

CASE NO: A-19-800823-C
Department 23

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Attorneys for Plaintiff

**EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA**

MONIQUE KENNEDY, on behalf of
herself and all others similarly situated,

Plaintiff,

vs.

PORT OF SUBS, INC.; DOES 1 through
50; inclusive,

Defendant(s).

Case No.:
Dept. No.:

CLASS ACTION COMPLAINT

**Arbitration Exemption Claimed: Class
Action**

- 1) Failure to Pay Overtime in Violation of NRS 608.018 and 608.140;
- 2) Failure to Timely Pay All Wages Due and Owing in Violation of NRS 608.020-050 and 608.140; and,
- 3) Injunctive Relief.

**LIEN REQUESTED PURSUANT TO
NRS 608.050**

JURY TRIAL DEMANDED

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1 COMES NOW Plaintiff Monique Kennedy, on behalf of herself and all others
2 similarly situated and alleges the following:

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

7 **JURISDICTION AND VENUE**

8 1. This Court has original jurisdiction over the state law claims alleged herein
9 because the amount in controversy exceeds \$15,000 and a party seeking to recover
10 unpaid wages has a private right of action pursuant to the Nevada Constitution, Article
11 15 Section 16, and Nevada Revised Statute ("NRS") sections 608.050 and 608.140. See
12 *Neville v. Eighth Judicial Dist. Court in & for County of Clark*, 406 P.3d 499, 502 (Nev.
13 2017).

14 2. Plaintiff also claims a private cause of action to foreclose a lien against the
15 property owner for wages due pursuant to NRS 608.050.

16 3. Plaintiff made a proper demand for wages due pursuant to NRS 608.140
17 on August 20, 2019.

18 4. Venue is proper in this Court because the Defendant named herein
19 maintains a principal place of business or otherwise is found in this judicial district and
20 many of the acts complained of herein occurred in Clark County, Nevada.

21 5. Plaintiff demands a jury trial on all issues triable by jury herein.

22 **PARTIES**

23 6. Plaintiff Monique Kennedy (hereinafter "Plaintiff" or "Kennedy") was at all
24 relevant times a resident of the State of Nevada and was employed by Defendant as a
25 non-exempt hourly employee from February of 2019 to the present.

26 7. Defendant Port of Subs, Inc. ("Defendant") is a domestic corporation
27 registered with the Nevada Secretary of State.

1 14. Plaintiff has frequently worked over 8 hours in any 24-hour workday.

2 15. On many occasions, Plaintiff has worked a shift until the late evening hours
3 and then returned early the next morning to work a day shift. The number of hours she
4 worked in a workday under Nevada law was over 8 hours in a 24-hour period of time.

5 16. For instance, during the workweek of July 22, 2019, Defendant scheduled
6 Plaintiff to work and Plaintiff did work over 8 hours in a 24-hour period of time. See a true
7 and correct copy of Plaintiff's schedule attached hereto as Exhibit I.

8 17. But despite having worked more than 8 hours in a 24-hour period of time,
9 Defendant failed to compensate Plaintiff at 1 ½ times her regular rate of pay for all the
10 overtime hours she worked. See a true and correct copy of Plaintiff's paystub attached
11 hereto as Exhibit II.

12 18. Upon information and belief, Defendant maintains a company-wide policy
13 and practice of refusing to pay daily overtime wages to Nevada employees who worked
14 over 8 hours in a workday.

15 19. This "no daily overtime" policy has always been common to all non-exempt
16 hourly paid employees at Defendant's locations in the state of Nevada.

17 **CLASS ACTION ALLEGATIONS**

18 20. Plaintiff realleges and incorporates by this reference all the paragraphs
19 above in this Complaint as though fully set forth herein.

20 21. Plaintiff brings this action on behalf of herself and all other similarly situated
21 employees as a class action under Rule 23 of the Nevada Rules of Civil Procedure.

22 22. The **Nevada Overtime Class** is defined as "All hourly paid non-exempt
23 persons employed by Defendant in the state of Nevada who earned less than 1 ½ times
24 the applicable minimum wage and who worked over eight (8) hours in a workday at any
25 time within 3 years from August 20, 2019 until judgment."

