

Court of Common Pleas of Philadelphia County  
 Trial Division  
**Civil Cover Sheet**

For Prothonotary Use Only (Docket Number)  
**MARCH 2016**  
**001416**  
 E-Filing Number: 1603042326

PLAINTIFF'S NAME ALEXANDRIA PASSE	DEFENDANT'S NAME 500 JANSEN, INC., ALIAS: LOU TURKS
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PLAINTIFF'S ADDRESS 9237 BLUE GRASS ROAD PHILADELPHIA PA 19114	DEFENDANT'S ADDRESS 500 POWHATTAN AVENUE ESSINGTON PA 19029
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PLAINTIFF'S NAME	DEFENDANT'S NAME THE SADDIC FAMILY LIMITED PARTNERSHIP
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PLAINTIFF'S ADDRESS	DEFENDANT'S ADDRESS 8 FOXWOOD DRIVE BOOTHWYN PA 19061
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PLAINTIFF'S NAME	DEFENDANT'S NAME CHRISTOPHER L.. SADDIC
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PLAINTIFF'S ADDRESS	DEFENDANT'S ADDRESS 8 FOXWOOD DRIVE BOOTHWYN PA 19061
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TOTAL NUMBER OF PLAINTIFFS 1	TOTAL NUMBER OF DEFENDANTS 3	COMMENCEMENT OF ACTION <input checked="" type="checkbox"/> Complaint <input type="checkbox"/> Writ of Summons <input type="checkbox"/> Petition Action <input type="checkbox"/> Transfer From Other Jurisdictions <input type="checkbox"/> Notice of Appeal
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AMOUNT IN CONTROVERSY <input type="checkbox"/> \$50,000.00 or less <input checked="" type="checkbox"/> More than \$50,000.00	COURT PROGRAMS <input type="checkbox"/> Arbitration <input type="checkbox"/> Jury <input type="checkbox"/> Non-Jury <input checked="" type="checkbox"/> Other: CLASS ACTION	<input type="checkbox"/> Mass Tort <input type="checkbox"/> Savings Action <input type="checkbox"/> Petition <input type="checkbox"/> Commerce <input type="checkbox"/> Minor Court Appeal <input type="checkbox"/> Statutory Appeals <input type="checkbox"/> Settlement <input type="checkbox"/> Minors <input type="checkbox"/> W/D/Survival
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CASE TYPE AND CODE  
 C1 - CLASS ACTION

STATUTORY BASIS FOR CAUSE OF ACTION

RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER)	<b>FILED</b> <b>PRO PROTHY</b> <b>MAR 16 2016</b> <b>M. BRYANT</b>	IS CASE SUBJECT TO COORDINATION ORDER? YES      NO
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TO THE PROTHONOTARY:  
 Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: ALEXANDRIA PASSE  
 Papers may be served at the address set forth below.

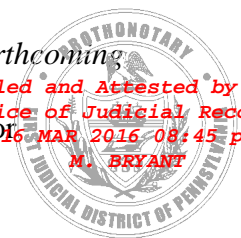
NAME OF PLAINTIFF'S/PETITIONER'S/APPELLANT'S ATTORNEY R. ANDREW SANTILLO	ADDRESS WINEBRAKE & SANTILLO, LLC TWINING OFFICE CENTER 715 TWINING ROAD, SUITE 211 DRESHER PA 19025
PHONE NUMBER (215) 884-2491	FAX NUMBER (215) 884-2492

SUPREME COURT IDENTIFICATION NO. 93041	E-MAIL ADDRESS asantillo@winebrakelaw.com
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SIGNATURE OF FILING ATTORNEY OR PARTY R. ANDREW SANTILLO	DATE SUBMITTED Wednesday, March 16, 2016, 08:45 pm
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Peter Winebrake (PA Attorney No. 80496)  
R. Andrew Santillo (PA Attorney No. 93041)  
Mark J. Gottesfeld (PA Attorney No. 307752)  
Winebrake & Santillo, LLC  
715 Twining Road, Suite 211  
Dresher, PA 19025

Justin M. Swartz\*  
Melissa L. Stewart\*  
*\*pro hac vice motions forthcoming\**  
Outten & Golden LLP  
3 Park Avenue, 29th Floor  
New York, NY 10016



*Attorneys for Plaintiff and the Putative Class*

ALEXANDRIA PASSE, on behalf of  
herself and others similarly situated  
Plaintiff,

v.

