

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF LOUISIANA
NEW ORLEANS DIVISION

_____)
MOISES RODRIGUES,)
_____)
_____)

engaged in manual labor restoring court, hospital, and Tulane University buildings for Defendant in the aftermath of hurricane Katrina. For many weeks, Plaintiffs and other class members

contaminated by mold and floodwater. Plaintiffs did this dangerous work to earn money to better support themselves and/or their families. Almost all Plaintiffs and other class members are individuals who have limited proficiency in English. Defendant exploited Plaintiffs' and other class members' indigence, inability to speak or understand English, and the

28 U.S.C. §§ 1331 and 1337.

2.2 The federal claims in this action are authorized and instituted pursuant to 29 U.S.C. § 216(b). This Court is empowered to issue a declaratory judgment

2.3 Venue is proper in this district pursuant to 28 U.S.C. § 1391(b).

PARTIES

3.1 Plaintiffs are other class members are workers who primarily resided and worked along the Gulf Coast during the

3.2 Defendant Belfor USA Group Inc. (hereinafter "Belfor") is a corporation incorporated in the state of Colorado and registered as a foreign corporation with the Secretary of State of Louisiana.

3.3 During the time period relevant to this lawsuit, Defendant was engaged in hurricane mitigation and reconstruction work in New Orleans and had significant contacts with the state

4.2 At all times relevant to this action, Plaintiffs and other class members were employed by the Defendant in an enterprise engaged in commerce or the production of goods for commerce.

4.3 At all times relevant to this action, Plaintiffs and other class members were employees of Defendant within the meaning of 29 U.S.C. § 203(e)(1).

4.4 At all times relevant to this action, Defendant

~~employed Plaintiffs and the other class members within~~

~~the meaning of 29 U.S.C. § 203(d)~~

4.5 Plaintiffs and other class members worked as unskilled manual laborers on the Gulf Coast in the hurricane mitigation industry.

a workweek.

4.10 Defendant did not pay Plaintiffs and other class members on regular paydays as required by the FLSA.

5.1 All claims set forth in Count I are brought by Plaintiffs on behalf of themselves and all other similarly situated persons pursuant to 29 U.S.C. § 216(b) the Fair Labor Standards Act.

5.2 The named Plaintiffs seek to represent a class consisting of all those individuals, performing unskilled manual labor for subcontractors of Belfor on Belfor contracts in the post-Katrina reconstruction and restoration in the Gulf Coast region from August 29, 2005 until the date of filing of the present action, who were eligible for overtime pursuant to 29 U.S.C. § 207 and who did not receive overtime pay.

5.3 Plaintiffs and other class members were hired by subcontractors utilized by Defendant to fill Defendant's needs for manual labor in conducting cleanup and reconstruction work

over one thousand individuals.

5.6 The questions of fact are common to the class, including whether Defendant failed to pay named Plaintiffs and

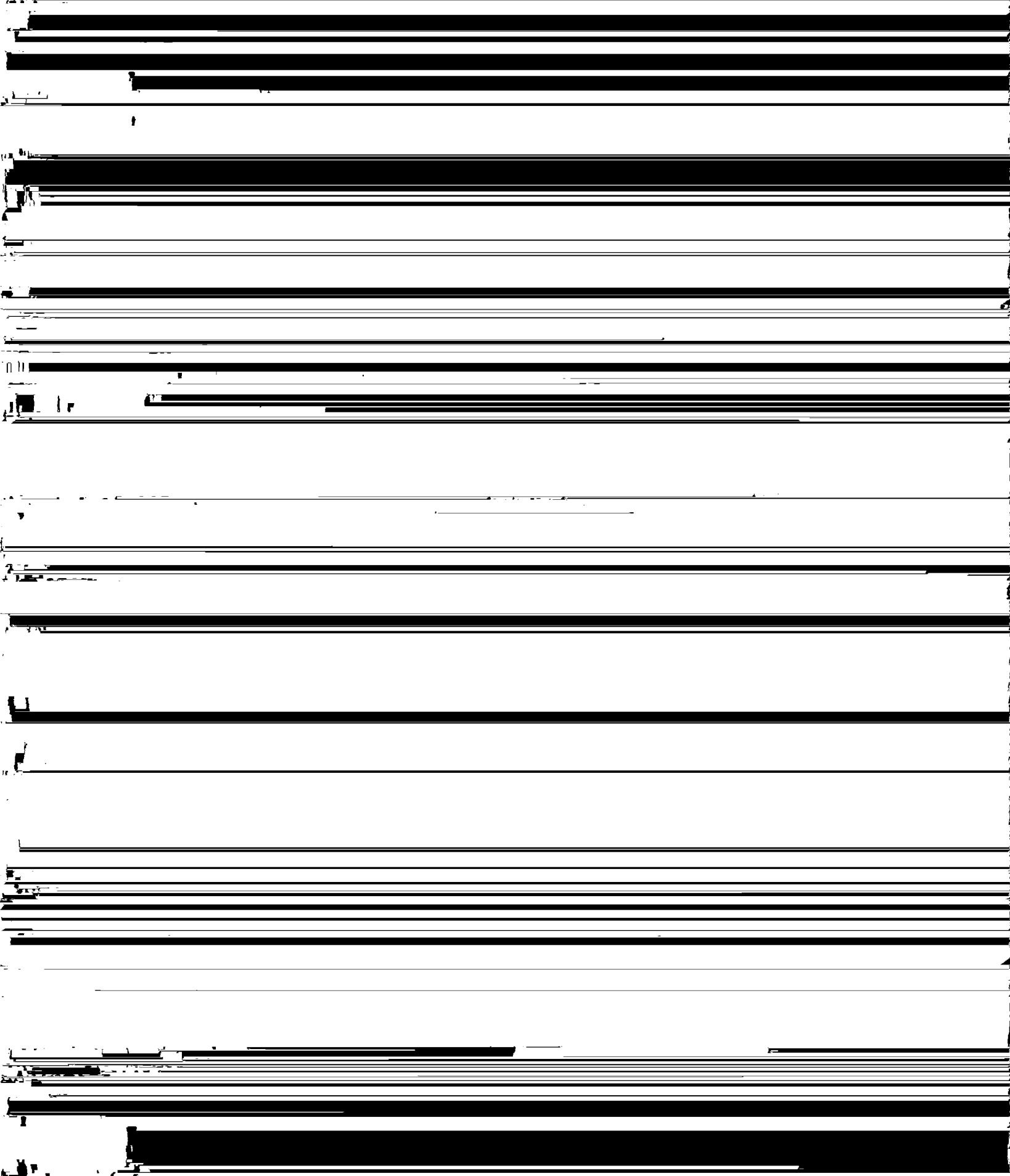
other class members overtime wages promptly when due as