26 23. The **Waiting Time Penalty Class** is defined as "All Nevada Overtime
27 Class Members who are former employees of Defendant."
28

1 24. Class treatment is appropriate under Rule 23's class certification
2 mechanism because:

3 a. The Classes are Sufficiently Numerous: Upon information and belief,
4 Defendant employs, and has employed, in excess of 100 Nevada Overtime Class
5 Members within the applicable time period. Because Defendant is legally obligated to
6 keep accurate payroll records, Plaintiff alleges that Defendant's records will establish the
7 members of the Classes as well as their numerosity.

8 b. Plaintiff's Claim is Typical to Those of Fellow Class Members: Each
9 Class Member is and was subject to the same practices, plans, or policies as Plaintiff:
10 whether Defendant compensated Plaintiff and members of the Class daily overtime
11 wages when they worked over 8 hours in a workday and whether members of the
12 Waiting Time Penalty Class are entitled to waiting time penalties for the failure to pay
13 them minimum, regular, and overtime wages owed.

14 c. Common Questions of Law and Fact Exist: Common questions of
15 law and fact exist and predominate as to Plaintiff and the Class Members, including,
16 without limitation: whether Defendant failed to pay Plaintiff and the Class Members one
17 and one-half times their regular rate for all hours worked in excess of 8 hours a workday
18 and whether Defendant failed to pay the Waiting Time Penalty Class Members all their
19 wages due and owing in violation of NRS 608.020-050.

20 d. Plaintiff is Adequate Representative of the Class: Plaintiff will fairly
21 and adequately represent the interests of the Classes because Plaintiff is a member of
22 the Class, she has issues of law and fact in common with all members of the Classes,
23 and her interests are not antagonistic to Class members. Plaintiff and her counsel are
24 aware of their fiduciary responsibilities to Class Members and are determined to
25 discharge those duties diligently by vigorously seeking the maximum possible recovery
26 for Class Members.

27 e. Predominance/Superior Mechanism: Class claims predominate and
28 a class action is superior to other available means for the fair and efficient adjudication of

1 this controversy. Each Class Member has been damaged and is entitled to recovery by
2 reason of Defendant's illegal policy and/or practice of failing to compensate its
3 employees in accordance with Nevada wage and hour law. The prosecution of individual
4 remedies by each Class Member will tend to establish inconsistent standards of conduct
5 for Defendant and result in the impairment of Class Members' rights and the disposition
6 of their interest through actions to which they were not parties.

7 **FIRST CAUSE OF ACTION**
8 **Failure to Pay Overtime Wages in Violation of NRS 608.018 and 608.140**
9 **(On Behalf of Plaintiff and the Nevada Overtime Class)**

10 25. Plaintiff realleges and incorporates by this reference all the paragraphs
11 above in this Complaint as though fully set forth herein.

12 26. NRS 608.140 provides that an employee has a private right of action for
13 unpaid wages.

14 27. NRS 608.018(1) provides as follows:

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

24 28. NRS 608.018(2) provides as follows:

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

29. As described above, Defendant maintains a policy and/or practice of illegal
30 shift jamming (i.e., refusing to pay daily overtime when Plaintiff and members of the
31 Nevada Overtime Class worked over 8 hours in a workday). As a result, Plaintiff and
32 Nevada Overtime Class Members have been denied overtime compensation according
33 to Nevada law.

1 until the employee is paid in full, without rendering any service therefore; but the
2 employee shall cease to draw such wages or salary 30 days after such default.”

3 37. By failing to pay Waiting Time Penalty Class Members their minimum,
4 regular, and overtime wages in violation of state and federal law, Defendant has failed to
5 timely remit all wages due and owing to the Waiting Time Penalty Class Members.

6 38. Despite demand, Defendant willfully refused and continues to refuse to pay
7 Waiting Time Penalty Class Members all the wages that were due and owing upon the
8 termination of their employment.

9 39. Wherefore, the Waiting Time Penalty Class Members demand thirty (30)
10 days of pay as waiting penalties under NRS 608.040 and 608.140, and thirty (30) days of
11 pay as waiting penalties under NRS 608.050 and 608.140, together with attorneys’ fees,
12 costs, interest, and punitive damages, as provided by law.

13 **THIRD CAUSE OF ACTION**
14 **Injunctive/Declaratory Relief**
15 **(On Behalf of Plaintiff and the Nevada Overtime Class)**

16 40. Plaintiff realleges and incorporates by this reference all the paragraphs
17 above in this Complaint as though fully set forth herein.

