

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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DOROTHY GRECO, on behalf of herself and all others
similarly-situated,

Plaintiff,

Docket No.: 14-cv-4222 (SJF)(AYS)

-against-

ALLEN NATOW, M.D., IRENE ROSENBERG M.D.
& IRA PION M.D., P.C., and DR. ALLEN J. NATOW,
individually, and DR. IRENE ELAINE ROSENBERG,
individually, and DR. IRA ARTHUR PION, individually,

Defendants.

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COURT AUTHORIZED NOTICE OF LAWSUIT

If you worked at ALLEN NATOW M.D., IRENE ROSENBERG M.D. & IRA PION M.D., P.C. between July 9, 2010 and the present as an hourly employee, 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, Lauren Montemarano and Ybelize Ramirez, are former employees of Allen Natow M.D., Irene Rosenberg M.D. & Ira Pion M.D., P.C. (“Defendants”), where they worked as medical assistants. Plaintiffs claim that Allen Natow M.D., Irene Rosenberg M.D. & Ira Pion M.D., P.C., did not pay them overtime compensation for all hours worked in excess of forty per week as required by the Fair Labor Standards Act (“FLSA”) and New York Labor Law (“NYLL”).
- Defendants deny any wrongdoing and/or liability and maintain that all of their employees are paid in compliance with federal and state law.
- THIS NOTICE AND ITS CONTENTS HAVE BEEN AUTHORIZED BY THE UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF NEW YORK. THE COURT HAS TAKEN NO POSITION IN THIS CASE REGARDING THE MERITS OF THE PLAINTIFFS’ CLAIMS OR OF THE DEFENDANTS’ DEFENSES.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT

ASK TO BE INCLUDED	If you choose to be included in this collective action, you will be bound by any ruling, settlement, or judgment in this case. You may also share in any proceeds from a settlement or judgment if those bringing the claims are successful. If you choose to be included, you will 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 for the purpose of asserting an overtime claim or minimum wage claim under federal law. This means that you give up the possibility of getting money or benefits that may come from a trial or settlement of the overtime claims under federal law asserted in this lawsuit, if those bringing the lawsuit are successful.

1. Why did I get this notice?

You are getting this notice because Defendants' records show that you may have worked as an hourly employee for all or some part of the period of July 9, 2010 to the present. Plaintiffs sued the Defendants claiming that the Defendants violated various provisions of Federal and New York State wage and hour laws by not paying overtime wages for hours worked in excess of forty per week.

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 individuals 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?

The collective action lawsuit is about whether Defendants' compensation practices violate federal law. The lawsuit alleges that Allen Natow M.D., Irene Rosenberg M.D. & Ira Pion M.D., P.C., violated federal law by not paying Plaintiff and other employees who are similarly situated to them all overtime wages owed to them. Plaintiff is seeking to recover unpaid wages, in addition to liquidated damages, attorneys' fees, and costs.

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

4. How do I join this collective action lawsuit?

To participate in this lawsuit, you must 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: Greco v. Natow et al.
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 **January 5, 2017**. If your signed Consent to Join Form is not postmarked, faxed, or e-mailed by January 5, 2017, you may not be allowed to participate in the federal law portion of this lawsuit. You have the right to be represented by your own attorney, but you will be responsible for making arrangements for payment of the fees of the attorney you select. The attorney you hire must file with the Court a “Consent to Join” form by January 5, 2017 and must enter a formal appearance as attorney on your behalf.

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. If you join this lawsuit and send your “Consent to Join” form to Borrelli & Associates, P.L.L.C., you agree to have Plaintiffs, Lauren Montemarano and Ybelize Ramirez, and their counsel act as your representative and make decisions on your behalf concerning the case, including approving any settlement. All decisions made and agreements entered into by Plaintiffs and their counsel will be binding on you if you join this lawsuit, subject only to the Court’s discretion. If you hire your own attorney, you will be bound by decisions and agreements that your attorney makes on behalf of this lawsuit.

If you join this lawsuit, as part of the discovery process, you may be asked to give testimony and information about your work with Defendants to help the Court decide whether you are owed any money. Plaintiff’s counsel will assist you with this process. For this reason, if you join this lawsuit, you should preserve all documents relating to your employment currently in your possession.

6. What happens if I do nothing at all?

You will not be included in this lawsuit for the purposes of asserting an overtime claim under federal law. Therefore, you will not be entitled to any recovery in this case should there be any for those claims. The limitations period on your claims continues to run.

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

Federal law prohibits Defendants from discharging or retaliating against you because you join this case or have in any other way exercised your rights under the law.

8. 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 you will not owe any

attorneys' fees unless Plaintiffs are successful and win the case or obtain a settlement. The lawyers' fees must be approved by the Court. If you do not want to be represented by Borrelli & Associates, P.L.L.C., you may choose to retain your own counsel or proceed without an attorney.

9. Do the Defendants have a lawyer in this case?

The Defendants in this case are represented by: Forchelli, Curto, Deegan, Schwartz, Mineo & Terrana LLP, The Omni, 333 Earle Ovington Boulevard, Uniondale, New York 11553.

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EASTERN DISTRICT OF NEW YORK

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individually, and DR. IRA ARTHUR PION, individually,

Defendants.

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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
NO LATER THAN **JANUARY 5, 2016**.

Borrelli & Associates, P.L.L.C.
Re: Greco v. Natow et al.
1010 Northern Boulevard, 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 authorize Plaintiffs and Borrelli and Associates, P.L.L.C. to act
on my behalf in all matters relating to this action, including any settlement of my claims.

SIGNATURE

PRINT NAME

Address

City, State, Zip Code

Telephone Number

Email Address

Start Date of Employment

End Date of Employment