500 JANSEN, INC. (d/b/a "Lou Turk's"),  
THE SADDIC FAMILY LIMITED  
PARTNERSHIP, and CHRISTOPHER L.  
SADDIC,

Defendants.

PHILADELPHIA COUNTY  
COURT OF COMMON PLEAS

CLASS ACTION

NON-JURY TRIAL

**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 notification. 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 notification. Ademas, la corte puede decidira favor del demandante y requiere 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 OFFICINA 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 Alexandria Passe (“Plaintiff”), on behalf of herself and similarly situated individuals, brings this class action lawsuit against Defendants 500 Jansen, Inc. (d/b/a “Lou Turk’s”), The Saddic Family Limited Partnership, and Christopher L. Saddic (collectively “Defendants”), seeking all available relief under the Pennsylvania Minimum Wage Act (“PMWA”), 43 P.S. §§ 333.101, *et seq.*, and the Pennsylvania Wage Payment and Collection Law, 43 P.S. §§ 260.1, *et seq.* (“PWPCCL”).

### **JURISDICTION AND VENUE**

1. This Court has personal jurisdiction over Defendants.
2. Venue in this Court is proper under Pennsylvania Rules of Civil Procedure 1006 and 2179 because Defendants regularly conduct business within Philadelphia County by, *inter alia*, employing Dancers (as defined below) who reside in Philadelphia County and having patrons of the Club (as defined below) who reside in Philadelphia County.

### **PARTIES**

3. Plaintiff is an individual residing at 9237 Blue Grass Road, Philadelphia, PA 19114.
4. Defendant 500 Jansen, Inc. (d/b/a “Lou Turks”) is a Pennsylvania corporate entity located in Essington, PA (Delaware County).
5. Defendant The Saddic Family Limited Partnership is a Pennsylvania corporate entity located in Boothwyn, PA (Delaware County).
6. Defendant Christopher L. Saddic is an individual who, upon information and belief, resides in Boothwyn, PA (Delaware County). Defendant Christopher L. Saddic is listed with the Pennsylvania Department of State as the corporate “Secretary”

for Defendant 500 Jansen, Inc. and General Partner for Defendant The Saddic Family Limited Partnership. Defendant Christopher L. Saddic, upon information and belief, has personally implemented and overseen the compensation policies and practices challenged in this lawsuit.

7. Defendants are employers covered by the record-keeping, minimum wage, and wage payment mandates of the PMWA and PWPCL.

### **FACTS**

8. Defendants own and operate an adult entertainment club called “Lou Turk’s” located at 500 Powhattan Avenue, Essington, PA 19029 (“the Club”).

9. Defendants employ women who perform exotic dances and provide other “adult entertainment” for Club patrons. These individuals are referred to herein as “Dancers.”

10. At least 50 women have worked as Dancers at the Club in the previous three years.

11. Plaintiff was employed by Defendants as a Dancer at the Club from approximately April 2015 until approximately January 2016. She worked approximately 4 to 5 days per week.

12. Defendants have classified Plaintiff and other Dancers as non-employee “independent contractors.”

13. This classification is illegal. As many courts have observed, dancers at adult entertainment clubs generally should be classified as employees under federal and state wage laws. *See, e.g., Verma v. The Penthouse Club*, 2014 U.S. Dist. LEXIS 88459 (E.D. Pa. June 30, 2014); *Hart v. Rick's Cabaret Int'l, Inc.*, 967 F. Supp. 2d 901, 921-22

(S.D.N.Y. 2013).