18 41. As Defendant has failed to compensate Plaintiff and members of the
19 Overtime Class at the correct overtime wage rate for all the overtime hours that they
20 worked pursuant to NRS 608.018, Defendant has wrongfully withheld wages properly-
21 owed to the Plaintiff and the Overtime Class Members.

22 42. Plaintiff and the Nevada Overtime Class will suffer irreparable injury if
23 Defendant is not enjoined from the future wrongful retention of wages owed.

24 43. As a result of the aforementioned unlawful payment practices, Plaintiff
25 submits that there has been a likelihood of success on the merits that Plaintiff and the
26 Class Members have been damaged, that there is irreparable harm, and Plaintiff
27 requests that this Honorable Court enter an Order that restrains Defendant from
28 attempting to enforce the alleged unlawful payment practices.

1 44. Plaintiff requests that this Honorable Court enter a declaration of
2 rights/obligations in regards to all such unlawful payment practices in this matter.

3 45. Further, disputes and controversies have arisen between the parties
4 relative to the lawfulness of the payment practices, and Plaintiff is entitled to have an
5 order entered pursuant to Chapter 30 of the Nevada Revised Statutes construing the
6 payment practices and adjudging and declaring Plaintiff and the Class Members' rights
7 and remedies thereunder including such an Order stating that such payment practices
8 are unlawful.

9 46. Plaintiff has been required to retain the services of an attorney and is
10 entitled to a reasonable award of attorneys' fees and costs.

11 **PRAYER FOR RELIEF**

12 Wherefore Plaintiff, by herself and on behalf of all Class Members, prays for
13 relief as follows relating to her class action allegations:

- 14 1. For an order certifying this action as a class action on behalf the
15 proposed Classes and providing notice to all Class Members so they may
16 participate in this lawsuit;
- 17 2. For an order appointing Plaintiff as the Representative of the Classes and
18 her counsel as Class Counsel;
- 19 3. For damages according to proof for overtime compensation under NRS
20 608.018 and 608.140 for all hours worked over 8 hours per day;
- 21 4. For waiting time penalties pursuant to NRS 608.040-.050 and 608.140;
- 22 5. For a lien on the property where Plaintiff and all Nevada Class Members
23 labored pursuant to NRS 608.050;
- 24 6. For interest as provided by law at the maximum legal rate;
- 25 7. For injunctive relief;
- 26 8. For declaratory relief;
- 27 9. For punitive damages;
- 28 10. For reasonable attorneys' fees authorized by statute;

GABROY LAW OFFICES

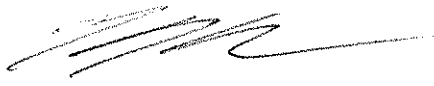
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- 11. For costs of suit incurred herein;
- 12. For pre-judgment and post-judgment interest, as provided by law; and,
- 13. For such other and further relief as the Court may deem just and proper.

