

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Northern Division)**

ESTHER NJOROGÉ et al.	*	
Plaintiffs,	*	
	*	
v.	*	Case No.: <u>22-cv-425-BAH</u>
	*	
PRIMACARE PARTNERS LLC et al.	*	
Defendants.	*	
* * * * *	*	* * *

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

If you worked for Visiting Angels – Baltimore East, whose legal name is Primacare Partners LLC, as a caregiver at any time from February 22, 2019 to the present, you may be entitled to unpaid overtime and/or minimum wages.

This is a Court authorized notice. This is not a solicitation from a lawyer.

- ☞ Four former employees (“the Plaintiffs”) of Primacare Partners LLC, d/b/a Visiting Angels Baltimore East, have brought a lawsuit, *Njoroge, et al. v. Primacare Partners et al.*, Civil Action No. 22-cv-425-BAH, against that Company and its owner, Gina Negri (hereinafter called “the Defendants”). They claim they are owed overtime wages and that they were not paid the required minimum wage, under the Fair Labor Standards Act (“the Law”).

- ☞ Overtime - The lawsuit alleges that both live-in and dayshift caregivers were required to work in excess of 40 hours per week, but were not paid overtime wages when working more than 40 hours in a workweek. The lawsuit further asserts that 24-hour shift caregivers were unable to sleep five full, consecutive, uninterrupted hours per night, because they had to care for clients during the night, and Defendants did not count those hours as hours worked.

- ☞ Minimum wage - The lawsuit alleges that 24-hour caregivers, were paid a flat day rate for all hours worked, ranging from about \$140 to \$150 per day, and that multiple consecutive shifts were worked in workweek. The lawsuit claims that the total wages paid to these caregivers fell below the required minimum wage due to the extent of the actual hours worked.

- ☞ The U.S. District Court for the District of Maryland (the “Court”) has entered an order allowing this case to proceed as a “collective” action. You are receiving this notice because you may join this case.

- ☞ The lawsuit seeks double damages to the extent allowed by Law.

- ☞ You can be a current or former employee to participate in this case.

- ☞ The Law prohibits the Defendants or any other individual acting on their behalf, from discharging you or taking any other retaliatory actions against you because you have exercised your legal right to join this lawsuit or because you have otherwise exercised your rights under the Law. Your right to be free of retaliation does not require that you be currently employed by the Defendants.

- ☞ The Defendants deny all of the claims and deny all liability for unpaid overtime compensation, and the Court has not decided whether the Defendants have done anything wrong.

YOUR OPTIONS

Join Case	Do not Join Case
<p>Join this Case. Complete and return an Opt-In Consent Form on or before February 13, 2023.</p> <p>By doing this, you gain the possibility of getting money that may result from this court case, but you give up your right to separately sue the Defendants for the legal claims brought in this lawsuit.</p>	<p>Do nothing. By doing nothing, you retain your legal rights to bring a separate suit against the Defendants, for unlawful wage/hour violations. However, if money is awarded in this case, you will be barred from participating in that recovery.</p>

- ☞ If you choose to join this lawsuit, you agree to be represented by the named Plaintiffs through their attorneys: Stephen B. Lebau and Devan M. Wang, of Lebau & Neuworth, LLC.

- ☞ To ask to be included in this lawsuit, you must return the attached opt-in consent form on or before February 13, 2023 to: **Njoroge, et al. v. Primacare Partners, et al.** c/o ILYM Group, Inc. P.O. Box 2031, Tustin, CA, 92781. An addressed postage paid envelope is enclosed with this Notice.

- ☞ The Law provides that a prevailing employee may recover his/her attorneys' fees. You will not be asked to pay any costs or attorneys' fees. A letter of representation exists, and you may ask for a copy in advance of joining the case. Any questions? Contact Devan M. Wang, Esq. at 443-273-1207, or email at dw@joblaws.net.

- ☞ You may also consult with an attorney of your own choosing in deciding whether or not to opt into this lawsuit. If you wish to be represented by other counsel, you will be responsible for agreeing on an attorney fee arrangement with that counsel.

- ☞ This Notice has been authorized by the United States District Court for the District of Maryland, The Honorable Brendan A. Hurson, United States District Court Magistrate Judge.

- ☞ The Court takes no position regarding the merits of the Plaintiffs' claims, any claims that you may assert, or Defendants' defenses. Please do **not** telephone the Court regarding this Notice.