

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ROME DIVISION**

**RYON JOHNS**, individually and on  
behalf of others similarly situated,

Plaintiff,

vs.

**U.S. TRAFFIC CONTROL, LLC**,

Defendant.

Civil Case No.:

**COLLECTIVE ACTION COMPLAINT WITH JURY DEMAND**

Plaintiff Ryon Johns, individually and on behalf of all others similarly situated, by and through his attorneys, Brown, LLC and the Orlando Firm, P.C., hereby brings this Collective Action Complaint against Defendant U.S. Traffic Control, LLC, and alleges of his own knowledge and conduct and upon information and belief as to all other matters, as follows:

**INTRODUCTION**

1. Plaintiff brings this action for himself and all other similarly situated hourly-paid flaggers to recover unpaid overtime wages, liquidated damages, and reasonable attorneys' fees and costs as a result of Defendant's willful violation of

the Fair Labor Standards Act (“FLSA”), 29 U.S.C. §201, *et seq.* and attendant regulations at 29 C.F.R. § 516, *et seq.*

2. Defendant U.S. Traffic Control, LLC is a company headquartered in Athens, Georgia that provides traffic safety personnel and services including two-way flaggers, pavement technicians, traffic control supervisors and traffic control technicians for road closures and detours, crowd control management and equipment rental.

3. Plaintiff and the putative FLSA collective members are hourly-paid flaggers employed by Defendant in the last three (3) years, who were deprived of proper wages as a result of the following unlawful policies maintained by Defendant:

a. Failing to report all time worked by flaggers throughout the course of their workday on the crew timesheet, causing them to not receive their hourly or overtime wages for all hours worked;

b. Deducting 30 minutes per day from their paid time on account of supposed meal breaks that on most days were not received, causing them to not receive their hourly or overtime wages for all hours worked; and

c. Failing to pay flaggers for time spent travelling outside of their home communities during their normal working hours between their homes and the locations at which they were stationed to work for Defendant, at which they stayed overnight.

4. As a result of these policies, Defendant failed to pay hourly-paid flaggers for all hours worked, including hours worked in excess of forty (40) hours in a week, in violations of the FLSA.

5. Plaintiff asserts the FLSA claims individually and on behalf of a putative FLSA Collective, defined as:

*All hourly-paid flaggers employed by Defendant at any time from three (3) years prior to the filing of this Complaint through the date of judgment.*

6. Plaintiff seeks to send notice pursuant to 29 U.S.C. § 216(b) to all hourly-paid flaggers of Defendant informing them of their rights to assert FLSA claims in this collective action by filing their individual consent forms.

### **JURISDICTION AND VENUE**

7. This Court has subject-matter jurisdiction over Plaintiff's FLSA claims pursuant to 28 U.S.C. § 1331 because Plaintiff's claims raise a federal question under 29 U.S.C. § 201, *et seq.*

8. The Court has general personal jurisdiction over Defendant because it is domiciled in Georgia.

9. **Venue is proper in this district pursuant to 28 U.S.C. § 1391(b)** because a substantial part of the events or omissions giving rise to the claim occurred in this district.

### **PARTIES**

10. **Defendant** U.S. Traffic Control, LLC is a for-profit corporation created and existing under and by virtue of the laws of the State of California.

11. Defendant maintains its headquarters at 573 Hawthorne Avenue, Athens, Georgia, 30606.

12. Plaintiff Ryon Johns is a resident of the County of Lowndes and State of Georgia.

13. Plaintiff was employed by Defendant as an hourly-paid flagger from approximately July 2022 to February 2023.

14. Plaintiff worked for Defendant in Georgia, including in or around the following cities: Cedartown, Dallas, Elijay, Kingston, and Rome.

15. Plaintiff's written consent to become an FLSA party plaintiff is attached hereto as **Exhibit 1**.

### **FACTUAL ALLEGATIONS**<sup>1</sup>

16. Defendant operates an enterprise engaged in commerce as defined under the FLSA.

17. Defendant makes over \$500,000 in revenue per year.

18. Defendant has two (2) or more employees handling, selling, or otherwise working on goods or materials that have been moved in or produced for commerce, including but not limited to traffic signs, cones, and barricades.

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<sup>1</sup> The allegations in this Complaint, unless otherwise specified, refer to the time period of three years prior to the filing of this Complaint through the present.