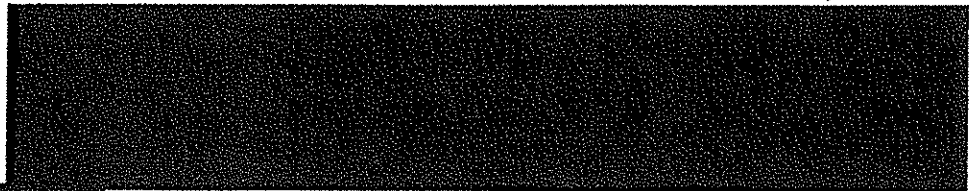
DATED: August 26, 2019

Respectfully Submitted,
GABROY LAW OFFICES

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EXHIBIT I



Shift Edit By	Start Time	End Time	Rate	Hours	Overtime	Tip	T-Tips	Job
03/22	7:00*	17:15	8.00	2.25	10.25	0.00	0.00	Manager
04/01	6:01	17:22	8.00	3.35	11.35	0.00	0.00	Manager
04/02	7:07	15:40*	8.00	0.55	8.55	0.00	0.00	Manager
04/03	7:00*	17:30*	8.00	2.50	10.50	0.00	0.00	Manager
04/04	7:00*	17:00*	8.00	2.00	10.00	0.00	0.00	Manager
04/05	7:00	18:02	8.00	3.03	11.03	0.00	0.00	Manager
04/08	5:51	16:14	8.00	2.38	10.38	0.00	0.00	Manager
04/09	6:55	16:50	8.00	1.92	9.92	0.00	0.00	Manager
04/10	11:39	21:04	8.00	1.42	9.42	0.00	0.00	Manager
04/11	6:57	16:45*	8.00	1.80	9.80	0.00	0.00	Manager
04/12	7:00	17:48	8.00	2.80	10.80	0.00	0.00	Manager
04/15	5:42	15:33	17:12	8.00	2.02	10.02	0.00	Manager
04/16	7:16	20:01	8.00	4.75	12.75	0.00	0.00	Manager
04/17	7:05	17:21	8.00	2.27	10.27	0.00	0.00	Manager
04/22	6:00	18:04	8.00	4.07	12.07	0.00	0.00	Manager
04/23	11:24	21:07	8.00	1.72	9.72	0.00	0.00	Manager
04/24	6:56	17:14	8.00	2.30	10.30	0.00	0.00	Manager
04/27	3:55	11:03	7.13	0.00	7.13	0.00	0.00	Manager
04/28	2:42	9:12	6.50	0.00	6.50	0.00	0.00	Manager
04/29	5:50	16:26	8.00	2.60	10.60	0.00	0.00	Manager
04/30	7:00	16:51	8.00	1.85	9.85	0.00	0.00	Manager
05/01	4:59	14:11	8.00	1.20	9.20	0.00	0.00	Manager
05/02	7:01	17:02	8.00	2.02	10.02	0.00	0.00	Manager
05/03	7:01	16:30	8.00	1.48	9.48	0.00	0.00	Manager
05/06	6:01	16:40	8.00	2.85	10.85	0.00	0.00	Manager
05/07	16:41	16:41	0.00	0.00	0.00	0.00	0.00	Manager
05/08	7:05	16:51	8.00	1.77	9.77	0.00	0.00	Manager
05/09	7:24	17:25	8.00	2.02	10.02	0.00	0.00	Manager
05/10	7:16	17:13	8.00	1.85	9.85	0.00	0.00	Manager
05/13	6:14	17:17	8.00	3.05	11.05	0.00	0.00	Manager
05/14	7:01	16:00*	8.00	0.98	8.98	0.00	0.00	Manager

Department Name	Regular Hours	Over Time
Manager	666.96	168.55
Total Hours	666.96	168.55

Sign: _____ I here by acknowledge that this is a true and complete record of my time.

Summary	Gross Pay 0.32	Tip Sales 0.00	% Sales 0.00
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Name	Work Date	Time	Break Out	Break In	Out	Reg	Day OT	Total Hours	Tip Sales	T-Tips	Job
	07/10	11:00*			13:00	2.00	0.00	2.00	0.00	0.00	Team Member
	07/12	10:00			14:05	4.08	0.00	4.08	0.00	0.00	Team Member
	07/16	10:07			14:02	3.92	0.00	3.92	0.00	4.00	Team Member
	07/18	12:07			13:50	1.72	0.00	1.72	0.00	5.00	Team Member
	07/22	10:58			13:51	2.88	0.00	2.88	0.00	4.00	Team Member
	07/25	10:33			14:01	3.47	0.00	3.47	0.00	14.00	Team Member
	07/26	10:57			13:57	3.00	0.00	3.00	0.00	8.00	Team Member

Department Name	Regular Hours	Over Time
Team Member	21.07	0.00
Total Hours	21.07	0.00

Sign: _____ I here by acknowledge that this is a true and complete record of my time.

Summary	Gross Pay 189.63	Tip Sales 0.00	% Sales 0.00
Summary Tips	Declared 35.00	Gratuity Charged 0.00	cc Tips 0.00
		Tips Paid 0.00	Net Total Tips 35.00

Name	Work Date	Time	Break Out	Break In	Out	Reg	Day OT	Total Hours	Tip Sales	T-Tips	Job
Monique Kennedy											



