



federal law. The lawsuit claims that FSNS' practice of paying these employees a salary and classifying them as "exempt" employees was incorrect. The lawsuit claims that FSNS illegally failed to compensate Laboratory Technician IIs and Laboratory Technician IIIs for their overtime work when they worked more than 40 hours in a week.

The lawsuit is seeking money to compensate these individuals for their unpaid overtime. The Court has not yet decided if FSNS did anything wrong or if the case will proceed to trial. There is no money available now and no guarantee that there will be. However, you have a choice to assert your legal rights and join this case. If you do not do so, you will not share in any money if any is awarded in the case.

FSNS denies any wrongdoing and denies Plaintiffs' allegations. FSNS contends that it has properly compensated its employees under the FLSA. FSNS believes that it properly classified and paid Laboratory Technicians IIs and Laboratory Technicians IIIs as salaried exempt individuals, not entitled to overtime under the FLSA, and does not owe any additional wages.

### **3. POSSIBLE RECOVERY**

If the Laboratory Technician IIs or Laboratory Technician IIIs win, and you worked overtime, you may get an amount up to two times the unpaid overtime wages you should have received. Mr. Miltenberger and his law firm are representing the individuals on a contingency fee basis, which means if there is no recovery, they receive no attorneys' fees. If there is a recovery, they will be paid a percentage of the monetary judgment or settlement for you and other class members. If the workers lose, you will get nothing. If the workers win, and you worked overtime, you will be paid for the overtime hours you worked.

### **4. HOW TO PARTICIPATE IN THIS LAWSUIT**

If you want to join the lawsuit, fill out the enclosed *Consent to Join* form and mail, email or fax it back to Mr. Miltenberger's law firm. It must be mailed or received by [60 days after mailing]; otherwise, you will not be able to participate in this case.

### **5. EFFECT OF JOINING THIS LAWSUIT**

If you wish to join the lawsuit, mail in your *Consent to Join* form by [60 days after mailing]. If you choose to join in the case, you will be bound by the result achieved, whether it is

The United States Federal District Court in Dallas approved this Notice but takes no position on the merits of the case.

favorable or unfavorable. You may have to answer questions about your claim, respond to written discovery requests and/or provide testimony.

**6. EFFECT OF NOT JOINING THIS LAWSUIT**

If you do not wish to join the lawsuit, simply do nothing. You will not be bound by the outcome, whether favorable or unfavorable.

**7. NO RETALIATION PERMITTED**

It is a violation of federal law for employers to discharge or in any manner discriminate or retaliate against you for taking part in this case. If you believe that you have been discriminated against because of your participation in this lawsuit, you should contact Mr. Miltenberger.

**8. FURTHER INFORMATION**

To learn more, you can call Chris Miltenberger, the workers' attorney, at 1-817-416-5060. The call is confidential. Or write or email to:

Chris R. Miltenberger, Esq.  
1340 N. White Chapel Blvd., Suite 100  
Southlake, Texas 76092  
817-416-5060 (phone); 817-416-5062 (fax)

[chris@crmlawpractice.com](mailto:chris@crmlawpractice.com);  
[www.crmlawpractice.com](http://www.crmlawpractice.com)  
Or visit the case website at:  
[www.FSNSOvertimeLawsuit.com](http://www.FSNSOvertimeLawsuit.com)

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

ALMUIZ ALTIEP and TAFSIR	§	
SHAWKAT, individually and on behalf	§	FLSA Collective Action Pursuant to
of all others similarly situated,	§	29 U.S.C. § 216(b)
	§	
Plaintiffs,	§	
	§	
v.	§	NO. 3:14-CV-00642-K
	§	
FOOD SAFETY NET SERVICES, LTD,	§	
	§	
Defendant.	§	

**CONSENT TO JOIN OVERTIME LAWSUIT AGAINST FOOD SAFETY NET SERVICES, LTD.**

I consent to become a party plaintiff and join a lawsuit against Food Safety Net Services, seeking damages for unpaid wages under the Fair Labor Standards Act.

I (1) authorize the named Plaintiffs (Almuiz Altiep and Tafsir Shawkat, and other persons those individuals designate as necessary) and their attorneys to prosecute the above-referenced matter in my name and on my behalf; and (2) designate the named Plaintiffs to make decisions on my behalf concerning the litigation, including negotiating a resolution of my claims in a settlement, the entering of an agreement with Plaintiffs' counsel regarding payment of attorneys' fees and court costs, and all other matters pertaining to this lawsuit, and understand that I will be bound by such decisions.

I agree to be represented by Chris R Miltenberger of the Law Office of Chris R. Miltenberger, PLLC counsel for the named Plaintiffs.

I authorize Plaintiffs' counsel to reuse this Consent Form to re-file my claims in a separate or related action against Defendant if: (1) the collective action is decertified; and/or (2) in the opinion of Plaintiffs' counsel it is advisable to do so.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

**PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION:**

**This information will NOT be made part of any public record and is necessary for your attorney's files for litigation and possible settlement purposes.**

Name: \_\_\_\_\_

Location at which you worked (City, State): \_\_\_\_\_

Any other Name(s) used or known by: \_\_\_\_\_

Street Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, and Zip Code: \_\_\_\_\_

Social Security No. (or last 4 digits): \_\_\_\_\_

Daytime Telephone: \_\_\_\_\_

Evening Telephone: \_\_\_\_\_

Cellular Telephone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Beginning Date of Employment: \_\_\_\_\_

Ending Date of Employment: \_\_\_\_\_

Salary (appx): \_\_\_\_\_

Return this form to: Law Office of Chris R. Miltenberger, PLLC  
1340 N. White Chapel, Suite 100  
Southlake, Texas 76092  
Facsimile: (817) 416-5062  
Phone: (817) 516-5060  
Email: [chris@crmlawpractice.com](mailto:chris@crmlawpractice.com)