THIERMAN BUCK LI.P 7287 Lakeside Drive Reno. NV 89511 (775) 284-1500 Fax (775) 703-5027 Email info@thiermanbuck.com www.thiennanbuck.com 2 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9	COMP Mark R. Thierman, Nev. Bar No. 8285 mark@thiermanbuck.com Joshua D. Buck, Nev. Bar No. 12187 josh@thiermanbuck.com Leah L. Jones, Nev. Bar No. 13161 leah@thiermanbuck.com THIERMAN BUCK LLP 7287 Lakeside Drive Reno, Nevada 89511 Tel. (775) 284-1500 Fax. (775) 703-5027  Christian Gabroy, Nev. Bar No. 8805 christian@gabroy.com Kaine Messer, Nev. Bar No. 14240 kmesser@gabroy.com GABROY LAW OFFICES 170 S. Green Valley Pkwy Henderson, NV 89012 Tel. (702) 259-7777 Fax. (702) 259-7704  Attorneys for Plaintiff	L DISTRICT COURT
ERMIA 287 Lal 287 Lal Reno. 7-1500 ambuck		NTY, NEVADA
177) 284 (775) 284 110 (200) 110 110 110 110 110 110 110 110 110	TONYA DIMUZIO and MEGAN GRILZ, on behalf of themselves and all others similarly situated,	Case No.: A-18-771424-C Dept. No.: XXX
.≣ 18	Plaintiff,	FIRST AMENDED CLASS ACTION COMPLAINT
19	VS.  RI AZIN WINGS INC cikin and dibin	(EXEMPT FROM ARBITRATION
20	BLAZIN WINGS, INC. a/k/a and d/b/a BLAZIN WINGS INC also a/k/a and d/b/a BUFFALO WILD WINGS; DOES 1	PURSUANT TO NAR 5)
21	through 50; inclusive,	<ol> <li>Failure to Pay Overtime in Violation of NRS 608.018 and 608.140;</li> </ol>
22 23	Defendant(s).	<ol> <li>Failure to Timely Pay All Wages Due and Owing in Violation of NRS 608.020-050 and 608.140; and.</li> </ol>
24		3) Injunctive Relief.
25		- 1 Amirani a manani
26		LIEN REQUESTED PURSUANT TO NRS 608.050
27		JURY TRIAL DEMANDED
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COMES NOW Plaintiffs Tonya DiMuzio and Megan Grilz on behalf of themselves and all others similarly situated and allege the following:

All allegations in the Complaint are based upon information and belief except for those allegations that pertain to the Plaintiffs named herein and their counsel. Each allegation in the Complaint either has evidentiary support or is likely to have evidentiary support after a reasonable opportunity for further investigation and discovery.

#### JURISDICTION AND VENUE

- This Court has original jurisdiction over the state law claims alleged herein 1. because the amount in controversy exceeds \$15,000 and a party seeking to recover unpaid wages has a private right of action pursuant to the Nevada Constitution, Article 15 Section 16, and Nevada Revised Statute ("NRS") sections 608.050 and 608.140. See Neville v. Terrible Herbst, Inc., 133 Nev. Adv. Op. 95 (Dec. 7, 2017).
- Plaintiffs also claim a private cause of action to foreclose a lien against the 2. property owner for wages due pursuant to NRS 608.050.
- Plaintiff DiMuzio made a proper demand for wages due pursuant to NRS 3. 608.140 on March 13, 2018.
- 4. Venue is proper in this Court because the Defendant named herein maintains a principal place of business or otherwise is found in this judicial district and many of the acts complained of herein occurred in Clark County, Nevada.

#### **PARTIES**

- 5. Plaintiff Tonya DiMuzio (hereinafter "Plaintiff" or "DiMuzio") is a natural person who is and was a resident of the State of Nevada and has been employed by Defendant as a non-exempt hourly employee from 2007 to the present.
- 6. Plaintiff Megan Grilz (hereinafter "Plaintiff" or "Grilz") is a natural person who is and was a resident of the State of Nevada and had been employed by Defendant as a non-exempt hourly employee from on or about August 2002 to February 2016.
- 7. Defendant Blazin Wings, Inc. a/k/a and d/b/a Blazin Wings Inc also a/k/a and d/b/a Buffalo Wild Wings is a foreign corporation registered with the Nevada

Secretary of State.

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- Defendant Blazin Wings, Inc. holds the fictitious firm name for Buffalo Wild 8. Wings with Clark County and was doing business in this Judicial District in Clark County, Nevada where the subject incidences occurred.
- At all relevant times, each Defendant was an agent, employee, joint-9. venturer, shareholder, director, member, co-conspirator, alter ego, master, or partner of each of the other Defendants, and at all times mentioned herein were acting within the scope and course and in pursuance of his, her, or its agency, joint venture, partnership, employment, common enterprise, or actual or apparent authority in concert with each other and the other Defendants.
- At all relevant times, the acts and omissions of Defendants concurred and 10. contributed to the various acts and omissions of each and every one of the other Defendants in proximately causing the complaints, injuries, and damages alleged herein. At all relevant times herein, Defendants approved of, condoned and/or otherwise ratified each and every one of the acts or omissions complained of herein. At all relevant times herein, Defendants aided and abetted the acts and omissions of each and every one of the other Defendants thereby proximately causing the damages as herein alleged.
- The Defendants named herein are the employers of the Plaintiff and all 11. Class Members alleged herein. The Defendants are employers engaged in commerce under the provisions of NRS 608.011. The identity of DOES 1-50 is unknown at the time and the Complaint will be amended at such time when the identities are known to Plaintiff. Plaintiff is informed and believes that each Defendants sued herein as DOE is responsible in some manner for the acts, omissions, or representations alleged herein and any reference to "Defendant" or "Defendants" herein shall mean "Defendants and each of them."