05/21	13:56			21:44	7.80	0.00	7.80	0.00	12.00	Asst Manager
05/22	13:55			21:14	7.32	0.00	7.32	0.00	10.00	Asst Manager
05/24	11:52	15:43	16:08	20:52	8.00	0.78	8.78	0.00	15.00	Asst Manager
05/25	10:40			19:20	8.00	0.67	8.67	0.00	0.00	Asst Manager
Shift Edit By [REDACTED]										
05/26	9:58			17:09	7.18	0.00	7.18	0.00	7.00	Asst Manager
05/27	8:15			15:06	6.85	0.00	6.85	0.00	5.00	Asst Manager
05/28	6:57	13:47	14:07	15:01	7.90	0.00	7.90	0.00	10.00	Asst Manager
05/29	6:55	11:04	11:34*	15:35	8.00	0.33	8.33	0.00	48.00	Asst Manager
Shift Edit By [REDACTED]										
05/30	6:57	11:21	11:39	15:10	8.00	0.08	8.08	0.00	6.00	Asst Manager
06/02	10:52			16:24	5.53	0.00	5.53	0.00	21.00	Asst Manager
06/03	13:55	17:07	17:32	20:38	6.47	0.00	6.47	0.00	12.00	Asst Manager
06/04	13:58	16:20	16:54	20:52	6.50	0.00	6.50	0.00	7.00	Asst Manager
06/05	15:08	17:41	18:02	20:39	5.33	0.00	5.33	0.00	7.00	Asst Manager
06/08	8:36	13:05	13:14	18:49	8.00	2.22	10.22	0.00	11.00	Asst Manager
06/09	9:41			17:48	8.00	0.12	8.12	0.00	10.00	Asst Manager
06/10	13:58	17:34	17:42	20:19	6.35	0.00	6.35	0.00	5.00	Asst Manager
06/11	14:00*	16:50	17:05	21:14	7.15	0.00	7.15	0.00	5.00	Asst Manager
Shift Edit By [REDACTED]										
06/12	14:00*			21:10	7.17	0.00	7.17	0.00	5.00	Asst Manager
Shift Edit By [REDACTED]										
06/14	0:00*	0:00	0:00	0:00	0.00	0.00	0.00	0.00	0.00	Asst Manager
Shift Edit By [REDACTED]										
06/14	12:54			14:00*	1.10	0.00	1.10	0.00	10.00	Asst Manager
Shift Edit By [REDACTED]										
06/14	14:30*			20:30*	6.00	0.00	6.00	0.00	0.00	Asst Manager
Shift Edit By [REDACTED]										
06/15	0:00	0:00	0:00	0:00	0.00	0.00	0.00	0.00	0.00	Asst Manager
Shift Edit By [REDACTED]										
06/15	9:00*			13:30*	4.50	0.00	4.50	0.00	0.00	Asst Manager
Shift Edit By [REDACTED]										
06/15	14:00*			18:30*	3.50	1.00	4.50	0.00	0.00	Asst Manager
Shift Edit By [REDACTED]										
06/16	10:00*			17:05	7.08	0.00	7.08	0.00	2.00	Asst Manager
Shift Edit By [REDACTED]										
06/17	14:06			17:00*	2.90	0.00	2.90	0.00	12.00	Asst Manager
Shift Edit By [REDACTED]										
06/17	17:30*			20:30*	3.00	0.00	3.00	0.00	0.00	Asst Manager
Shift Edit By [REDACTED]										
06/18	14:00*	17:00	17:10*	21:00*	7.00	0.00	7.00	0.00	12.00	Asst Manager
Shift Edit By [REDACTED]										
06/20	15:04			21:42	6.63	0.00	6.63	0.00	5.00	Asst Manager
06/21	15:13			21:39	6.43	0.00	6.43	0.00	4.00	Asst Manager
06/22	8:56	14:40	14:40	14:40	5.73	0.00	5.73	0.00	2.00	Asst Manager
06/22	15:30*			19:54	2.27	2.13	4.40	0.00	8.00	Asst Manager
Shift Edit By [REDACTED]										
06/23	9:55			14:00*	4.08	0.00	4.08	0.00	10.00	Asst Manager
Shift Edit By [REDACTED]										
06/23	15:00*			18:30*	3.50	0.00	3.50	0.00	0.00	Asst Manager
Shift Edit By [REDACTED]										
06/24	12:00			14:09	2.15	0.00	2.15	0.00	0.00	Asst Manager
06/24	14:41			21:24	5.85	0.87	6.72	0.00	5.00	Asst Manager
06/25	16:03			22:00	5.95	0.00	5.95	0.00	5.00	Asst Manager
06/29	9:23			13:01	3.63	0.00	3.63	0.00	0.00	Asst Manager
06/29	13:46			15:15	1.48	0.00	1.48	0.00	0.00	Asst Manager
06/29	15:43			18:58	2.89	0.38	3.25	0.00	14.00	Asst Manager
06/30	10:00			17:33	7.55	0.00	7.55	0.00	10.00	Asst Manager
07/03	14:59			20:55	5.93	0.00	5.93	0.00	5.00	Asst Manager
07/04	10:25			17:02	6.62	0.00	6.62	0.00	8.00	Asst Manager
07/05	17:02			20:38	3.60	0.00	3.60	0.00	4.00	Asst Manager
07/06	8:58			13:25	4.45	0.00	4.45	0.00	0.00	Asst Manager
07/06	16:59			18:51	1.87	0.00	1.87	0.00	6.00	Asst Manager
07/07	9:53			17:29	7.60	0.00	7.60	0.00	12.00	Asst Manager
07/08	14:51			21:01	6.17	0.00	6.17	0.00	0.00	Asst Manager
07/11	14:31			18:58	4.45	0.00	4.45	0.00	0.00	Asst Manager
07/11	19:30			20:33	1.05	0.00	1.05	0.00	6.00	Asst Manager

