

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

Almuiz Altiep and Tafsir Shawkat,
Individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

Food Safety Net Services, LTD

Defendant.

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CIVIL ACTION NO. 3:14-cv-000642-K

RULE 68 OFFER OF JUDGMENT

To: Chris R. Miltenberger
The Law Office of Chris R. Miltenberger, PLLC
1340 N. White Chapel, Suite 100
Southlake, Texas 76092

Pursuant to Rule 68 of the Federal Rules of Civil Procedure, Defendant Food Safety Net Services, LTD hereby submits this Offer of Judgment to allow judgment to be taken against Defendant by each of the two named Plaintiffs and the two individuals who seek status as opt-in Plaintiffs in this action. The terms and conditions of this Offer of Judgment are as follows:

This Offer is unconditional and is made in full settlement of the claims of Plaintiffs and the two individuals seeking to opt in against Defendant and is intended to provide full relief to each under the FLSA on behalf of Defendant. The Offer provides each named Plaintiff and the two individuals seeking to opt-in with alleged unpaid overtime compensation, an additional equal amount as liquidated damages, and interest at the current post judgment interest rate. In addition, this Offer of Judgment includes reasonable attorney’s fees now accrued by Plaintiffs and costs now accrued by Plaintiffs.

As to alleged overtime compensation and liquidated damages, Defendant hereby unconditionally offers to each named Plaintiff, and two individuals seeking to opt-in, the following:

1.	██████████	
a.	Overtime Compensation	\$3,906.75
b.	Liquidated Damages	\$3,906.75
c.	Total:	\$7,813.50
2.	██████████	
a.	Overtime Compensation	\$1,436.26
b.	Liquidated Damages	\$1,436.26
c.	Total:	\$2,872.52
3.	██████████	
a.	Overtime Compensation	\$793.79
b.	Liquidated Damages	\$793.79
c.	Total:	\$1,587.58
4.	██████████	
a.	Overtime Compensation	\$396.52
b.	Liquidated Damages	\$396.52
c.	Total:	\$793.03

In addition to the above, as stated earlier, Defendant offers to each of the above interest at the current post judgment interest rate and reasonable attorney's fees now accrued by Plaintiffs and costs now accrued by Plaintiffs.

This Offer is made solely for the purpose of settlement and is not to be construed either as an admission that the Defendant is liable in this action, or that the Plaintiffs or the two seeking to opt-in have suffered any damage or are entitled to any other relief.

In accordance with Rule 68, this Offer will remain open for fourteen (14) days from the date of service of the Offer, after which it is withdrawn if not accepted by the Named Plaintiffs and the two filing opt-in consents. This Offer must be accepted by forwarding written notice of acceptance to the undersigned counsel for Defendant, at the offices of Bracewell & Giuliani, LLP, 1445 Ross Avenue, Suite 3800, Dallas, Texas 75202.

If this Offer is not accepted by Plaintiffs pursuant to Rule 68, this Offer shall be deemed withdrawn with respect to the named Plaintiffs and two individuals seeking to opt-in and evidence of it shall not be admissible except in a proceeding to determine such costs and attorney's fees.

Dated: June 3, 2014.

Respectfully submitted,

By: /s/ Robert E. Sheeder

Robert E. Sheeder

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**ATTORNEYS FOR DEFENDANT
FOOD SAFETY NET SERVICES, LTD**

CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of June, 2014, this Offer of Judgment was emailed to Plaintiff's counsel.

Chris R. Miltenberger
The Law Office of Chris R. Miltenberger, PLLC
1340 N. White Chapel, Suite 100
Southlake, Texas 76092
Email: chris@crmlawpractice.com

/s/ Robert E. Sheeder

Robert E. Sheeder