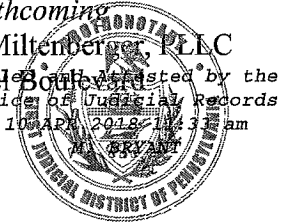


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PATRICK HACKMAN, on behalf of
himself and others similarly situated
Plaintiff,

v.

J. G. WENTWORTH HOME LENDING
LLC,
Defendant.

PHILADELPHIA COUNTY
COURT OF COMMON PLEAS

CLASS ACTION

JURY TRIAL DEMANDED

COMPLAINT — CLASS ACTION

10 — Contract: Other

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after the complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

PHILADELPHIA BAR ASSOCIATION
Lawyer Referral and Information Service
1101 Market Street, 11th Floor
Philadelphia, Pennsylvania 19107
(215) 238-1701

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidira favor del demandante y require que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATA-MENTE SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

ASOCIACION DE LICENCIADOS DE
FILADELFA
Servicio De Referencia E Informacion Legal
1101 Market Street, 11th Floor
Filadelfia, Pennsylvania 19107
(215) 238-1701

Plaintiff Patrick Hackman (“Plaintiff”), on behalf of himself and similarly situated individuals, brings this class action lawsuit against Defendant J. G. Wentworth Home Lending LLC (“Defendant”), seeking all available relief under the Pennsylvania Minimum Wage Act (“PMWA”), 43 P.S. §§ 333.101, *et seq.* The following allegations are based on personal knowledge as to Plaintiff’s own conduct and are made on information and belief as to the acts of others.

JURISDICTION AND VENUE

1. This Court has personal jurisdiction over Defendant.
2. Venue in this Court is proper under Pennsylvania Rules of Civil Procedure 1006 and 2179 because Defendant regularly conducts business within Philadelphia County by providing customers with mortgage loans on real property located in Philadelphia County. For example, within the last two years, J.G. Wentworth Home Lending, Inc.¹ brought two foreclosure actions on separate properties located in Philadelphia County.

PARTIES

3. Plaintiff is an individual residing at 214 Hancock Avenue, East Norriton, PA 19401.
4. Defendant is registered to do business in Pennsylvania and headquartered at 3350 Commission Court, Woodbridge, VA 22192.
5. Defendant is an employer covered by the record-keeping, minimum wage, and wage payment mandates of the PMWA.

¹ According the Pennsylvania Department of State website, J.G. Wentworth Home Lending, Inc. is a “Prior Name” of Defendant.

FACTS

6. Defendant is a “direct lender of home mortgages” offering customers home loan options for purchasing property and refinancing existing mortgages.

7. Defendant has employed individuals as loan officers who held job titles such as, *inter alia*, “Loan Officer,” “Mortgage Loan Officer,” “Loan Originator,” and other similar job titles. These individuals will be collectively referred to as “Loan Officers.”

8. Loan Officers work at Defendant’s call centers and have the primary duty of selling home loan products to Defendant’s customers over the telephone and the internet.

9. Plaintiff worked as a Loan Officer for Defendant from approximately December 2015 to approximately March 2017 at its Wayne, Pennsylvania call center (the “Wayne Call Center”).

10. At least 40 individuals have worked as Loan Officers at the Wayne Call Center during the last three years.

11. Since at least 2015, Defendant has classified Plaintiff and other Loan Officers assigned to the Wayne Call Center as non-exempt overtime eligible employees.

12. Plaintiff and other Loan Officers assigned to the Wayne Call Center performed their work duties primarily at Defendant’s Wayne Call Center and their respective homes.

13. Plaintiff and other Loan Officers were compensated on an hourly basis plus commissions based on the home loan products they were credited with selling to Defendant’s customers.

14. If a Loan Officer's commission exceeded his/her hourly pay component for a particular period, the Loan Officer would only be compensated by Defendant with his/her credited commission.

15. Plaintiff and other Loan Officers regularly worked over 40 hours per workweek.

16. In particular, Plaintiff remembers working up to 65-70 hours a week as a Loan Officer for Defendant.

17. When Plaintiff and other Loan Officers at the Wayne Call Center worked over 40 hours, Defendant failed to credit them for all of their overtime work. As a result, Defendant failed to pay Plaintiff and other Loan Officers for all their overtime hours as required by the PMWA.

CLASS ACTION ALLEGATIONS

18. Plaintiff brings this lawsuit as a class action on behalf of himself and all individuals who, during any time in the past three years, worked for Defendant as a Loan Officer at the Wayne Call Center.

19. This action is properly maintained as a class action pursuant to Pennsylvania Rules of Civil Procedure 1702, 1708, and 1709.

20. The class is so numerous that joinder of all individual members is impracticable.

21. Defendant's conduct with respect to Plaintiff and the class raises questions of law and fact that are common to the entire class.

22. Plaintiff's claims and Defendant's anticipated defenses are typical of the claims or defenses applicable to the entire class.

23. Plaintiff's interests in pursuing this lawsuit are aligned with the interests of the entire class.

24. Plaintiff will fairly and adequately protect class members' interests because he and his experienced and well-financed counsel are free of any conflicts of interest and are prepared to vigorously litigate this action on behalf of the entire class.

25. A class action provides the fairest and most efficient method for adjudicating the legal claims of all class members.

COUNT I
(Alleging PMWA Violations)

26. All previous paragraphs are incorporated as though fully set forth herein.

27. Plaintiff and other class members are employees entitled to the PMWA's protections.

28. Defendant is an employer covered by the PMWA.

29. The PMWA entitles employees to compensation for every hour worked in a workweek. *See* 43 P.S. § 333.104(a).²

30. The PMWA entitles employees to overtime compensation "not less than one and one-half times" the employee's regular pay rate for all hours worked over 40 in a workweek. *See* 43 P.S. § 333.104(c).

31. Defendant violated the PMWA by failing to pay Plaintiff and the class any compensation, including overtime premium compensation, for all their hours worked in excess of 40 during the workweek.

² Plaintiff is not alleging that Defendant violated the minimum wage provisions of the PMWA.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, on behalf of himself and other members of the class, seeks the following relief:

- A. An order permitting this action to proceed as a class action;
- B. Unpaid overtime wages to the fullest extent permitted under the law;
- C. Prejudgment interest to the fullest extent permitted under the law;
- D. Litigation costs, expenses, and attorney's fees to the fullest extent

permitted under the law; and

- E. Such other and further relief as this Court deems just and proper.

JURY DEMAND

Plaintiff demands a jury trial as to all claims so triable.

Date: April 10, 2018

/s/ R. Andrew Santillo
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Attorneys for Plaintiff and the Putative Class

VERIFICATION

I, PATRICK HACKMAN, hereby state:

1. I am the plaintiff in this action;
2. I verify that the statements made in the Complaint are true and correct to the best of my knowledge information and belief; and
3. I understand that the statements in the Complaint are subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

Dated: 4/7/2018

DocuSigned by:
Patrick Hackman
6D86AE8A306C405...
Signature