19. Defendant is the “employer” of hourly-paid flaggers for purposes of the FLSA.

20. Hourly-paid flaggers are “employees” of Defendant for purposes of the FLSA.

21. Hourly-paid flaggers’ primary job duty is to provide traffic-control services at construction sites, such as positioning traffic signs, cones, and barricades, and informing construction crews of safety hazards.

22. Defendant assigns hourly-paid flaggers to perform work for several days or weeks at a time at job sites that are outside their home communities.

23. Defendant provides hourly-paid flaggers with lodging at hotels near the job sites at which they are assigned to work, at which they reside overnight for several days or weeks at a time.

24. Hourly-paid flaggers use their own means of transportation to travel to and from their homes to their assigned job sites and/or hotels.

25. Hourly-paid flaggers’ base compensation consists of an hourly rate of pay.

26. Defendant suffers and permits hourly-paid flaggers to regularly work more than forty (40) hours per week.

27. Defendant determines how many hours to pay flaggers for in each week

based on the number of daily work hours their foreman report on the crew timesheet.

28. Defendant's foremen often enter amounts of daily work hours for flaggers that are less than their total hours worked throughout the course of such workdays.

29. The time that Defendant's foremen fail to include in their entries of flaggers' daily work hours includes, but is not limited to, time spent before their scheduled shifts inspecting their work vehicles and driving to the job site.

30. The time that Defendant's foremen fail to include in their entries of flaggers' daily work hours includes, but is not limited to, time spent in the afternoons and evenings of their scheduled workdays collecting and loading traffic signs, cones, and barricades at the job site and driving work vehicles to transport work tools and/or other employees.

31. Defendant knows or should know that hourly-paid flaggers often work more time than is entered by their foremen on the crew timesheet, and are not paid for such time.

32. Defendant deducts 30 minutes per day from hourly-paid flaggers' paid time on account of supposed meal breaks that on most days are not received, causing them to not receive their hourly or overtime wages for all hours worked.

33. Defendant knows or should know that hourly-paid flaggers perform

work during the periods of time that it deducts from their pay.

34. Defendant does not record or pay hourly-paid flaggers for the time they spend travelling from their homes to the hotels at which they are stationed for each project.

35. Defendant does not record or pay hourly-paid flaggers for the time they spend travelling from the hotel or job site back home.

36. The time hourly-paid flaggers spend travelling between their homes and their assigned job sites and/or hotels is compensable under the FLSA because it cuts across their normal working hours. *See* 29 C.F.R. § 785.39.

37. Defendant knows or should know that the time hourly-paid flaggers spend travelling between their homes and their assigned job sites and/or hotels cuts across their normal working hours.

38. Defendant fails to pay hourly-paid flaggers wages for all hours worked.

39. In some weeks, Defendant's failure to pay hourly-paid flaggers wages for all hours worked results in their wages averaging to less than the federal minimum wage of \$7.25 per hour.

40. In most weeks, Defendant's failure to pay hourly-paid flaggers wages for all hours worked results in them not receiving 1.5x their regular rates of pay for all hours worked over 40 in the workweek.

41. Defendant has willfully violated the FLSA.

42. Defendant's wrongful acts and/or omissions/commissions, as alleged herein, have not been exercised in good faith or in conformity with and in reliance on any written administrative regulation, order, ruling, approval, or interpretation by the state and/or U.S. Department of Labor or any administrative practice or enforcement policy of such a department or bureau.

**COLLECTIVE ACTION ALLEGATIONS**

43. Plaintiff re-alleges and incorporates all previous paragraphs herein.

44. Plaintiff brings this action pursuant to Section 216(b) of the FLSA, as an opt-in representative action, for and on behalf of all hourly-paid flaggers who have been affected by Defendant's common unlawful policies and practices which include failing to pay overtime compensation, in violation of the Fair Labor Standards Act, 29 U.S.C. § 201, *et seq.* ("FLSA") and attendant regulations at 29 C.F.R. § 516, *et seq.*

45. Plaintiff brings this action pursuant to 29 U.S.C. § 216(b) of the FLSA on behalf of:

*All hourly-paid flaggers employed by Defendant at any time from three (3) years prior to the filing of this Complaint through the date of judgment.*

Plaintiff reserves the right to amend this definition as necessary.