## **FACTUAL ALLEGATIONS**

12. Plaintiff DiMuzio has been employed by Defendant as a bartender from 2007 to the present.

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- Plaintiff Grilz had been employed by Defendant as a bartender from on or about August 2002 to February 2016.
- 14. Defendant maintains an unlawful policy of not paying daily overtime to nonexempt hourly employees who earned 1 ½ times less than the applicable minimum wage.
  - 15. Plaintiffs have frequently worked over 8 hours in any given workday.
- 16. On many occasions, Plaintiffs have worked a shift until the late evening hours and then returned early the next morning to work a day shift. The number of hours worked in a workday under Nevada law was over 8 hours in a 24-hour period of time.
- 17. For instance, during the workweek of September 16, 2017, Defendant scheduled Plaintiff DiMuzio to work and Plaintiff did work over 8 hours in a 24-hour period of time. See a true and correct copy of Plaintiff's time sheet attached hereto as Exhibit I.
- 18. In addition, during the workweek of October 28, 2017, Defendant scheduled Plaintiff DiMuzio to work and Plaintiff did work over 8 hours in a 24-hour period of time. See Exhibit I.
- 19. Plaintiff Grilz regularly worked a schedule from 4:00 p.m. to midnight on her first shift then was required to return for an 8:00 a.m. This was especially prevalent during football season.
- 20. But despite having worked more than 8 hours in a 24-hour period of time, Defendant failed to compensate Plaintiffs at 1 ½ times their regular rate of pay for the overtime hours she worked.
- 21. Upon information and belief, Defendant maintains a company-wide policy and practice of refusing to pay daily overtime wages to Nevada employees who worked over 8 hours in a workday.
- 22. This "no daily overtime" policy has always been common to all non-exempt hourly paid employees at Defendant's locations in the state of Nevada.

#### **CLASS ACTION ALLEGATIONS**

23. Plaintiffs reallege and incorporate by this reference all the paragraphs above in this Complaint as though fully set forth herein.

- 24. Plaintiffs bring this action on behalf of themselves and all other similarly situated employees as a class action under Rule 23 of the Nevada Rules of Civil Procedure.
- 25. The **Nevada Overtime Class** is defined as "All hourly paid non-exempt persons employed by Defendant in the state of Nevada who earned less than 1 ½ times the applicable minimum wage and who worked over eight (8) hours in a workday at any time within 3 years from March 20, 2018 until judgment."
- 26. The Waiting Time Penalty Class is defined as "All Nevada Overtime Class Members who are former employees of Defendant."
- 27. Class treatment is appropriate under Rule 23's class certification mechanism because:
- a. <u>The Classes are Sufficiently Numerous</u>: Upon information and belief, Defendant employs, and has employed, in excess of 100 Nevada Overtime Class Members within the applicable time period. Because Defendant is legally obligated to keep accurate payroll records, Plaintiff alleges that Defendant's records will establish the members of the Classes as well as their numerosity.
- b. <u>Plaintiffs' Claim are Typical to Those of Fellow Class Members:</u>
  Each Class Member is and was subject to the same practices, plans, or policies as Plaintiffs: whether Defendant compensated Plaintiffs and members of the Class daily overtime wages when they worked over 8 hours in a workday and whether members of the Waiting Time Penalty Class are entitled to waiting time penalties for the failure to pay them minimum, regular, and overtime wages owed.
- c. <u>Common Questions of Law and Fact Exist</u>: Common questions of law and fact exist and predominate as to Plaintiffs and the Class Members, including, without limitation: whether Defendant failed to pay Plaintiffs and the Class Members one and one-half times their regular rate for all hours worked in excess of 8 hours a workday and whether Defendant failed to pay the Waiting Time Penalty Class Members all their wages due and owing in violation of NRS 608,020-050.

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d. <u>Plaintiffs are Adequate Representative of the Class</u> : Plaintiffs will
fairly and adequately represent the interests of the Classes because Plaintiffs are
members of the Nevada Overtime Class, they have issues of law and fact in common
with all members of the Classes, and their interests are not antagonistic to Class
members. Plaintiffs and their counsel are aware of their fiduciary responsibilities to Class
Members and are determined to discharge those duties diligently by vigorously seeking
the maximum possible recovery for Class Members.

Predominance/Superior Mechanism: Class claims predominate and е. a class action is superior to other available means for the fair and efficient adjudication of this controversy. Each Class Member has been damaged and is entitled to recovery by reason of Defendant's illegal policy and/or practice of failing to compensate its employees in accordance with Nevada wage and hour law. The prosecution of individual remedies by each Class Member will tend to establish inconsistent standards of conduct for Defendant and result in the impairment of Class Members' rights and the disposition of their interest through actions to which they were not parties.

#### FIRST CAUSE OF ACTION Failure to Pay Overtime Wages in Violation of NRS 608.018 and 608.140 (On Behalf of Plaintiffs and the Nevada Overtime Class)

- 28. Plaintiffs reallege and incorporate by this reference all the paragraphs above in this Complaint as though fully set forth herein.
- 29. NRS 608.140 provides that an employee has a private right of action for unpaid wages.
  - 30. NRS 608.018(1) provides as follows:

An employer shall pay 1 1/2 times an employee's regular whenever an employee who receives compensation for employment at a rate less than 1 1/2 times the minimum rate prescribed pursuant to NRS 608.250 works: (a) More than 40 hours in any scheduled week of work; or (b) More than 8 hours in any workday unless by mutual agreement the employee works a scheduled 10 hours per day for 4 calendar days within any scheduled week of work.

