

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

SHERI MOSLEY, individually and
on behalf all others similarly situated,

Plaintiff,

v.

Case No: 3:19-cv-00379-TJC-JRK

**LOZANO INSURANCE ADJUSTERS,
INC., FRANK LOZANO, LISETTE
LOZANO, and ANCHOR INSURANCE
HOLDINGS, INC.,**

Defendants.

**This is a Court-Authorized Class Notice and is Not a Solicitation from a Lawyer.
The Court Has Made No Findings as to the Merits of the Case at this Time.**

If you worked as an Licensed Insurance Claims Adjuster for Lozano Claims Adjusters in Florida and were classified as an independent contractor, paid a day rate, and not paid overtime wages for hours worked more than 40 in a week at any time since April 4, 2016, a collective action lawsuit may affect your rights.

- Sheri Mosley (“Plaintiff”), a former licensed insurance claims adjuster for the Defendants has sued them in federal court in Jacksonville, Florida alleging that they violated the overtime provisions of the Fair Labor Standards Act (“FLSA”) by failing to pay overtime premiums for hours worked over forty in a workweek because it misclassified those insurance claims adjusters as independent contractors. Plaintiff alleges that this practice deprived the licensed insurance claims adjusters of owed overtime premiums in weeks in which they worked more than 40 hours.
- Defendants deny the allegation above and maintain that their policies and practices comply with the FLSA.
- The Court has permitted Plaintiff to send this Notice to all Licensed Insurance Claims Adjusters who worked for Lozano Claims Adjusters in Florida and were classified as independent contractors, paid a day rate, and not paid overtime wages for hours worked more than 40 in a workweek at any time since April 4, 2016 so that they may decide whether to “opt-in” to, or join, this lawsuit to assert their legal rights.
- The Court has not yet decided whether Defendants have done anything wrong and has not decided whether this case will proceed to trial. There is no money available now and no guarantees that there will be. However, you have a choice to assert your legal rights in this case.

YOUR LEGAL RIGHTS AND OPTIONS	
Do Nothing	Do Nothing. By doing nothing, you will not have the ability to recover any money or benefits that may be awarded in this case but you retain your legal rights to bring a separate suit against Defendants (within the applicable statute of limitations period which can be two years) for allegedly unpaid overtime compensation.
Ask to Be Included	Complete Consent to Sue Form. By completing the attached Consent to Sue form and sending it to Plaintiff's counsel for filing with the Court you gain the possibility of receiving money or benefits that may result from a trial or settlement, but you give up your right to separately sue Defendants for the same legal claims brought in this lawsuit.
Effect of Joining Suit	If you choose to join this lawsuit, you will be bound by the judgment. While the suit is pending, you may be required to provide information regarding your work with Defendants.
Legal Representation if you Join	If you choose to join in the lawsuit, you will be represented by the Representative Plaintiff through her attorneys as Class Counsel who will represent you on a contingent fee basis. That is, you will not have to pay the lawyers directly—win or lose. If the Plaintiffs are successful at trial or the case results in a settlement, then the Defendants will pay the attorneys either their hourly fees plus litigation costs as awarded by the Court, or one-third of the overall recovery in the case, whichever is greater.

To join the lawsuit, you **must** complete the enclosed Consent to Sue Form and forward it to the attorneys designated in the Form by email to jfriday@getmansweeny.com, by facsimile to 845-255-8649, or by U.S. mail, postmarked on or before, November 5, 2019. If you have any questions or concerns, please contact:

Getman, Sweeney & Dunn, PLLC
260 Fair Street
Kingston, NY 12401
Telephone: (845) 255-9370
Facsimile: (845) 255-8649
Jfriday@getmansweeny.com

The law prohibits anyone from discriminating or retaliating against you for taking part in this case. Therefore, you may not be discharged or subjected to discrimination in any manner because of your exercise of rights under the FLSA, including by joining this lawsuit.

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**SHERI MOSLEY, individually and on behalf all others
similarly situated,**

Plaintiffs,

v.

**LOZANO INSURANCE ADJUSTERS, INC., FRANK
LOZANO, LISETTE LOZANO, and ANCHOR
INSURANCE HOLDINGS, INC.,**

Defendants.

CONSENT TO SUE

CONSENT TO SUE UNDER THE FLSA

I hereby consent to be a plaintiff in an action under the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.*, to secure unpaid overtime pay, liquidated damages, attorneys' fees, costs and other relief arising out of my employment with the Defendants.

I authorize Getman, Sweeney & Dunn, PLLC, and any associated attorneys as well as any successors or assigns, to represent me with my claims by joining my claims to an existing lawsuit against Defendants.

I also designate the named Plaintiff in this action as my agent to make decisions on my behalf concerning the litigation, including the method and manner of conducting this litigation, entering into settlement agreements, and all other matters pertaining to this lawsuit.

By signing and returning this consent to sue, I understand that, if accepted for representation, I will be represented by the above attorneys without prepayment of costs or attorneys' fees. I understand that if Plaintiffs are successful, costs expended by attorneys on my behalf will be deducted from my settlement or judgment amount on a pro rata basis with all other plaintiffs. I understand that the attorneys 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 received from the defendant or 1/3 of my gross settlement or judgment amount, whichever is greater.

Date: _____

Signature: _____

Print Name: _____

To be considered for representation, send the completed form to Getman, Sweeney & Dunn, PLLC, 260 Fair Street, Kingston, NY 12401; or fax it to (866) 543-9619 or (845) 255-8649; or e-mail it to jfriday@getmansweeney.com. This Consent to Sue is not valid and effective until you have received a receipt from Plaintiffs' Counsel indicating that it has been filed. If you have not received a receipt within 3 weeks from your transmission of the form to us, you must contact Plaintiffs' Counsel by phone at (845) 255-9370.

Information Below Is Required But Will Not Be Filed with the Court. Please Print Clearly or Type.

Address: _____

City, State Zip: _____

Best Phone Number(s): _____

Emergency Contact: _____

Email: _____

Return this form by mail, email or fax to:

Getman, Sweeney & Dunn, PLLC
Attn.: Julia Friday
260 Fair Street
Kingston, NY 12401
Fax: (845) 255-8749
Email: jfriday@getmansweeney.com