46. As a result of the Defendant's illegal policies, there were many weeks in which Defendant failed to compensate members of the FLSA collective at an overtime premium rate of not less than one and one-half (1.5) times their regular rate of pay for hours worked in excess of forty (40) per workweek as required by the FLSA.

47. Plaintiff brings this collective action against Defendant to recover unpaid minimum wages, overtime compensation, liquidated damages, and reasonable attorneys' fees and costs pursuant to 29 U.S.C. § 216(b).

48. The collective action further alleges a willful violation of the FLSA and seeks an additional, third year of limitations.

49. Plaintiff seeks to send notice to the hourly-paid workers of Defendant informing them of their rights to assert FLSA claims in this collective action by filing their individual consent forms, as provided by 29 U.S.C. § 216(b) and supporting case law.

50. Certification of the collective action under the FLSA is appropriate because the employees described herein are "similarly situated" to Plaintiff under 29 U.S.C. § 216(b). The class of employees on behalf of whom Plaintiff brings this collective action are similarly situated because they were subject to the same or similar unlawful policies and practices as stated herein and their claims are based

upon the same factual and legal theories.

51. Plaintiff anticipates that there will be no difficulty in the management of this litigation. This litigation presents claims under the FLSA, a type that have often been prosecuted on a class wide basis, and the manner of identifying the collective and providing any monetary relief to it can be effectuated from a review of Defendant's records.

52. Plaintiff and the putative FLSA collective members demand a trial by jury.

**COUNT I**  
**(Individual and 29 U.S.C. § 216(b) Collective Action Claims)**  
**Violation of the Fair Labor Standards Act, 29 U.S.C. § 201, et seq.**  
**Failure to Pay Minimum Wages**

53. Plaintiff re-alleges and incorporates all previous paragraphs herein.

54. 29 U.S.C. § 206(a)(1) provides:

Every employer shall pay to each of his employees who in any workweek is engaged in commerce or in the production of goods for commerce, or is employed in an enterprise engaged in commerce or in the production of goods for commerce, wages at ... 7.25 an hour.

55. As a result of the policies and violations alleged here in, Defendant failed to pay Plaintiff and the FLSA Collective members for all hours worked.

56. In some weeks, Defendant's failure to pay Plaintiff and the FLSA Collective members wages for all hours worked resulted in their wages averaging to

less than the federal minimum wage of \$7.25 per hour.

57. Defendant's conduct and practices, described herein, were willful, intentional, unreasonable, arbitrary, and in bad faith.

58. Because Defendant willfully violated the FLSA, a three (3) year statute of limitations shall apply to such violation pursuant to 29 U.S.C. § 255(a).

59. As a result of Defendant's uniform and common policies and practices described above, Plaintiff and the FLSA Collective members were illegally deprived of minimum wages earned, in such amounts to be determined at trial, and are entitled to recovery of such total unpaid amounts, liquidated damages, reasonable attorneys' fees, costs and other compensation pursuant to 29 U.S.C § 216(b).

## COUNT II

**(Individual and 29 U.S.C. § 216(b) Collective Action Claims)**  
**Violation of the Fair Labor Standards Act, 29 U.S.C. § 201, et seq.**  
**Failure to Pay Overtime Wages**

60. Plaintiff re-alleges and incorporates all previous paragraphs herein.

61. 29 U.S.C. § 207(a)(1) provides:

[N]o employer shall employ any of his employees who in any workweek is engaged in commerce or in the production of goods for commerce, or is employed in an enterprise engaged in commerce or in the production of goods for commerce, for a workweek longer than forty hours unless such employee receives compensation for his employment in excess of the hours above specified at a rate not less than one and one-half times the regular rate at

which she is employed.

62. Plaintiff and the FLSA Collective members worked over forty (40) hours a week for Defendant in many workweeks.

63. As a result of the policies and violations alleged here in, Defendant failed to pay Plaintiff and the FLSA Collective members for all hours worked in excess of forty (40) hours in a workweek.

64. As a result of the policies and violations alleged here in, Defendant failed to pay Plaintiff and the FLSA Collective members overtime pay at a rate of 1.5 times of their regular rates of pay for hours worked in excess of 40 in a workweek.

65. Defendant's conduct and practices, described herein, were willful, intentional, unreasonable, arbitrary, and in bad faith.