31. NRS 608.018(2) provides as follows:

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An employer shall pay 1 1/2 times an employee's regular wage rate whenever an employee who compensation for employment at a rate not less than 1 1/2 times the minimum rate prescribed pursuant to NRS 608.250 works more than 40 hours in any scheduled week of work.

- 32. As described above, Defendant maintains a policy and/or practice of illegal shift jamming (i.e., refusing to pay daily overtime when Plaintiffs and members of the Nevada Overtime Class worked over 8 hours in a workday). As a result, Plaintiffs and Nevada Overtime Class Members have been denied overtime compensation according to Nevada law.
- 33. Wherefore, Plaintiffs demand for themselves and all Nevada Overtime Class Members that Defendant pay Plaintiffs and Nevada Overtime Class Members one and one-half times their "regular rate" of pay for all hours worked in excess of eight (8) hours in a workday during the relevant time period together with attorneys' fees, costs, and interest as provided by law.

#### SECOND CAUSE OF ACTION Waiting Time Penalties Pursuant to NRS 608.020-.050 and 608.140 (On Behalf of Plaintiffs and the Waiting Time Penalty Class)

- 34. Plaintiffs reallege and incorporate by this reference all the paragraphs above in this Complaint as though fully set forth herein,
- 35. NRS 608.140 provides that an employee has a private right of action for unpaid wages.
- 36. NRS 608.020 provides that "[w]henever an employer discharges an employee, the wages and compensation earned and unpaid at the time of such discharge shall become due and payable immediately."
- 37. NRS 608.030 provides that "[w]henever an employee resigns or quits his or her employment, the wages and compensation earned and unpaid at the time of the employee's resignation or quitting must be paid no later than...[t]he day on which the employee would have regularly been paid the wages or compensation; or[s]even days after the employee resigns or quits...whichever is earlier."

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- 38. NRS 608.040(1)(a-b), in relevant part, imposes a penalty on an employer who fails to pay a discharged or quitting employee: "Within 3 days after the wages or compensation of a discharged employee becomes due; or on the day the wages or compensation is due to an employee who resigns or quits, the wages or compensation of the employee continues at the same rate from the day the employee resigned, quit, or was discharged until paid for 30-days, whichever is less."
- 39. NRS 608.050 grants an "employee lien" to each discharged or laid-off employee for the purpose of collecting the wages or compensation owed to them "in the sum agreed upon in the contract of employment for each day the employer is in default, until the employee is paid in full, without rendering any service therefore; but the employee shall cease to draw such wages or salary 30 days after such default."
- By failing to pay Waiting Time Penalty Class Members their minimum, regular, and overtime wages in violation of state and federal law, Defendant has failed to timely remit all wages due and owing to the Waiting Time Penalty Class Members.
- Despite demand, Defendant willfully refused and continues to refuse to pay 41. Waiting Time Penalty Class Members all the wages that were due and owing upon the termination of their employment.
- Wherefore, the Waiting Time Penalty Class Members demand thirty (30) 42. days of pay as waiting penalties under NRS 608.040 and 608.140, and thirty (30) days of pay as waiting penalties under NRS 608.050 and 608.140, together with attorneys' fees, costs, interest, and punitive damages, as provided by law.

## THIRD CAUSE OF ACTION (On Behalf of Plaintiffs and the Nevada Overtime Class)

- 43. Plaintiffs reallege and incorporate by this reference all the paragraphs above in this Complaint as though fully set forth herein.
- 44. As Defendant has failed to compensate Plaintiffs and members of the Overtime Class at the correct overtime wage rate for all the overtime hours that they

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worked pursuant to NRS 608.018, Defendant has wrongfully withheld wages properlyowed to the Plaintiffs and the Overtime Class Members.

- Plaintiffs and the Nevada Overtime Class will suffer irreparable injury if 45. Defendant is not enjoined from the future wrongful retention of wages owed.
- As a result of the aforementioned unlawful payment practices, Plaintiffs 46. submit that there has been a likelihood of success on the merits that Plaintiffs and the Class Members have been damaged, that there is irreparable harm, and Plaintiffs requests that this Honorable Court enter an Order that restrains Defendant from attempting to enforce the alleged unlawful payment practices.
- 47. Plaintiffs request that this Honorable Court enter a declaration of rights/obligations in regard to all such unlawful payment practices in this matter.
- Further, disputes and controversies have arisen between the parties relative to the lawfulness of the payment practices, and Plaintiffs are entitled to have an order entered pursuant to Chapter 30 of the Nevada Revised Statutes construing the payment practices and adjudging and declaring Plaintiffs and the Class Members' rights and remedies thereunder including such an Order stating that such payment practices are unlawful.
- Plaintiffs have been required to retain the services of an attorney and is 49. entitled to a reasonable award of attorneys' fees and costs.

