

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EDWIN RAMOS, on behalf of himself, individually,
and on behalf of all others similarly-situated,

Plaintiff,

-against-

PARKCHESTER DEPARTMENT OF PUBLIC
SAFETY LLC d/b/a PARKCHESTER DPS LLC,

Defendant.

Docket No.: 16-cv-8649
(JGK)(SN)

COURT AUTHORIZED NOTICE OF LAWSUIT

If you worked at PARKCHESTER DEPARTMENT OF PUBLIC SAFETY LLC d/b/a PARKCHESTER DPS LLC at any time between October 13, 2014 and the present as an hourly employee in the position of public safety peace officer with the rank of sergeant or higher, 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, Edwin Ramos, (“Plaintiff”), is a former employee of PARKCHESTER DEPARTMENT OF PUBLIC SAFETY LLC d/b/a PARKCHESTER DPS LLC (“Defendant”). Plaintiff brought this lawsuit against Defendant on behalf of himself, individually, and on behalf of all other similarly-situated hourly public safety peace officers with the rank of sergeant or higher. Plaintiff claims that he worked in excess of forty hours per week but Defendant did not pay him for all hours worked, including all overtime wages as required by the Fair Labor Standards Act (“FLSA”) and New York Labor Law (“NYLL”). Defendant asserts that Plaintiff and all others similarly situated were properly compensated for all hours they worked, and denies that it violated the law in any way.
- 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. By doing so, you agree to be bound by any disposition of this lawsuit, whether favorable or unfavorable, and you agree to give up any rights to separately sue the Defendant about the same legal claims in this lawsuit.
DO NOTHING	By doing nothing, you will not be included in this lawsuit, you will not be bound by the result in this lawsuit, whether favorable or unfavorable, and you will preserve your right to file a separate lawsuit about the same legal claims in this lawsuit, if you wish to do so.

1. Why did I get this notice?

You are getting this notice because Defendant's records show that you may have worked as an hourly employee in the position of public safety peace officer with the rank of sergeant or higher for Defendant at some point between October 13, 2014 and the present.

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 that Plaintiff has sued is called the Defendant. One court resolves the issues for everyone who decides to join the case.

3. What is this collective action lawsuit about?

Plaintiff alleges that Defendant's compensation practices violated federal and state law. Plaintiff claims that Defendant failed to pay Plaintiff and other employees who are similarly situated to him all overtime compensation owed to them. Plaintiff is seeking to recover unpaid wages, in addition to liquidated damages, attorneys' fees, and costs.

Defendant asserts that Plaintiff and all others similarly situated were properly compensated for all hours they worked, and denies all wrong doing and that it violated the law in any way.

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 Plaintiff's 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: Ramos v. Parkchester Department of Public Safety LLC
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, faxed, or e-mailed by Monday, November 20, 2017. If your signed Consent to Join form is not postmarked, faxed, or e-mailed by Monday, November 20, 2017 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 Plaintiff, and to the fullest extent possible, you designate Plaintiff or his 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 Plaintiff 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 Defendant, 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 Defendant 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 limitation 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 Defendant, or anyone acting on its behalf, 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 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 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" form. If you return 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 John G. Koeltl of the United States District Court for the Southern District of New York. The Court has not yet ruled on whether Plaintiff's claims or Defendant's 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.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EDWIN RAMOS, on behalf of himself, individually,
and on behalf of all others similarly-situated,

Plaintiff,

-against-

PARKCHESTER DEPARTMENT OF PUBLIC
SAFETY LLC d/b/a PARKCHESTER DPS LLC,

Defendant.

Docket No.: 16-cv-8649 (JGK)

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

1. COMPLETE AND SIGN THIS CONSENT TO JOIN FORM; AND
2. USE THE ENCLOSED ENVELOPE TO RETURN THIS FORM TO THE ADDRESS BELOW NOT LATER THAN MONDAY, NOVEMBER 20, 2017.

Borrelli & Associates, P.L.L.C.
Re: Ramos v. Parkchester, 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 I elect to be represented by [choose ONE]:

_____ Borrelli & Associates, P.L.L.C.
I authorize Plaintiff 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 Plaintiff 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