

**UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT**

**DAVERLYNN KINKEAD, individually and on behalf of all  
others similarly situated;**

**Plaintiff,**

vs.

**HUMANA, INC., HUMANA AT HOME, INC., and  
SENIORBRIDGE FAMILY COMPANIES (CT), INC.**

**Defendants.**

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**CONSENT TO SUE**

**No. 3:15-cv-01637-JAM**

I was employed by Defendants as a Home Health Aide at some point between January 1, 2015 and the present. I hereby consent to sue Defendants in this Fair Labor Standards Act case. I consent to representation by the Named Plaintiff and the bringing of any claims I may have under the Fair Labor Standards Act (for unpaid overtime, liquidated damages, attorney's fees, costs and other relief) against Defendants in this action.

I authorize Getman & Sweeney, PLLC and Bohrer Brady, LLC and their successors and assigns (the law firms), to represent me in this case. By signing and returning this consent to sue, I understand that, if accepted for representation, I will be represented by the law firms without prepayment of costs or attorneys' fees. I understand that if Plaintiffs are successful, costs expended by attorneys on my behalf will be deducted pro rata from my settlement or judgment first. I understand that the law firms may petition the court for an award of fees and costs to be paid by Defendants on my behalf. I understand that the fees retained by the attorneys will be either the amount of fees received from Defendants or 1/3 of my settlement or judgment amount, whichever is greater. I understand that if the case is not successful, I will not be obligated to pay any fees or costs.

PLEASE COMPLETE ALL FIELDS AND PRINT CLEARLY

Date: \_\_\_\_\_ Name (printed): \_\_\_\_\_

Signature: \_\_\_\_\_

Name exactly as it appears on company pay statements (if different): \_\_\_\_\_

Street Address: \_\_\_\_\_

Email: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Mobile Phone: \_\_\_\_\_

Home Phone: \_\_\_\_\_

To be represented by Getman & Sweeney, PLLC, send this completed form to the following address: Getman Sweeney, 9 Paradies Lane, New Paltz, NY 12561, or fax it toll free to: 866-543-9619, or email it to jfriday@getmansweeney.com. This Consent to Sue is not valid and effective until you have received a receipt from Getman & Sweeney indicating that it has been filed. If you have not received a receipt within two (2) weeks from your transmission of the form to us, you must contact the firm by phone at 845-255-9370.

Getman & Sweeney, PLLC  
9 Paradies Lane  
New Paltz, NY 12561  
845-255-9370  
fax 845-255-8649

**KEEP THIS INFORMATION IF YOU JOIN THE CASE**

**JOINING THE CASE**

If you have sent us a Consent to Sue form and have not heard back from us within two (2) weeks, please call our office at 845-255-9370.

Date you sent the Consent to Sue to Getman & Sweeney: \_\_\_\_\_

**DOCUMENTS**

**It is your responsibility to keep any paper records or digital data related to your employment with Swift Transportation in any way.** Keep all paper records in a big file. We may need it later and destruction of *any* records could be counted against you. **This is critical.** If you have digital data related to your work, you cannot destroy it or allow it to be destroyed. Do not dispose of any CD-Rs, DVDs, computers, cell phones, tablets, drives, or peripheral devices, and do not delete social media accounts containing information of any kind that may be related to your employment with Swift in any way; we *must* receive a copy first. If you have any questions about the materials you have, please let us know immediately.

**CASE UPDATES**

The best way to stay updated about our case is to regularly check the website: <http://getmansweeney.com/current-cases>

**RETALIATION**

Retaliation is strictly illegal. If you believe that anyone is retaliating against you for participating in this case, let Getman & Sweeney know immediately.

**SETTLEMENT AND OTHER COMMUNICATIONS**

There may be times (such as when a settlement is offered) that we need to reach you immediately. So if you are planning to move, you must let us know your new contact information as soon as possible. We need to always know your current address, all phone numbers and any email address that is private and secure (accessible only to you). We want you to understand that though there is a possibility that your case will settle, this case may take years to resolve. We are looking forward to bringing this case to a successful conclusion on your behalf.

If you have any questions or concerns about the lawsuit, you can call our office or email [jfriday@getmansweeney.com](mailto:jfriday@getmansweeney.com). A paralegal is in the office to assist you Monday through Friday from 9 a.m. to 5:30 p.m. EST.