66. Because Defendant willfully violated the FLSA, a three (3) year statute of limitations shall apply to such violation pursuant to 29 U.S.C. § 255(a).

67. As a result of Defendant's uniform and common policies and practices described above, Plaintiff and the FLSA Collective members were illegally deprived of overtime wages earned, in such amounts to be determined at trial, and are entitled to recovery of such total unpaid amounts, liquidated damages, reasonable attorneys' fees, costs and other compensation pursuant to 29 U.S.C § 216(b).

**RELIEF REQUESTED**

WHEREFORE, Plaintiff respectfully requests that this Court grant the following relief against Defendant:

(A) A declaratory judgment that Defendant's wage practices alleged herein violate the overtime provisions of the FLSA;

(B) An Order for injunctive relief ordering Defendant to comply with the FLSA, and end all of the illegal wage practices alleged herein;

(C) Certifying this case as a collective action in accordance with 29 U.S.C. § 216(b) with respect to the FLSA claims set forth herein;

(D) Ordering Defendant to disclose in computer format, or in print if no computer readable format is available, the names, addresses, e-mail addresses, telephone numbers, dates of birth, job titles, dates of employment and locations of employment of all FLSA Collective members;

(E) Authorizing Plaintiff's counsel to send notice(s) of this action to all FLSA Collective members, including the publishing of notice in a manner that is reasonably calculated to apprise the FLSA collective members of their rights by law to join and participate in this lawsuit;

(F) Designating Plaintiff as the representative of the FLSA Collective in this action;

(G) Designating the undersigned as counsel for the FLSA Collective in this action;

(H) Judgment for damages for all unpaid minimum wages, overtime wages, and liquidated damages to which Plaintiff and the FLSA collective members are lawfully entitled under the FLSA;

(I) An incentive award for the Plaintiff for serving as representative of the FLSA Collective in this action;

(J) Awarding reasonable attorneys' fees and costs incurred by Plaintiff in this action as provided by the FLSA;

(K) Judgment for any and all civil penalties to which Plaintiff and the FLSA Collective members may be entitled; and

(L) Such other and further relief as to this Court may deem necessary, just and proper.

**JURY DEMAND**

Plaintiff, individually and on behalf of all other FLSA Collective members, by and through his attorneys, hereby demands a trial by jury pursuant to Rule 38 of the Federal Rules of Civil Procedure and the court rules and statutes made and provided with respect to the above-entitled claims.

Dated: March 29, 2023

Respectfully submitted,

s/ Roger Orlando

Roger Orlando, Esq.

THE ORLANDO FIRM, P.C.

315 West Ponce De Leon Avenue, Suite 400

Decatur, GA 30030

T: (404) 373-1800

F: (404) 373-6999

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Nicholas Conlon (will PHV)

BROWN, LLC

111 Town Square Place, Suite 400

Jersey City, NJ 07310

T: (877) 561-0000

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nicholasconlon@jtblawgroup.com

*Attorneys for Plaintiffs*

# **Exhibit 1**



**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ROME DIVISION**

**RYON JOHNS**, individually and on  
behalf of others similarly situated,

Plaintiff,

vs.

**U.S. TRAFFIC CONTROL, LLC**,

Defendant.

Civil Case No.:

**CONSENT TO SUE**

I hereby consent to be a Plaintiff in the Fair Labor Standards Act case captioned above. I hereby consent to the bringing of any claims I may have under the Fair Labor Standards Act (for unpaid minimum wages, overtime wages, liquidated damages, attorney's fees, costs and other relief) and applicable state wage and hour law against the Defendant(s). I further consent to bringing these claims on a collective and/or class basis with other current/former employees of Defendant(s), to be represented by Brown, LLC, and to be bound by any settlement of this action or adjudication by the Court.