07/12	11:46			20:54	8.00	1.13	9.13	0.00	10.00	Asst Manager
07/13	9:57			15:08	5.20	0.00	5.20	0.00	3.00	Asst Manager
07/13	16:00			18:37	2.62	0.00	2.62	0.00	2.00	Asst Manager
07/14	10:33			17:08	6.58	0.00	6.58	0.00	10.00	Asst Manager
07/17	15:05			21:05	6.00	0.00	6.00	0.00	9.00	Asst Manager
07/18	14:12	17:00	17:09	21:15	7.05	0.00	7.05	0.00	5.00	Asst Manager
07/19	13:32			20:57	7.42	0.00	7.42	0.00	10.00	Asst Manager
07/20	9:03			13:33	4.50	0.00	4.50	0.00	0.00	Asst Manager
07/20	14:30*			19:04	3.50	1.07	4.57	0.00	9.00	Asst Manager
Shift Edit By [REDACTED]										
07/21	9:45			17:30*	7.75	0.00	7.75	0.00	10.00	Asst Manager
Shift Edit By [REDACTED]										
07/22	14:05			20:35	6.50	0.00	6.50	0.00	8.00	Asst Manager
07/23	6:59			11:02	4.05	0.00	4.05	0.00	0.00	Asst Manager
07/23	11:16			11:17	0.02	0.00	0.02	0.00	0.00	Asst Manager
07/23	11:54			14:14	2.33	0.00	2.33	0.00	8.00	Asst Manager
07/26	14:08	18:41	18:49	21:07	7.02	0.00	7.02	0.00	9.00	Asst Manager
07/27	12:15	14:49	15:24	18:35	5.82	0.00	5.82	0.00	15.00	Asst Manager
07/28	10:03			17:19	7.27	0.00	7.27	0.00	9.00	Asst Manager
07/29	16:46			20:40	4.90	0.00	4.90	0.00	9.00	Asst Manager
07/30	7:00	9:47	9:47	9:47	2.78	0.00	2.78	0.00	0.00	Asst Manager
07/30	10:21			14:08	3.75	0.00	3.75	0.00	8.00	Asst Manager
08/02	14:58			21:00*	6.03	0.00	6.03	0.00	5.00	Asst Manager
Shift Edit By [REDACTED]										
08/03	11:00*			13:00	2.00	0.00	2.00	0.00	15.00	Asst Manager
Shift Edit By [REDACTED]										
08/03	13:30*			19:00	5.50	0.00	5.50	0.00	0.00	Asst Manager
Shift Edit By [REDACTED]										
08/04	9:58			17:31	7.58	0.00	7.58	0.00	9.00	Asst Manager

Department Name	Regular Hours	Over Time
Asst Manager	384.39	15.15
Total Hours	384.39	15.15

Sign: _____ I here by acknowledge that this is a true and complete record of my time.