### PRAYER FOR RELIEF

Wherefore Plaintiffs, by themselves and on behalf of all Class Members, prays for relief as follows relating to her class action allegations:

- 1. For an order certifying this action as a class action on behalf the proposed Classes and providing notice to all Class Members so they may participate in this lawsuit:
- 2. For an order appointing Plaintiffs as the Representative of the Classes and their counsel as Class Counsel;

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1	3.	For damages according to proof for overtime compensation under NRS
2		608.018 and 608.140 for all hours worked over 8 hours per day;
3	4.	For waiting time penalties pursuant to NRS 608.040050 and 608.140;
4	5.	For a lien on the property where Plaintiffs and all Nevada Class Members
5		labored pursuant to NRS 608.050;
6	6.	For interest as provided by law at the maximum legal rate;
7	7.	For injunctive relief;
8	8.	For declaratory relief;
9	9.	For punitive damages;
10	10.	For reasonable attorneys' fees authorized by statute;
11	11.	For costs of suit incurred herein;
12	12.	For pre-judgment and post-judgment interest, as provided by law; and,
13	13.	For such other and further relief as the Court may deem just and proper.
14	DATE	ED: November <u>  9                                  </u>
15		Respectfully Submitted,
16		GABROY LAW OFFICES
7		Ву:
18		Christian Gabroy, Nev. Bar No. 8805 christian@gabroy.com
9		Kaine Messer, Nev. Bar No. 14240 kmesser@gabroy.com
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170 S. Green Valley Pkwy Henderson, NV 89012