**Signed:**



**Dated:**

03 / 28 / 2023

**Name:**

Ryon Johns

**CIVIL COVER SHEET**

The JS44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form is required for the use of the Clerk of Court for the purpose of initiating the civil docket record. (SEE INSTRUCTIONS ATTACHED)

**I. (a) PLAINTIFF(S)**

RYON JOHNS,  
individually and on behalf of others similarly situated,

**DEFENDANT(S)**

U.S. TRAFFIC CONTROL, LLC,

**(b) COUNTY OF RESIDENCE OF FIRST LISTED**

PLAINTIFF Lowndes County, GA  
(EXCEPT IN U.S. PLAINTIFF CASES)

**COUNTY OF RESIDENCE OF FIRST LISTED**

DEFENDANT \_\_\_\_\_  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

**(c) ATTORNEYS** (FIRM NAME, ADDRESS, TELEPHONE NUMBER, AND E-MAIL ADDRESS)

BROWN, LLC 111 Town Square Place, Suite 400 Jersey City, NJ 07310 T: (877) 561-0000 nicholasconlon@jtblawgroup.com	THE ORLANDO FIRM, P.C. 315 West Ponce De Leon Avenue, Suite 400 Decatur, GA 30030 T: (404) 373-1800 roger@orlandofirm.com
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**ATTORNEYS** (IF KNOWN)

**II. BASIS OF JURISDICTION**

(PLACE AN "X" IN ONE BOX ONLY)

- |  |  |
|--|--|
| <input type="checkbox"/> 1 U.S. GOVERNMENT PLAINTIFF | <input checked="" type="checkbox"/> 3 FEDERAL QUESTION (U.S. GOVERNMENT NOT A PARTY) |
| <input type="checkbox"/> 2 U.S. GOVERNMENT DEFENDANT | <input type="checkbox"/> 4 DIVERSITY (INDICATE CITIZENSHIP OF PARTIES IN ITEM III)   |

**III. CITIZENSHIP OF PRINCIPAL PARTIES**

(PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT) (FOR DIVERSITY CASES ONLY)

- | PLF                        | DEF                        |   | PLF                        | DEF                        |   |
|----------------------------|----------------------------|---|----------------------------|----------------------------|---|
| <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | CITIZEN OF THIS STATE                   | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 | INCORPORATED OR PRINCIPAL PLACE OF BUSINESS IN THIS STATE     |
| <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | CITIZEN OF ANOTHER STATE                | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 | INCORPORATED AND PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE |
| <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | CITIZEN OR SUBJECT OF A FOREIGN COUNTRY | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 | FOREIGN NATION  |

**IV. ORIGIN** (PLACE AN "X" IN ONE BOX ONLY)

- |   |   |  |   |   |  |  |
|---|---|--|---|---|--|--|
| <input checked="" type="checkbox"/> 1 ORIGINAL PROCEEDING         | <input type="checkbox"/> 2 REMOVED FROM STATE COURT | <input type="checkbox"/> 3 REMANDED FROM APPELLATE COURT | <input type="checkbox"/> 4 REINSTATED OR REOPENED | <input type="checkbox"/> 5 TRANSFERRED FROM ANOTHER DISTRICT (Specify District) | <input type="checkbox"/> 6 MULTIDISTRICT LITIGATION - TRANSFER | <input type="checkbox"/> 7 APPEAL TO DISTRICT JUDGE FROM MAGISTRATE JUDGE JUDGMENT |
| <input type="checkbox"/> 8 MULTIDISTRICT LITIGATION - DIRECT FILE |   |  |   |   |  |  |

**V. CAUSE OF ACTION** (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE - DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Violations of the Fair Labor Standards Act ("FLSA"), 29 U.S.C. §201, et seq.  
Defendant failed to pay hourly-paid flaggers for all hours worked, including hours worked in excess of forty (40) hours in a week, in violations of the FLSA.

**(IF COMPLEX, CHECK REASON BELOW)**

- |   |   |
|---|---|
| <input type="checkbox"/> 1. Unusually large number of parties.            | <input type="checkbox"/> 6. Problems locating or preserving evidence                  |
| <input type="checkbox"/> 2. Unusually large number of claims or defenses. | <input type="checkbox"/> 7. Pending parallel investigations or actions by government. |
| <input type="checkbox"/> 3. Factual issues are exceptionally complex      | <input type="checkbox"/> 8. Multiple use of experts.                                  |
| <input type="checkbox"/> 4. Greater than normal volume of evidence.       | <input type="checkbox"/> 9. Need for discovery outside United States boundaries.      |
| <input type="checkbox"/> 5. Extended discovery period is needed.          | <input type="checkbox"/> 10. Existence of highly technical issues and proof.          |

**CONTINUED ON REVERSE**

**FOR OFFICE USE ONLY**

RECEIPT # _____	AMOUNT \$ _____	APPLYING IFP _____	MAG. JUDGE (IFP) _____
JUDGE _____	MAG. JUDGE _____ (Referral)	NATURE OF SUIT _____	CAUSE OF ACTION _____

