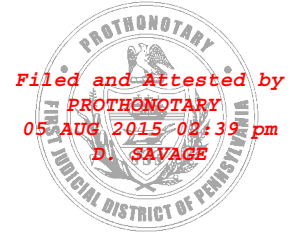


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715 Twining Road, Suite 211
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Phone: (215) 884-2491



Plaintiff's Counsel

CORINNE BROACH,

Plaintiff,

v.

SALMAN CORP.,

Defendant.

:
: 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 defenses 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 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 OFFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

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

Plaintiff Corinne Broach brings this class action lawsuit against Defendant Salman Corp., seeking all available relief under the Pennsylvania Minimum Wage Act (“PMWA”), 43 P.S. §§ 333.101, et seq.

PARTIES

1. Plaintiff resides at 2947 Rutledge Street, Philadelphia, PA 19134.
2. Defendant is a corporation headquartered at 101 Greenwood Avenue, Suite 204, Jenkintown, PA 19046.

JURISDICTION AND VENUE

3. This Court has personal jurisdiction over Defendants.
4. Venue in this Court is proper because, inter alia, Defendant regularly conduct business in Philadelphia County.

FACTS

5. Defendant owns and operates a “Comfort Keepers” homecare franchise that provides, inter alia, homecare and companionship services to elderly and/or disabled customers in Southeastern Pennsylvania, including within Philadelphia County.
6. Defendant employs workers who provide homecare and companionship services to Defendant’s customers. These workers are referred to herein as “homecare workers.”
7. Plaintiff was employed by Defendants as a homecare worker from approximately May 2014 until approximately June 2015.
8. The PMWA entitles employees to overtime compensation “not less than one and one-half times” the employee’s regular pay rate for hours worked over 40 per week. See 43 P.S. § 333.104(c). This entitlement extends to Plaintiff and other

homecare workers. See Bayada Nurses, Inc. v. Commonwealth, 8 A.2d 866 (Pa. 2010); Grajales v. Safe Haven Quality Care, LLC, 2013 Pa. Dist. & Cnty. Dec. LEXIS 128 (Dauphin Cty. Com. Pl. Sept. 5, 2013).

9. Notwithstanding Bayada and its progeny, Defendant has failed to pay Plaintiff and other homecare workers overtime premium compensation for hours worked over 40 per week.

10. For example, Plaintiff regularly worked over 40 hours per week. Yet, Defendant did not pay Plaintiffs any overtime premium compensation for her overtime work. Instead, Defendant paid Plaintiff at her straight-time hourly or job rate for all work hours, including hours worked over 40 per week.

CLASS ACTION ALLEGATIONS

11. Plaintiff brings this lawsuit as a class action on behalf of herself and all individuals who, during any time within the past three years, were employed by Defendant as homecare workers.

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

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

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

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

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

17. Plaintiff will fairly and adequately protect class members' interests because they and their 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.

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

COUNT I

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

20. Defendant is an employer covered by the PMWA's overtime pay mandate, and Plaintiff and the class members are employees entitled to the PMWA's protections.

21. The PMWA requires Defendant to pay Plaintiff and other class members overtime premium compensation "not less than one and one-half times" the regular pay rate for all hours worked over 40 per week. *See* 43 P.S. § 333.104(c).

22. Defendant violated the PMWA by failing to pay Plaintiff and other class members overtime premium compensation for all hours worked over 40 per week.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs, on behalf of herself and the class, seek the following relief:

- A. Unpaid overtime wages to the fullest extent permitted under the law;
- B. Prejudgment interest to the fullest extent permitted under the law;
- C. Litigation costs, expenses, and attorney's fees to the fullest extent permitted under the law; and
- D. Such other and further relief as this Court deems just and proper.

Date: August 5, 2015

Respectfully,

A handwritten signature in black ink, appearing to read "Peter Winebrake", written over a horizontal line.

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R. Andrew Santillo (PA Attorney No. 93041)
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(215) 884-2491

For Plaintiff and the Putative Class

VERIFICATION

I, CORINNE BROACH, hereby state:

1. I am a plaintiff in this action;
2. I verify that the 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 Complaint are subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

Dated: 8-5-15

Corinne Broach
Signature

Corinne Broach
Print Name