5.7 The claims of the named Plaintiffs are typical of the class, and these typical, common claims predominate over any questions affecting only individual class members. The named Plaintiffs have the same interests as do the other members of the class and will vigorously prosecute these interests on behalf of the class.

COUNT I
(FAIR LABOR STANDARDS ACT COLLECTIVE ACTION)

6.1 This count sets forth a claim for declaratory relief and damages by Plaintiffs and other current or former workers employed by Defendant who are similarly situated, for

... FROM ... which ... contents are attached to this



action to all those similarly situated individuals.

2 Declaring that Defendant willfully violated

[REDACTED]

[REDACTED]

[REDACTED]

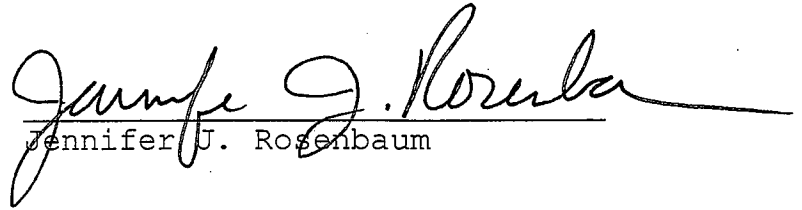
[REDACTED]

[REDACTED]

Certificate of Service

I hereby certify that on March 28, 2006, I served a copy of the following on Mr. David Kurtz, attorney for Defendant, at the following address via regular mail.

Baker, Donelson, Bearman, Caldwell, & Berkowitz, PC
201 St. Charles Ave, Suite 3600
New Orleans, Louisiana 70170


Jennifer J. Rosenbaum

FLSA CONSENT FORM / CONSENTIMENTO PARA AÇÃO TRABALHISTA

Standards Act. I hereby authorize my attorneys to represent me before any court or agency on these claims.

Meiss Rodriguez
NAME
Meiss Rodriguez
SIGNATURE
03 10 2006
DATE



FLSA CONSENT FORM / CONSENTIMENTO PARA AÇÃO TRABALHISTA

[REDACTED]

[REDACTED]

I hereby give my consent to sue for wages that may be owed to me under the Fair Labor Standards Act. I hereby authorize my attorneys to represent me before any court or agency on these claims.

Roberto Marcelino da Silva

NAME

[Signature]

SIGNATURE

DATE

.....

Por meio desta dou meu consentimento para que se estabeleça uma ação para recebimento de pagamento devido a mim sob a Lei de Normas Trabalhistas Justas (Fair Labor Standards Act.)

Por meio desta autorizo meus advogados a me representarem perante qualquer corte ou agência

FLSA CONSENT FORM / CONSENTIMENTO PARA AÇÃO TRABALHISTA

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NAME

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DATE

.....

Por meio desta dou meu consentimento para que se estabeleça uma ação para recebimento de pagamento devido a mim sob a Lei de Normas Trabalhistas Justas (Fair Labor Standards Act.)

Por meio desta autorizo meus advogados a me representarem perante qualquer corte ou agência no que se refere a estas queixas.

WANDERSON J. de SOUZA

NOME

[Handwritten Signature]

ASSINATURA

16/02/2006

DATA

FLSA CONSENT FORM / CONSENTIMENTO PARA AÇÃO TRABALHISTA

I, _____, do hereby consent that any and all claims that may be owed to me under the Fair Labor

Standards Act. I hereby authorize my attorneys to represent me before any court or agency on these claims.

Alexandro Rocha

SIGNATURE

DATE

