The corporate entity and the individuals that are being sued are called the Defendants. One court resolves the issues for everyone who decides to join the case.

3. What is this collective action lawsuit about?

Plaintiff alleges that Defendants' compensation practices violated federal and state law. Plaintiff claims that she and others who worked for Defendants are entitled to overtime wages, unpaid wages at the applicable minimum wage rate, liquidated damages, attorneys' fees, and costs.

Defendants deny any wrongdoing and/or liability and maintain that all of their employees were paid in accordance with federal and state law.

4. How do I join this collective action lawsuit?

To participate in this lawsuit, you need to fill out the enclosed form called "Consent to Join Lawsuit" and mail it in the enclosed, postage-paid envelope to Plaintiff's Counsel, Borrelli & Associates, P.L.L.C. Should the enclosed envelope be lost or misplaced, the Consent to Join form must be sent to:

Borrelli & Associates, P.L.L.C.  
1010 Northern Boulevard, Suite 328  
Great Neck, New York 11021  
Tel: (516) 248-5550

You can also fax the Consent to Join form to (516) 248-6027 or scan and email it to **mjb@employmentlawyernewyork.com**

The signed Consent to Join form must be postmarked by Monday, February 12, 2018. If your signed Consent to Join form is not postmarked by Monday, February 12, 2018, you may not be allowed to participate in this lawsuit.

5. What happens if I join the collective action lawsuit?

You will be bound by any ruling, settlement, or judgment, whether favorable or unfavorable. If there is a favorable resolution, either by settlement or judgment, and you qualify under the law, you may be entitled to some portion of the recovery. By joining this lawsuit, you designate Plaintiff, or her counsel, to the fullest extent possible, to make decisions on your behalf concerning the case, the method and manner of conducting the case, and all other matters pertaining to this

lawsuit. Decisions made and agreements entered into by Plaintiff and/or her counsel relating to the lawsuit will be binding on you if you join the lawsuit.

While this lawsuit is pending, you may be asked to provide documents or information relating to your employment with Defendants, which may include responding to written questions or answering questions in person under oath, either before or at trial. For this reason, if you join the lawsuit, you should preserve all documents relating to your employment with Defendants currently in your possession. Plaintiff's attorneys will assist you.

6. What happens if I do nothing at all?

You will not be included in this lawsuit and you will not be affected by any settlement or judgment rendered in this case, whether favorable or unfavorable. The limitations period on your federal claims continues to run.

7. Can I participate in this collective action lawsuit regardless of my immigration status?

Yes. You have a right to participate in this Lawsuit regardless of your immigration status.

8. If I join, will there be any impact on my employment?

Federal law prohibits Defendants from discharging or in any other manner retaliating against you because you join this case.

9. Do I have a lawyer in this case?

Plaintiff is represented by Borrelli & Associates, P.L.L.C. If you choose to join this Lawsuit, Borrelli & Associates, P.L.L.C. will represent you on a contingency fee basis, meaning that you will not owe any attorneys' fees unless Plaintiff is successful and wins the case or obtains a settlement, in which case the Court will determine the amount of attorney's fees to be paid. You do not have to be represented by Borrelli & Associates, P.L.L.C. and may instead hire another attorney of your choosing, at your own expense, or represent yourself *pro se* without the assistance of a lawyer. If you intend to retain your own lawyer or to represent yourself, you should indicate this on the "Consent to Join Lawsuit" form. If you send back your form but do not indicate that you intend to retain your own lawyer or to represent yourself, the Court will assume that you want Borrelli & Associates, P.L.L.C. to represent you.

10. This Notice has been authorized by the Court

This notice and its contents have been authorized by Magistrate Judge Steven I. Locke of the United States District Court for the Eastern District of New York, located in Central Islip, New York. The Court has not yet ruled on whether Plaintiff's claims or Defendants' defenses have any merit.

**PLEASE DO NOT WRITE OR CALL THE COURT OR THE CLERK OF THE COURT ABOUT THIS NOTICE.** Although the Court has approved the sending of this Notice, the Court expresses no opinion on the merits of the Lawsuit. If you have any questions, you may contact Plaintiff's attorneys, Borrelli & Associates, P.L.L.C, by telephone at (516) 248-5550 or in writing at Borrelli & Associates, P.L.L.C, 1010 Northern Boulevard, Suite 328, Great Neck, New York 11021, or by email at [mjb@employmentlawyernewyork.com](mailto:mjb@employmentlawyernewyork.com).

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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INES CABRERA, on behalf of herself, individually,  
and on behalf of all others similarly-situated

Plaintiff,

**Docket No.: 16-cv-03234  
(ADS) (SIL)**

-against-

**CONSENT TO JOIN FORM**

CHRISTOPHER STEPHENS, d/b/a 7-ELEVEN, and  
ATTAULLAH KHAN, an individual,

Defendants.  
-----X

IF YOU RECEIVED THIS FORM AND WANT TO JOIN THIS LAWSUIT, PLEASE  
COMPLETE THESE TWO STEPS:

1. COMPLETE AND SIGN THIS CONSENT TO JOIN LAWSUIT FORM; AND
2. USE THE ENCLOSED ENVELOPE TO RETURN THIS FORM TO THE ADDRESS  
BELOW NOT LATER THAN MONDAY, FEBRUARY 12, 2018.

Borrelli & Associates, P.L.L.C.  
1010 Northern Blvd., Suite 328  
Great Neck, New York 11021

You can also fax the Consent to Join form to  
(516) 248-6027 or scan and email it to  
mjb@employmentlawyernewyork.com

**I consent to join the lawsuit; and I elect to be represented by [choose ONE]:**

\_\_\_\_\_ Borrelli & Associates, P.L.L.C.  
I authorize Plaintiff Ines Cabrera and Borrelli &  
Associates, P.L.L.C. to act on my behalf in all  
matters relating to this action, including any  
settlement of my claims.

\_\_\_\_\_ Another attorney of my choosing, who shall  
promptly file a notice of appearance on my  
behalf.

\_\_\_\_\_ Myself *pro se* without the assistance of an  
attorney.

If you do not select any of the representation options above but send back your form to Borrelli & Associates, P.L.L.C., you will automatically be represented by Plaintiff's lawyers, Borrelli & Associates, P.L.L.C. Moreover, failure to select a representation option above will authorize Ines Cabrera and Borrelli & Associates, P.L.L.C. to act on your behalf in all matters relating to this action, including any settlement of your claims. You are permitted to proceed with alternative counsel of your own choosing at your own expense or to represent yourself *pro se* without the assistance of an attorney.

\_\_\_\_\_  
**SIGNATURE**

\_\_\_\_\_  
**PRINT NAME**

\_\_\_\_\_  
**Address**

\_\_\_\_\_  
**City, State, Zip Code**

\_\_\_\_\_  
**Telephone Number**

\_\_\_\_\_  
**Email Address**

\_\_\_\_\_  
**Start Date of Employment**

\_\_\_\_\_  
**End Date of Employment**