# **EXHIBIT I**

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Santurday         3:32 PM         9:56 PM         8.25         6.40         52.80         0.00         0.00         52.80         485.25           Sunday         8:00 AM         4:47 PM         8.25         8.00         66.00         0.78         9.66         75.66         1256.44           Tuesday         3:32 PM         12:23 AM         8.25         8.00         66.00         0.78         9.66         75.66         1256.44           Wednesday         5:04 PM         12:23 AM         8.25         7.40         61.05         0.00         0.00         61.05         1,111.38         2           Saturday         5:09 PM         12:26 AM         8.25         7.47         61.63         0.00         0.00         61.05         61.05         61.05         62.00         6.00         6.00         61.05         61.05         6.00         6.00         61.05         61.05         6.00 <th< td=""><td></td><td></td><td></td><td>01 PM</td><td>12:08 AM</td><td>8.25</td><td></td><td>7.12</td><td>58.74</td><td>0.00</td><td>00'0</td><td></td><td></td><td>58.74</td><td>303.37</td><td>36.00</td><td>15,751</td></th<>				01 PM	12:08 AM	8.25		7.12	58.74	0.00	00'0			58.74	303.37	36.00	15,751
Sunday         8:00 AM         4:47 PM         8:25         8:00         66:00         0.78         9:66         75:64         12:50           Tuesday         3:32 PM         12:23 AM         8:25         8:00         66:00         0.85         10:52         76:52         1,111:38         25:09           Wednesday         5:03 PM         12:23 AM         8:25         7:40         61:03         0.00         0.00         61:05         1,111:38         2           Sunday         5:03 PM         12:24 AM         8:25         7:47         61:03         0.00         0.00         61:05         26:25         1,111:38         2           Sunday         8:00 AM         8:25         7:47         61:03         0.00         0.00         60:06         60:06         60:00         60:				32 PM	9:56 PM	8.25		6,40	52.80	00'0	0.00			52.80	10.244	00.00	15.74%
Tuesday         3:32 PM         12:23 AM         8.25         8.00         66.00         0.85         10.52         76.52         1,111.38           Wednesday         5:04 PM         12:28 AM         8.25         7.40         61.05         0.00         0.00         61.05         76.52         1,111.38           Thursday         5:09 PM         12:28 AM         8.25         7.40         61.05         0.00         0.00         61.05         62.05           Sunday         5:09 PM         12:26 AM         8.25         7.28         60.06         0.00         0.00         61.05         7.80         62.20           Sunday         8:00 AM         4:01 PM         8.25         7.27         59.98         0.00         0.00         60.06         62.00         60.00			-	0 AM	4:47 PM	8.25		8.00	66.00	0.78	99.6			75.66	62,604	00.00	17.52%
Wednesday         5:04 PM         12:28 AM         8.25         7.40         61.05         0.00         0.00         61.05         562.99           Thursday         5:03 PM         12:31 AM         8.25         7.47         61.63         0.00         0.00         61.63         348.22           Saturday         5:09 PM         12:26 AM         8.25         7.47         61.63         0.00         0.00         61.63         348.22           Sunday         8:00 AM         4:01 PM         8.25         7.28         60.05         0.00         60.06         62.23         788.09           Wednesday         4:58 PM         12:14 AM         8.25         7.27         59.98         0.00         0.00         59.98         420.24           Saturday         8:06 AM         4:06 PM         8.25         7.27         59.98         0.00         0.00         65.99         59.18           Sunday         8:06 AM         4:06 PM         8.25         7.27         59.98         0.00         0.00         65.99         59.18           Thursday         8:06 AM         4:06 PM         8.25         7.27         59.98         0.00         0.00         66.00         65.00         0.00		9/19/2017 Tue		32 PM	12:23 AM	8.25		8.00	66.00	0.85	10.52			26.57	111130	00,500	14.34%
Thursday         \$133 PM         12:31 AM         8.25         7.47         61.63         0.00         0.00         61.63         348.22           Saturday         \$109 PM         12:26 AM         8.25         7.47         61.63         0.00         0.00         60.06         62.23.20           Sunday         \$100 AM         4:01 PM         8.25         8.00         66.00         0.00         60.00         60.00         60.05         66.25         788.09         11.224           Wednesday         4:58 PM         12:14 AM         8.25         7.27         59.98         0.00         0.00         66.25         788.09         420.24           Thursday         \$:16 PM         12:14 AM         8.25         7.27         59.98         0.00         0.00         66.00         59.98         420.24           Sunday         \$:10 AM         8.25         7.27         59.98         0.00         0.00         66.00         55.98         373.03           Thursday         \$:10 AM         4:18 PM         8.25         7.27         59.98         0.00         0.00         66.00         66.00         0.00         66.00         66.00         0.00         66.00         66.00         0.00		9/20/2017 Wedi	_	34 PM	12:28 AM	8.25		7.40	61.05	0.00	00.0			40.07	1,111,00 1,111,00	00.622	20.25%
Saturday         \$109 PM         12256 AM         8.25         7.28         60.06         0.00         0.00         60.06         223.20           Sunday         \$100 AM         4:01 PM         8.25         7.28         60.06         0.00         0.00         66.25         788.09         12.20           Wednesday         \$100 AM         4:01 PM         8.25         7.27         \$9.98         0.00         0.00         \$9.98         420.24           Thursday         \$100 AM         3:57 PM         8.25         7.95         65.59         0.00         0.00         59.98         420.24           Saturday         \$100 AM         \$157 PM         8.25         7.95         65.59         0.00         0.00         59.98         373.03           Thursday         \$100 AM         \$100 PM         8.25         7.27         59.88         0.00         0.00         66.00         54.39         75.39           Shurday         \$100 AM         \$100 AM <td></td> <td></td> <td></td> <td>13 PM</td> <td>12:31 AM</td> <td>8.25</td> <td></td> <td>7.47</td> <td>61.63</td> <td>0.00</td> <td>000</td> <td></td> <td></td> <td>CU,10</td> <td>262.99</td> <td>90.00</td> <td>15.99%</td>				13 PM	12:31 AM	8.25		7.47	61.63	0.00	000			CU,10	262.99	90.00	15.99%
Sunday         8:00 AM         4:01 PM         8.25         8:00 66.00         0.02         0.00 <td></td> <td></td> <td></td> <td>19 PM</td> <td>12:26 AM</td> <td>8,25</td> <td></td> <td>7.28</td> <td>90.09</td> <td>000</td> <td>000</td> <td></td> <td></td> <td>00.10</td> <td>348.77</td> <td>83.60</td> <td>24,41%</td>				19 PM	12:26 AM	8,25		7.28	90.09	000	000			00.10	348.77	83.60	24,41%
Wednesday         4:58 PM         12:14 AM         8.25         7.27         59.98         0.00         0.00         59.98         420.24           Thursday         8:00 AM         3:57 PM         8.25         7.27         59.98         0.00         0.00         59.98         420.24           Sunday         8:00 AM         3:57 PM         8.25         7.95         65.59         0.00         0.00         66.00         59.719         1           Thursday         8:00 AM         4:00 PM         8.25         7.27         59.98         0.00         0.00         66.00         597.19         1           Friday         3:30 PM         10:48 PM         8.25         7.27         59.98         0.00         0.00         59.98         373.03           Sunday         8:05 AM         4:18 PM         8.25         7.30         66.00         0.07         0.00         60.03         60.23         0.00         0.00         60.03         60.23         0.00         0.00         60.03         60.03         0.00         0.00         60.03         60.23         0.00         0.00         0.00         0.00         0.00         0.00         0.00         0.00         0.00         0.00				DAM	4:01 PM	8.25		00 %	66.00	3 6	50.0			60.06	223 20	40.00	17.92%