**VI. NATURE OF SUIT** (PLACE AN "X" IN ONE BOX ONLY)

CONTRACT - "0" MONTHS DISCOVERY TRACK

- 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT
- 152 RECOVERY OF DEFAULTED STUDENT LOANS (Excl. Veterans)
- 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS

CONTRACT - "4" MONTHS DISCOVERY TRACK

- 110 INSURANCE
- 120 MARINE
- 130 MILLER ACT
- 140 NEGOTIABLE INSTRUMENT
- 151 MEDICARE ACT
- 160 STOCKHOLDERS' SUITS
- 190 OTHER CONTRACT
- 195 CONTRACT PRODUCT LIABILITY
- 196 FRANCHISE

REAL PROPERTY - "4" MONTHS DISCOVERY TRACK

- 210 LAND CONDEMNATION
- 220 FORECLOSURE
- 230 RENT LEASE & EJECTMENT
- 240 TORTS TO LAND
- 245 TORT PRODUCT LIABILITY
- 290 ALL OTHER REAL PROPERTY

TORTS - PERSONAL INJURY - "4" MONTHS DISCOVERY TRACK

- 310 AIRPLANE
- 315 AIRPLANE PRODUCT LIABILITY
- 320 ASSAULT, LIBEL & SLANDER
- 330 FEDERAL EMPLOYERS' LIABILITY
- 340 MARINE
- 345 MARINE PRODUCT LIABILITY
- 350 MOTOR VEHICLE
- 355 MOTOR VEHICLE PRODUCT LIABILITY
- 360 OTHER PERSONAL INJURY
- 362 PERSONAL INJURY - MEDICAL MALPRACTICE
- 365 PERSONAL INJURY - PRODUCT LIABILITY
- 367 PERSONAL INJURY - HEALTH CARE/ PHARMACEUTICAL PRODUCT LIABILITY
- 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY

TORTS - PERSONAL PROPERTY - "4" MONTHS DISCOVERY TRACK

- 370 OTHER FRAUD
- 371 TRUTH IN LENDING
- 380 OTHER PERSONAL PROPERTY DAMAGE
- 385 PROPERTY DAMAGE PRODUCT LIABILITY

BANKRUPTCY - "0" MONTHS DISCOVERY TRACK

- 422 APPEAL 28 USC 158
- 423 WITHDRAWAL 28 USC 157

CIVIL RIGHTS - "4" MONTHS DISCOVERY TRACK

- 440 OTHER CIVIL RIGHTS
- 441 VOTING
- 442 EMPLOYMENT
- 443 HOUSING/ ACCOMMODATIONS
- 445 AMERICANS with DISABILITIES - Employment
- 446 AMERICANS with DISABILITIES - Other
- 448 EDUCATION

IMMIGRATION - "0" MONTHS DISCOVERY TRACK

- 462 NATURALIZATION APPLICATION
- 465 OTHER IMMIGRATION ACTIONS

PRISONER PETITIONS - "0" MONTHS DISCOVERY TRACK

- 463 HABEAS CORPUS- Alien Detainee
- 510 MOTIONS TO VACATE SENTENCE
- 530 HABEAS CORPUS
- 535 HABEAS CORPUS DEATH PENALTY
- 540 MANDAMUS & OTHER
- 550 CIVIL RIGHTS - Filed Pro se
- 555 PRISON CONDITION(S) - Filed Pro se
- 560 CIVIL DETAINEE: CONDITIONS OF CONFINEMENT

PRISONER PETITIONS - "4" MONTHS DISCOVERY TRACK

- 550 CIVIL RIGHTS - Filed by Counsel
- 555 PRISON CONDITION(S) - Filed by Counsel

FORFEITURE/PENALTY - "4" MONTHS DISCOVERY TRACK

- 625 DRUG RELATED SEIZURE OF PROPERTY 21 USC 881
- 690 OTHER

LABOR - "4" MONTHS DISCOVERY TRACK

- 710 FAIR LABOR STANDARDS ACT
- 720 LABOR/MGMT. RELATIONS
- 740 RAILWAY LABOR ACT
- 751 FAMILY and MEDICAL LEAVE ACT
- 790 OTHER LABOR LITIGATION
- 791 EMPL. RET. INC. SECURITY ACT

