

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

LEONARDO MEJIA and RICARDO GARCIA, on behalf
of themselves, individually, and all others similarly-
situated,

Plaintiffs,

-against-

BLUE BAY ENTERPRISES, LLC, and MICHAEL
KRIKORIAN, an individual,

Defendants.

Docket No.:

3:16-cv-00678 (FLW) (LHG)

COURT AUTHORIZED NOTICE OF LAWSUIT

If you worked at BLUE BAY ENTERPRISES, LLC, or for MICHAEL KRIKORIAN between February 8, 2013 and the present as a kitchen staff worker, please read this Notice.

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

- Plaintiffs Leonardo Mejia and Ricardo Garcia (“Plaintiffs”) are former employees of BLUE BAY ENTERPRISES, LLC, and MICHAEL KRIKORIAN (“Defendants”), where they worked as kitchen staff workers. Plaintiffs brought this lawsuit against Defendants on behalf of themselves, individually, and on behalf of all other current and former similarly situated kitchen staff workers, employed with Defendants at any time between February 8, 2013 and the present. Plaintiffs claim that they worked in excess of forty hours per week and Defendants did not pay them for all hours worked, including all overtime compensation due.
- Defendants deny all wrongdoing or that they violated the law.
- The Court has authorized the parties to send 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 about 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 as a kitchen staff worker for Defendants between February 8, 2013 and the present, in a position that is similar to Plaintiffs' positions.

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 individuals who brought this lawsuit are called the Plaintiffs. The corporate entity and individual that they have 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?

Plaintiffs allege that Defendants' compensation practices violated federal and state law. Plaintiffs claim that they and other kitchen staff workers are entitled to unpaid wages, liquidated damages, attorneys' fees, and costs.

Defendants deny any wrongdoing and/or liability and maintain that all of their employees are 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" and mail it in the enclosed, postage-paid envelope to Plaintiffs' lawyers. Should the enclosed envelope be lost or misplaced, the Consent to Join form must be sent to:

Borrelli & Associates, P.L.L.C.
Re: Blue Bay Enterprises Case
1010 Northern Boulevard, Suite 328
Great Neck, New York 11021
(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, faxed, or e-mailed by [60 days from mailing of notice]. If your signed Consent to Join form is not postmarked, faxed, or e-mailed by [60 days from mailing of notice], you may not be allowed to participate in the federal law portion of 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 Plaintiffs, and to the fullest extent possible, you designate Plaintiffs or their counsel, 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 Plaintiffs 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 under oath either at trial or deposition. For this reason, if you join the lawsuit, you should preserve all documents relating to your employment with Defendants currently in your possession. Plaintiffs' 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 continue 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, or anyone acting on their behalf, from discharging or in any other matter retaliating against you because you join this case.

9. Do I have a lawyer in this case?

Plaintiffs are 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 Plaintiffs are successful and win the case or obtain a settlement, in which case the Court will determine the amount of attorneys' 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 The Honorable Brian R. Martinotti of the United States District Court for the District of New Jersey. The Court has not yet ruled on whether Plaintiffs' claims or Defendants' defenses have any merit.

PLEASE DO NOT WRITE OR CALL 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.

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CONSENT TO JOIN LAWSUIT

IF YOU 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 [60 days from mailing of notice].

Borrelli & Associates, P.L.L.C.
Re: Blue Bay Enterprises Case
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 collective action; and I elect to be represented by [choose ONE]:

_____ Borrelli & Associates, P.L.L.C.
I authorize Plaintiffs 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 Plaintiffs' lawyers, Borrelli & Associates, P.L.L.C. Moreover, failure to select a representation option above will authorize Plaintiffs 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