Thursday         5:16 PM         12:21 AM         8.25         7.08         58.41         0.00         0.00         59.98         420.24           Saturday         8:00 AM         3:57 PM         8.25         7.95         65.59         0.00         0.00         58.41         401.85           Sunday         8:00 AM         4:00 PM         8.25         7.95         65.59         0.00         0.00         56.29         597.19         1           Thursday         8:00 AM         4:50 PM         8.25         7.27         59.98         0.00         0.00         59.88         373.03           Friday         3:30 PM         10:48 PM         8.25         7.27         59.98         0.00         0.00         59.98         373.03           Sunday         8:05 AM         4:18 FM         8.25         8.00         66.00         0.22         2.72         66.87         1,060.14         2           Sunday         8:00 AM         4:04 PM         8.25         8.00         66.00         0.00         0.00         60.23         0.00         0.00         66.23         0.00         0.00         66.01         0.00         0.00         0.00         0.00         0.00         0.00		9/27/2017 Weds		M4 85	12:14 AM	36.8			20.00	400	(7)			66.25	788.09	190.00	24.11%
Saturday         8:00 AM         3:57 PM         8.25         7.95         65.59         0.00         0.00         66.00         65.59         597.19         1           Sunday         8:00 AM         4:00 PM         8.25         7.97         65.59         0.00         0.00         66.00         542.39           Thursday         8:00 AM         4:50 PM         12:12 AM         8.25         7.27         59.98         0.00         0.00         59.98         373.03           Friday         3:30 PM         4:18 PM         8.25         7.30         60.23         0.00         0.00         59.98         373.03           Sunday         8:05 AM         4:18 PM         8.25         8.00         66.00         0.07         0.87         66.87         1,060.14         2           Sunday         8:00 AM         4:18 PM         8.25         8.00         66.00         0.07         0.87         66.87         1,060.14         2           Thursday         5:07 PM         12:22 AM         8.25         7.32         60.39         0.00         0.00         60.39         59.81         346.36           Saturday         5:09 PM         4:13 PM         8.25         8.00         66.00<		9/28/2017 Thu		6 PM	12:21 AM	2,2		17''	27.70	9.0	0.00			59.98	420.24	40.00	9.52%
Sunday         8:00 AM         4:00 PM         8.25         597.19           Thursday         8:00 AM         4:00 PM         8.25         7.27         59.98         0.00         0.00         66.00         54.39           Thursday         8:00 AM         4:18 PM         8.25         7.27         59.98         0.00         0.00         66.00         54.39           Saturday         8:05 AM         4:18 PM         8.25         7.30         60.23         0.00         0.00         60.03         60.23         705.55         1           Sunday         8:05 AM         4:18 PM         8.25         8:00         66.00         0.02         2.72         68.72         599.69           Sunday         8:05 AM         8:25         7.25         59.81         0.00         0.00         59.81         1,060.14         2           Thursday         5:07 PM         12:22 AM         8.25         7.25         59.81         0.00         0.00         59.81         346.36           Saturday         8:00 AM         4:13 PM         8.25         7.32         60.39         0.00         0.00         60.39         59.81           Saturday         8:00 AM         4:13 PM         8.25<				0 A.M	3.57 PM	8 25		0 0	36.46	00.0	8			58.41	401.85	40.00	9.95%
Thursday         4:56 PM         12:12 AM         8.25         7.27         59.98         0.00         0.00         59.98         373.03           Friday         3:30 PM         10:48 PM         8.25         7.30         60.23         0.00         0.00         59.98         373.03           Saturday         8:05 AM         4:18 PM         8.25         8.00         66.00         0.22         2.72         68.72         599.69           Sunday         8:00 AM         4:04 PM         8.25         8.00         66.00         0.07         0.87         66.87         1,060.14         2           Wednesday         5:07 PM         12:22 AM         8.25         7.25         59.81         0.00         0.00         59.81         346.36           Thursday         5:09 PM         4:13 PM         8.25         7.32         60.39         0.00         0.00         60.39         59.81         346.36           Saturday         8:00 AM         4:13 PM         8.25         8.00         66.00         0.27         2.72         68.72         346.14				0 AM	4:00 PM	2 2 8		Ç. 6	65.39	00.0	9.00			65.59	597.19	140.00	23.44%
Friday         3:30 PM         10:48 PM         8.25         7.30         60.23         0.00         0.00         60.23         705.55         1           Saturday         8:05 AM         4:18 PM         8.25         8.00         66.00         0.22         2.72         68.72         599.69           Sunday         8:00 AM         4:04 PM         8.25         8.00         66.00         0.07         0.87         66.87         1,060.14         2           Wednesday         5:07 PM         12:22 AM         8.25         7.25         59.81         0.00         0.00         59.81         346.36           Thursday         5:09 PM         4:13 PM         8.25         7.32         60.39         0.00         60.09         60.39         548.82           Saturday         8:00 AM         4:13 PM         8.25         8.00         66.00         0.22         2.72         68.72         346.14				Me 9W	12:12 AM	27.5		5 t	99.00	0,00	0,00			96.00	542.39	75.14	13.85%
Saturday         8:05 AM         4:18 PM         8.25         7.30         60.23         0.00         0.00         60.23         705.55         1           Sunday         8:05 AM         4:18 PM         8.25         8.00         66.00         0.22         2.72         68.72         599.69           Sunday         8:00 AM         4:04 PM         8.25         8.00         66.00         0.07         0.87         66.87         1,060.14         2           Wednesday         5:07 PM         12:22 AM         8.25         7.25         59.81         0.00         0.00         59.81         346.36           Thursday         8:00 PM         4:13 PM         8.25         8.00         66.00         0.22         2.72         66.39         548.82           Saturday         8:00 AM         4:13 PM         8.25         8.00         66.00         0.22         2.72         68.72         346.14				Ard or	10.40 THE	7 6		17.1	59.98	0.00	0.00			86'65	373,03	40.00	10.72%
Sunday         8:00 AM         66:00         0.22         2.72         68:72         599:69           Sunday         8:00 AM         4:04 PM         8.25         8:00         66:00         0.07         0.87         66:87         1,060:14         2           Wednesday         5:07 PM         12:22 AM         8.25         7.25         59.81         0.00         0.00         59.81         346:36           Thursday         5:09 PM         12:28 AM         8.25         7.32         60.39         0.00         0.00         60.39         50.81           Saturday         8:00 AM         4:13 PM         8.25         8.00         66:00         0.22         2.72         58.72         346:14				24.4.2	10:40 FIN	C7.0		7.30	60.23	0.00	0.00			60.23	705.55	190,00	26.93%
Wednesday         5:00 AM         6:00         6:00         0:07         0:87         66:87         1,060.14         2           Wednesday         5:07 PM         12:22 AM         8.25         7.25         59:81         0:00         0:00         59:81         346:36           Thursday         5:09 PM         12:28 AM         8.25         7.32         60:39         0:00         0:00         60:39         548:82           Saturday         8:00 AM         4:13 PM         8.25         8:00         66:00         0:22         2.72         68:72         346:14					#17 0 F.M	7		8,00	66.00	0.22	2.72			68,72	599.69	90.00	15.01%
Thursday 5:09 PM 12:128 AM 8:25 7.25 59:81 0.00 0.00 5:09 PM 12:128 AM 8:25 7.32 60.39 0.00 0.00 6:00 6:03 548:82 58:82 58:00 AM 4:13 PM 8:25 8:00 6:00 0.22 2.72 68:72 346:14		mp-ow 7107/11/01			Wild File	6.25		8.00	00.99	0.07	0.87			66.87	1,060.14	200.00	18.87%
Saturday 8:00 AM 4:13 PM 8:25 7.32 60.39 0.00 0.00 66.39 548.82 8.00 6.00 0.22 2.72 68.72 346.14		10/12/2017 Thur		Mag	14:42 AM	C7'9		7.25	59.81	0.00	0.00			59.81	346.36	80,00	23,10%
S.00 66.00 0.22 2.72 68.72 346.14				Tata d	14148 AM	6.25		7.32	60.39	0.00	0.00			60.39	548.82	65.00	11.84%
#1.0F0				24.24.2	4:13 FM	8.25		8.00	90.99	0,22	2.72			68.72	346,14	50.00	14.45%

