

IN THE CIRCUIT COURT OF THE 17th
JUDICIAL CIRCUIT IN AND FOR BROWARD
COUNTY, FLORIDA

CASE NO.

12 - 15390

MIGUEL MOLLINEA,
MARC RUDNICK
on behalf of themselves and
similarly situated employees

Plaintiff,

vs.

STOP BURGERS, LLC n/k/a
BURGER ZONE, LLC and
JAMES E. MCDONNELL

Defendants

COMPLAINT FOR DAMAGES

Plaintiffs, Miguel Mollinea ("Mollinea") and Marc Rudnick ("Rudnick") on behalf of themselves and similarly situated employees, sues Defendants, Stop Burgers, LLC n/k/a Burger Zone, LLC ("Burger") and James E. McDonnell ("McDonnell") and states as follows:

Jurisdiction

1. This is an action for damages which exceeds \$15,000.00 exclusive of attorneys' fees, interest and costs.

2. Venue is proper in Broward County, Florida since the Defendants do business in Broward County and since all of the claims accrued in Broward County, Florida.

14



agreed to pay it a reasonable fee for its services.

Count I-FLSA
(Overtime Compensation)(As to All Defendants)

11. Plaintiff hereby incorporates the allegations set forth in paragraphs 1 through 10 by reference.

12. In several workweeks during the relevant period, Plaintiffs, worked, in excess for forty(40) hours per week for Defendants. In these workweeks, Plaintiffs, were not paid overtime compensation as is required by Section 207 of the FLSA.

13. As a direct and proximate result of Defendants' failure to pay overtime compensation, Plaintiffs have been damaged in the loss of wages and have incurred and are incurring reasonable attorney's fees.

14. Defendants' failure to pay overtime was deliberate, willful and without good faith or any legal justification. Consequently, Plaintiffs, are entitled to liquidated damages in an amount equal to the underpayment of overtime compensation, and may seeks recovery dating back three (3) years from the filing of this action.

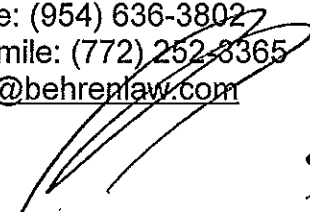
WHEREFORE, Plaintiffs demand judgment against Defendants for compensatory damages (unpaid overtime), liquidated damages (double damage) and attorneys' fees and court costs pursuant to the FLSA and for such other and further relief as this Court deems just and proper.

Demand for Jury Trial

Plaintiff demands trial by jury on all issues so triable.

Behren Law Firm
2893 Executive Park Drive, Suite 203
Weston, FL 33331
Phone: (954) 636-3802
Facsimile: (772) 252-8365
Scott@behrenlaw.com

By _____


Scott M. Behren
Fla. Bar No. 987786

5/30/12