

November 27, 2020

NOTICE OF COLLECTIVE ACTION LAWSUIT

Devine, et al. v. Northeast Treatment Centers, Inc., 2:20-cv-02417-ER
United States District Court, Eastern District of Pennsylvania

TO: *[INSERT NAME]*

PLEASE READ THIS NOTICE CAREFULLY

INTRODUCTION

This Notice informs you of a collective action lawsuit against Northeast Treatment Centers, Inc. (“NET”) seeking unpaid overtime wages under federal and Pennsylvania law on behalf of Case Managers and Aftercare Workers. You have a right to, but are not required to, participate in the lawsuit.

DESCRIPTION OF THE LAWSUIT

The lawsuit was started in May 2020 by Katherine Devine (a former NET Case Manager) and Lavar Turner (a former NET Aftercare Worker and Case Manager).

The lawsuit is proceeding in the United States District Court in Philadelphia, PA and is assigned to Judge Eduardo C. Robreno.

The lawsuit seeks to cover the time period after May 20, 2017 and alleges that NET violated federal and state wage laws by failing to pay full overtime compensation for hours worked over 40 per week. Specifically, for the time period between May 20, 2017 and July 1, 2019, the lawsuit alleges that NET violated the law by paying Case Managers and Aftercare Workers a salary and classifying them as “exempt” from the overtime pay requirement. For the time period after July 1, 2019, the lawsuit alleges that NET failed to pay Case Managers and Aftercare Workers for all the overtime hours they actually worked.

NET denies the above allegations. According to NET, the pre-July 2019 classification of Case Managers and Aftercare Workers as overtime-exempt was valid and legal. NET also contends that, since July 2019, Case Managers and Aftercare Workers have been properly credited and paid for all of their overtime work.

The lawsuit is in its early stages. The Federal Court has not decided who will win.

You may be eligible join the lawsuit if you were employed by NET during any time after May 20, 2017 as a Case Manager or Aftercare Worker.

HOW TO JOIN THE LAWSUIT

You can join the lawsuit by completing the enclosed “Consent to Become Party Plaintiff” form and returning it in the enclosed envelope to the following address:

WINEBRAKE & SANTILLO, LLC
715 Twining Road, Suite 211
Dresher, PA 19025
Fax: (215) 884-2492
Email: pwinebrake@winebrakelaw.com

Your return envelope must be postmarked by **January 11, 2021**. If you fail to meet this deadline, you will not be allowed to participate in the lawsuit.

EFFECT OF JOINING THE LAWSUIT

If you join the lawsuit, you will be bound by the judgment of the Federal Court on all issues, including the reasonableness of any settlement. By joining the lawsuit, you authorize the named Plaintiffs to act as your agent and make decisions concerning the lawsuit in consultation with counsel. If Plaintiff wins, individuals who join the lawsuit may be eligible for a money payment. If NET wins, individuals who join the lawsuit will be entitled to nothing and you may possibly be required to pay your proportional share of taxable court costs.

If you join the lawsuit, you may be required to participate in the “discovery” process by, for example, gathering and producing documents, answering some written questions under oath, and, possibly, sitting for a deposition to answer questions under oath from NET’s attorneys. You may also be required to testify at trial. The law firm described below will represent you throughout the lawsuit.

RETALIATION PROHIBITED

If you join the lawsuit, federal law prohibits NET from retaliating against you as a result of your participation. However, participating in the lawsuit does not excuse current employees from complying with NET’s policies and procedures.

EFFECT OF NOT JOINING THE LAWSUIT

If you do not join the lawsuit, you will not be affected by any judgment or settlement resulting from the lawsuit, whether it is favorable or unfavorable.

YOUR LEGAL REPRESENTATION IF YOU JOIN

If you join the lawsuit, you will be represented by Winebrake & Santillo, LLC, 715 Twining Road, Suite 211, Dresher, PA 19025. The firm’s website is www.winebrakelaw.com, and its phone number is (215) 884-2491.

You are not required to pay any fees to this law firm. The firm has taken this case on a “contingency” basis. If the lawsuit is unsuccessful, the firm will receive nothing. If the lawsuit results in a recovery, the firm will ask the Federal Court to award legal fees from the total recovery.

THIS NOTICE HAS BEEN AUTHORIZED BY UNITED STATES DISTRICT JUDGE EDUARDO C. ROBRENO. THE COURT HAS TAKEN NO POSITION REGARDING THE LAWSUIT’S MERITS.