Summary :	Gross Pay 4478.27	Tip Sales 0.00	% Sales 0.00
Summary Tips	Declared 499.00	Gratuity Charged 0.00	cc Tips 0.00
			Tips Paid 0.00
			Net Total Tips 499.00

Name	Work Date	Time	Break Out	SSN EMP Not Found	Break In	Out	Reg	Day OT	Total Hours	Tip Sales	T-Tips	Job
	12/31	9:02			16:39	7.62	0.00	0.00	7.62	0.00	12.00	Asst Manager
	01/01	12:03			19:25	7.37	0.00	0.00	7.37	0.00	8.00	Asst Manager
	01/02	14:59			20:25	5.43	0.00	0.00	5.43	0.00	4.00	Asst Manager
	01/03	15:01	20:25	20:25	20:25	5.40	0.00	0.00	5.40	0.00	5.00	Asst Manager
	01/05	11:07			18:02	6.92	0.00	0.00	6.92	0.00	7.00	Asst Manager
	01/06	12:02			18:24	4.37	0.00	0.00	4.37	0.00	8.00	Asst Manager
	01/07	15:05			20:18	5.22	0.00	0.00	5.22	0.00	10.00	Asst Manager
	01/09	15:00			20:27	5.45	0.00	0.00	5.45	0.00	0.00	Asst Manager
	01/12	16:08			18:18	8.00	0.22	0.00	8.22	0.00	15.00	Asst Manager
	01/13	10:58			16:15	5.28	0.00	0.00	5.28	0.00	12.00	Asst Manager
	01/14	11:22			14:31	3.15	0.00	0.00	3.15	0.00	15.00	Asst Manager
	01/16	11:49			14:58	3.15	0.00	0.00	3.15	0.00	7.00	Asst Manager
	01/19	0:00*			0:00*	0.00	0.00	0.00	0.00	0.00	0.00	Asst Manager
Shift Edit By [REDACTED]												
	01/19	11:00*			18:31*	7.52	0.00	0.00	7.52	0.00	0.00	Asst Manager
Shift Edit By [REDACTED]												
	01/20	12:00			16:45	4.75	0.00	0.00	4.75	0.00	11.00	Asst Manager
	01/21	9:06			15:52	6.77	0.00	0.00	6.77	0.00	29.00	Asst Manager
	01/22	10:02			14:52	4.83	0.00	0.00	4.83	0.00	17.00	Asst Manager
	01/23	9:59			15:06	5.12	0.00	0.00	5.12	0.00	19.00	Asst Manager
	01/24	11:08			15:26	4.30	0.00	0.00	4.30	0.00	15.00	Asst Manager
	01/25	11:00			14:13	3.22	0.00	0.00	3.22	0.00	8.00	Asst Manager
	01/26	11:01			18:59	7.97	0.00	0.00	7.97	0.00	13.75	Asst Manager
	01/27	12:03			16:53	4.83	0.00	0.00	4.83	0.00	17.00	Asst Manager
	01/28	11:00			15:09	4.15	0.00	0.00	4.15	0.00	20.00	Asst Manager
	01/29	11:00			15:03	4.05	0.00	0.00	4.05	0.00	8.00	Asst Manager
	01/30	11:00			14:38	3.63	0.00	0.00	3.63	0.00	10.00	Asst Manager

EXHIBIT II

Earnings Statement



003544
 CO: FILE DEPT. CLOCK NUMBER 075
 960 104045 BA2176 2176 0090198992 1

PCRT OF SUBS, INC.
 5985 MAE ANNE AVE #A-29
 RENO, NV 89523
 (775) 747-0555

Period Beginning: 07/15/2019
 Period Ending: 07/28/2019
 Pay Date: 08/02/2019

MONIQUE KENNEDY

Taxable Marital Status: Single
 Exemptions/Allowances:
 Federal: 3
 NV: No State Income Tax

Earnings	rate	hours	this period	year to date
Reg	11.0000	69.33	762.63	3,870.35
O/T	16.5000	1.07	17.66	249.99
Tips			92.00	453.00
Gross Pay			\$872.29	4,573.34

Deductions	Statutory		
Federal Income Tax		24.16	141.95
Social Security Tax		-54.08	283.85
Medicare Tax		-12.64	66.31
Other			
Tips		-52.00	453.00
Net Pay		\$689.41	
Net Check		\$689.41	

Your federal taxable wages this period are \$872.29