Regular         Hegular         Hegular           1         8.25         8.00         66.00           1         8.25         8.00         66.00           1         8.25         8.00         66.00           1         8.25         8.00         66.00           8.25         7.97         65.75           8.25         7.97         65.05           8.25         7.13         58.82           8.25         7.27         59.88           8.25         7.27         59.88           8.25         7.25         59.81           8.25         7.25         59.81           8.25         8.00         66.00           8.25         8.00         66.00           8.25         7.25         59.81           8.25         8.00         66.00           8.25         7.25         59.57           8.25         8.00         66.00           8.25         7.38         60.89           8.25         7.45         61.46           8.25         7.45         61.46           8.25         7.45         61.46           8.25         8.00         66.	Uages H 0.09 0.00 0.00 0.00 0.00 0.00 0.00 0.0	Wages M	Total         Sales           66.99         735.73           42.65         0.00           66.62         399.08           65.75         445.96           67.86         822.76           58.82         310.63           64.10         502.03           60.89         387.66           63.69         767.21           59.98         400.38           58.82         579.04	Declared Tips 160.00 0.00 0.00 0.00 0.00 0.00 0.00 0.	Tip % 21.75% 0.00% 17.54% 20.18% 18.23% 11.27% 11.61% 18.96% 0.00% 22.96%
Sunday         8:00 AM         4:05 PM         8.25         8.00         66.00           Wednesday         5:01 PM         12:59 AM         8.25         8.00         66.00           Saturday         4:56 PM         12:59 AM         8.25         8.00         66.00           Saturday         8:00 AM         4:09 PM         8.25         8.00         66.00           Wednesday         5:06 PM         12:14 AM         8.25         7.77         64.10           Sunday         8:00 AM         4:07 PM         8.25         7.77         64.10           Sunday         8:00 AM         4:07 PM         8.25         7.77         63.69           Wednesday         4:54 PM         12:14 AM         8.25         7.72         63.69           Wednesday         4:54 PM         12:14 AM         8.25         7.72         63.69           Wednesday         4:54 PM         12:14 AM         8.25         7.72         63.69           Sunday         8:00 AM         4:10 PM         8.25         7.25         59.81           Friday         3:30 PM         12:14 AM         8.25         7.25         59.81           Sunday         8:00 AM         4:27 PM         8.2	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0	n n n n n n n n n n n n n n n n n n n			100% 0.00% 17.54% 17.54% 18.23% 11.27% 14.94% 18.90% 0.00% 27.09%
Sunday         8:00 AM         4:05 PM         8:25         8:00 66:00         66:00           Wednesday         5:01 PM         10:11 PM         8:25         8:00         66:00         5:17         42.65           Saturday         8:00 AM         3:58 PM         8:25         8:00         66:00         66:00           Sunday         8:00 AM         4:09 PM         8:25         7:13         58:02         17:15         64:10         66:00           Wednesday         4:57 PM         12:14 AM         8:25         7:17         64:10         66:00 <th></th> <th>2</th> <th></th> <th></th> <th>21.75% 0.00% 17.54% 17.54% 18.23% 11.27% 14.94% 18.50% 0.00% 0.00% 27.09%</th>		2			21.75% 0.00% 17.54% 17.54% 18.23% 11.27% 14.94% 18.50% 0.00% 0.00% 27.09%
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Clock Out Rate   Break Type   Hours   Wages   Haris PM   8.25   8.00   66.00     4:15 PM   8.25   8.00   66.00     12:33 AM   8.25   7.13   58.82     12:33 AM   8.25   7.13   58.82     12:31 AM   8.25   7.13   59.65     12:20 AM   8.25   7.23   59.65     12:20 AM   8.25   7.23   59.65     12:21 AM   8.25   7.23   66.00     12:22 AM   8.25   7.30   66.00     12:21 AM   8.25   7.30   66.00     12:11 AM   8.25   7.30   66.00     12:11 AM   8.25   7.37   69.80     12:19 AM   8.25   7.37   64.10     12:29 AM   8.25   7.37   64.10     12:24 AM   8.25   7.37   64.10     12:24 AM   8.25   7.37   65.00     12:39 AM   8.25   7.37   65.00     12:39 AM   8.25   7.37   65.00     12:34 AM   8.25   7.37   65.00     12:35 AM   