PROPERTY RIGHTS - "4" MONTHS DISCOVERY TRACK

- 820 COPYRIGHTS
- 840 TRADEMARK
- 880 DEFEND TRADE SECRETS ACT OF 2016 (DTSA)

PROPERTY RIGHTS - "8" MONTHS DISCOVERY TRACK

- 830 PATENT
- 835 PATENT-ABBREVIATED NEW DRUG APPLICATIONS (ANDA) - a/k/a Hatch-Waxman cases

SOCIAL SECURITY - "0" MONTHS DISCOVERY TRACK

- 861 HIA (1395f)
- 862 BLACK LUNG (923)
- 863 DIWC (405(g))
- 863 DIWW (405(g))
- 864 SSID TITLE XVI
- 865 RSI (405(g))

FEDERAL TAX SUITS - "4" MONTHS DISCOVERY TRACK

- 870 TAXES (U.S. Plaintiff or Defendant)
- 871 IRS - THIRD PARTY 26 USC 7609

OTHER STATUTES - "4" MONTHS DISCOVERY TRACK

- 375 FALSE CLAIMS ACT
- 376 Qui Tam 31 USC 3729(a)
- 400 STATE REAPPORTIONMENT
- 430 BANKS AND BANKING
- 450 COMMERCE/ICC RATES/ETC.
- 460 DEPORTATION
- 470 RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS
- 480 CONSUMER CREDIT
- 485 TELEPHONE CONSUMER PROTECTION ACT
- 490 CABLE/SATELLITE TV
- 890 OTHER STATUTORY ACTIONS
- 891 AGRICULTURAL ACTS
- 893 ENVIRONMENTAL MATTERS
- 895 FREEDOM OF INFORMATION ACT 899
- 899 ADMINISTRATIVE PROCEDURES ACT / REVIEW OR APPEAL OF AGENCY DECISION
- 950 CONSTITUTIONALITY OF STATE STATUTES

OTHER STATUTES - "8" MONTHS DISCOVERY TRACK

- 410 ANTI TRUST
- 850 SECURITIES / COMMODITIES / EXCHANGE

OTHER STATUTES - "0" MONTHS DISCOVERY TRACK

- 896 ARBITRATION (Confirm / Vacate / Order / Modify)

**\* PLEASE NOTE DISCOVERY TRACK FOR EACH CASE TYPE. SEE LOCAL RULE 26.3**

**VII. REQUESTED IN COMPLAINT:**

CHECK IF CLASS ACTION UNDER F.R.Civ.P. 23 DEMAND \$ \_\_\_\_\_

JURY DEMAND  YES  NO (CHECK YES ONLY IF DEMANDED IN COMPLAINT)

**VIII. RELATED/REFILED CASE(S) IF ANY**

JUDGE \_\_\_\_\_ DOCKET NO. \_\_\_\_\_

CIVIL CASES ARE DEEMED RELATED IF THE PENDING CASE INVOLVES: (CHECK APPROPRIATE BOX)

- 1. PROPERTY INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
- 2. SAME ISSUE OF FACT OR ARISES OUT OF THE SAME EVENT OR TRANSACTION INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
- 3. VALIDITY OR INFRINGEMENT OF THE SAME PATENT, COPYRIGHT OR TRADEMARK INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
- 4. APPEALS ARISING OUT OF THE SAME BANKRUPTCY CASE AND ANY CASE RELATED THERETO WHICH HAVE BEEN DECIDED BY THE SAME BANKRUPTCY JUDGE.
- 5. REPETITIVE CASES FILED BY PRO SE LITIGANTS.
- 6. COMPANION OR RELATED CASE TO CASE(S) BEING SIMULTANEOUSLY FILED (INCLUDE ABBREVIATED STYLE OF OTHER CASE(S)):

7. EITHER SAME OR ALL OF THE PARTIES AND ISSUES IN THIS CASE WERE PREVIOUSLY INVOLVED IN CASE NO. \_\_\_\_\_, WHICH WAS DISMISSED. This case  IS  IS NOT (check one box) SUBSTANTIALLY THE SAME CASE.

s/ Roger Orlando

03/29/2023

SIGNATURE OF ATTORNEY OF RECORD

DATE