14. Defendants have not paid Plaintiff and other Dancers any wages for working at the Club.

15. Instead, all of the money received by Plaintiff and other Dancers for work at the Club has been received directly from Club patrons in the form of fees and tips. Such fees and tips do not count as wages under federal or state wage laws. *See, e.g., Hart*, 967 F. Supp. 2d at 926-30.

16. Plaintiff and other Dancers' job duties do not required any specialized skill, training, or background knowledge.

17. The work performed by Plaintiff and other Dancers is an integral part of Defendants' business and operation of the Club.

18. Defendants have exerted significant control over the day-to-day work of Plaintiff and other Dancers. For example, Defendants required Plaintiff and other Dancers to follow strict guidelines when they perform on-stage, has strictly controlled the prices that Dancers may charge Club patrons, has strictly regulated Dancers' interactions with Club patrons, and has disciplined Dancers for failing to adhere to Club rules and guidelines.

19. Plaintiff and other Dancers have no meaningful opportunity for profit or loss depending on their managerial skill. Rather, Defendants strictly controlled the fees that Plaintiff and other Dancers may charge to Club patrons for services such as, for example, "lap dances" and private room dances.

20. Defendants' investment in the Club has greatly outweighed any investment by Plaintiff and other Dancers, which generally is limited to the purchase of

outfits and costumes.

21. Defendants made mandatory deductions from Plaintiff's and other Dancers' compensation. These deductions include, for example, "House Fee" payment to the Club, payments to the House Mom, payments to the Club DJ, flat fee payments to the Club for "lap dances" and private room dances, and fines for violating Club rules.

22. Defendants failed to obtain any written authorizations from Plaintiff or other Dancers for the above deductions.

23. Defendants, upon information and belief, failed to obtain approval from the Pennsylvania Department of Labor and Industry for the above deductions.

#### **CLASS ACTION ALLEGATIONS**

24. Plaintiff brings this lawsuit as a class action on behalf of herself and all individuals who, during any time in the past three years, worked at the Club as Dancers.

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

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

27. Defendants' conduct with respect to Plaintiff and the class raises questions of law and fact that are common to the entire class.

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

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

30. Plaintiff will fairly and adequately protect class members' interests

because she and her 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.

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

**COUNT I**  
**(Alleging PMWA Violations)**

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

33. Plaintiff and the class are employees entitled to the PMWA's protections.

34. Defendants are employers covered by the PMWA.

35. The PMWA entitles employees to a minimum wage of \$7.25 for every work hour. *See* 43 P. S. § 333.104; 34 Pa. Code § 231.1.

36. Defendants violated the PMWA by failing to compensate Plaintiff and the class the legally mandated minimum wage for each hour worked at the Club.

**COUNT II**  
**(Alleging PWPCL Violations)**

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

38. Plaintiff and the class are employees entitled to the PWPCL's protections.

39. Defendants are employers covered by the PWPCL.

40. The PWPCL prohibits pay deductions except for those explicitly permitted by law or regulation, none of which apply to this lawsuit. *See* 43 P.S. § 260.3; 34 Pa. Code § 9.1.

41. Defendants violated the PWPCL by imposing impermissible pay deductions on Plaintiff and the class.

**PRAYER FOR RELIEF**

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

- A. An order permitting this action to proceed as a class action;
- B. Recovery of all unpaid minimum wages and reimbursement of all pay deductions;
- C. Prejudgment interest;
- D. Liquidated damages;
- E. Litigation costs, expenses, and attorneys' fees;
- F. A reasonable incentive award for Plaintiff to compensate her for the time she spent attempting to recover wages for class members and for the risks she took in doing so; and
- G. Such other and further relief as this Court deems just and proper.

Date: March 16, 2016

/s/ R. Andrew Santillo  
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R. Andrew Santillo  
Mark J. Gottesfeld  
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*Attorneys for Plaintiff*

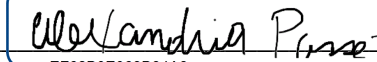


**VERIFICATION**

I, Alexandria Passe, hereby state:

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

Dated: 3/16/2016

DocuSigned by:  
  
Signature EF62B0E063B84A8...