8.25   7.37   65.00     12:36 AM   8.25   7.37   65.00     12:37 AM   8.25   7.37   65.00     12:39 AM   8.25   7.37   7.37   65.00     12:39 AM   8.25   7.37   7.37   65.00     12:34 AM   8.25   7.37   7.37   65.00     12:35 AM   8.25   7.34   7.35   65.00     12:44 AM   8.25   7.34   7.35   65.00     12:54 AM   8.25   7.34   7.35   7.35   7.35     13:55 AM   8.25   7.35   7.35   7.35     14:54 AM   8.25   7.35   7.35   7.35     15:54 AM   8.2	Overtime         Premium Pay           ours         Wages         Hours         Wages           0.25         3.10         Agges         Hours         Wages           0.00         0.00         0.00         0.00         0.00           0.00         0.00         0.00         0.00         0.00           0.00         0.00         0.00         0.00         0.00           0.20         2.48         0.00         0.00         0.00	Total 69.10 40.26 63.36 53.82 70.70 59.65 62.70 64.19 68.48 60.64	Sales Tips 648.78 Tips 0.00 0.00 447.41 (65.00 705.74 185.00 178.69 50.00 471.84 65.00 726.51 115.00 967.79 360.00 223.45 30.00 322.35 40.00	11p % 33.14% 0.00% 16.88% 36.88% 26.21% 27.98% 13.78% 13.43% 12.41% 33.98%
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Site ID	Shift Date	Day	Clock in	Clock Out	Rate	Break Type	Regular Hours Wa	ıfar Waqes	Overtime Hours We	ime	Premium Pay	1 .	Total		)aclared	;
	1/21/2018	Sunday	8:00 AM	3:56 PM	8.25		1	65.42	0.00	0.00	- 1	- 1	ca Sm.	Salac	sd 3	% di
	1/24/2018	1/24/2018 Wednesday	5:02 PM	12:20 AM	8.25		7.30	60.23	0.00	0.00			74.00	194.10	90'591	17.67%
	1/25/2018 Thursday	Thursday	5:09 PM	12:22 AM	8.25		7.22	59.57	000	8 6			67.00	00.001	22.00	29.56%
	1/27/2018	Saturday	8:00 AM	4:03 PM	8,25		8.00	99	90.0	0000			75.27	236.52	35.00	14.80%
	1/28/2018	Sunday	8:00 AM	4:08 PM	8,25		8.00	66.00	0.13	191			79.00	649.93	115.00	17,69%
	1/31/2018		4:59 PM	12:47 AM	8.25		7.80	64,35	00.0	0.00			10.70	62.06/	300,00	39.67%
			5:02 PM	12:22 AM	8.25		7.33	60.47	0.00	0.00			60.47	725.06	00.57	13.02%
	2/3/2018	Saturday	8:00 AM	3:50 PM	8.25		7.83	64,60	0.00	0.00			64.60	440 80	125.00	8.83%
	2/4/2018	Sunday	8:00 AM	3:57 PM	8,25		7.95	62.59	0.00	0.00			65.59	264.67	25.00	%95.62
	8107//7	2///2018 Wednesday	4:57 PM	12:07 AM	8.25		7.17	59.15	0.00	0.00			59.15	368.87	65.00	17 636
	2/6/2018 Thursday	I hursday	5:03 PM	10:28 PM	8.25		5,42	44.72	0.00	00'0			44.72	900	35.00	0.707.
	2/10/201/2	Saturday	8:00 AM	3:24 PM	8.25		7.40	61.05	00'0	0.00			61.05	363.20	20.55	0,000
	2/11/2018	Sunday	8:00 AM	4:20 PM	8.25		8.00	66.00	0.33	4.09			70.09	485.55	114.00	06/7761
	2/14/2018 Wednesday	Wednesday	5:02 PM	12:27 AM	8.25		6.00	49.50	1,42	17.58			67.08	80 057	20.01	23.00%
			5:08 PM	12:57 AM	8,25		7.82	64.52	0.00	0.00			64 52	A101A	2000	0,70.0
	2/17/2018	Saturday	8:05 AM	3:34 PM	8.25		7.48	61.7	0.00	0.00			16.13	400.40	45.00	7.27%
	2718/2018	Sunday	8:00 AM	8:20 AM	8.25		0.33	2.72	00.00	0.00				94,464	00.021	24.02%
		//cdnesday	5:30 PM	12:39 A.M	8.25		7.15	58,99	00.00	00.0			58.99	\$57.60	0.00	0.00%
		Inursday	4:58 PM	12:13 AM	8.25		7.25	59.81	0.00	000			59.81	AC 001	200	2000
	8107/67/7	Saturday	4:55 PM	12:30 AM	8.25		7.60	62,70	0.00	0.00				706.60	00,00	14.92%
	2/25/2018	Sunday	7:59 AM	8:00 AM				<u>:</u>	3	ò			07.70	239.83	40,00	16.68%
	2/25/2018	Sunday	8:04 AM	4:17 PM	8.25		8.00	00'99	0.38	4.70			70.70	0,000	4	
The Thirty of Walder State Control			Bartender 11000 Totals	1000 Totals			830.71	6853.44	11 11	164.81	6			471.03	00.67	17.54%
filmployee: Dimuzio, Torva   100033852   11099   Kleeting 11099	nuzio, Tonya	1000538	52 11099	Meeting 1105	•							000	/UI&.25	55968.58 10780.64	780.64	19.26%
	2/14/2018 Wednesday	Vednesday	2:00 PM	4:00 PM	8.25		2.00	16.50								
CHARLES CONTROL SELECTION OF THE CONTROL OF THE CON	The second second second		Meeting 11	Meeting 11099 Totals			2.00	16.50	000	2 6	000	6	00.01	0,00	0.00	0.00%
Employee: Directio, Tonya. 100055832 11010 training New Products 11010	muzio, Tomya	1000538	52 11010	Training New	Produc	19,11,010				2000 A	90.5 C. C.	0.00 (0.000)	16.50	80'0	0.00	0.00%
	9/13/2017 Wednesday	Vednesday	9:00 AM	11:00 AM	8.25		2.00	16.50	900 000	600			16.60			
		raining Nev	Training New Products 11010 Totals	010 Totals			2.00	16.50	0.00	0.00	0.00	0,00	16,50	6.00 0.00	0 0 0 0	0.00%
V 15.4.912.0 - 287 - 2/27/2018 6,31 PM 8 Barrowed Stare	2018 6;31 PM					Copyrigit	Copyright © NCR Corporation 2017	ration 2017								
															7. of 2	294