

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION

JONATHAN LOVE, SHERI MCWILLIAMS,  
TRACY KEEN, JEREMY POPE, and ROBIN LOVE,  
All Individually and on Behalf of  
Others Similarly Situated

PLAINTIFFS

v.

No. 5:13-cv-292-DPM

RETZER RESOURCES, INC.; THE RETZER  
GROUP, INC.; MICHAEL L. RETZER,  
Individually and in His Capacity as an Owner, Officer,  
and Manager of Retzer Resources, Inc. and the  
Retzer Group, Inc.; and RETZER, LLC

DEFENDANTS

ORDER

The Court appreciates the parties' jointly proposed draft notice. The Court approves it with the tweaks noted on the attached draft.

So Ordered.

*D.P. Marshall Jr.*  
D.P. Marshall Jr.  
United States District Judge

*26 November 2014*

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION

JONATHAN LOVE et al.,  
INDIVIDUALLY & ON BEHALF  
OF OTHERS SIMILARLY SITUATED

PLAINTIFFS

v.

Case No. 5:13CV0292-DPM

RETZER L.L.C., RETZER RESOURCES, INC.,  
THE RETZER GROUP, INC. AND  
MICHAEL L. RETZER INDIVIDUALLY, AND IN  
HIS CAPACITY AS AN OWNER, OFFICER AND  
MANAGER OF RETZER RESOURCES INC.,  
THE RETZER GROUP, INC., AND RETZER LLC.

DEFENDANTS

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NOTICE

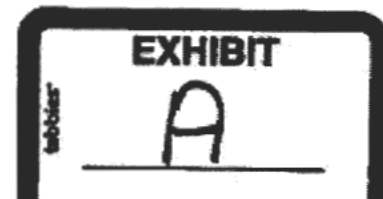
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FROM: John T. Holleman  
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&

Lloyd "Tre" Kitchens  
The Brad Hendricks Law Firm  
500 C Pleasant Valley Drive  
Little Rock, AR 72227  
Attorneys for Plaintiffs

TO: Present and former Employees of the following McDonald's Restaurants owned or operated by Retzer, L.L.C., Retzer Resources, Inc., The Retzer Group, Inc., or Michael L. Retzer: East Broadway (NLR); Camp Robinson(NLR); South Broadway(LR); Sheridan; Stuttgart; Brinkley; Camden Road (PB); White Hall; Harding Street (PB); WalMart (PB); Dumas; Olive Street (PB); Blake Street (PB); Monticello; and West Helena



RE: Fair Labor Standards Act lawsuit against Retzer, L.L.C., Retzer Resources, Inc., The Retzer Group, Inc., and Michael L. Retzer.

(1) INTRODUCTION: The purpose of this notice is to inform you of a pending collective action lawsuit in which you may be a member as a Plaintiff, to advise you of how your rights may be affected by this suit, and to instruct you on the procedure for participating in this suit.

(2) DESCRIPTION OF THE LAWSUIT: Plaintiffs in this case are current and former employees of specific Retzer-owned McDonald's restaurants listed above. Plaintiffs filed a lawsuit to recover for minimum wage and overtime payments that they allege are owed by the Defendants. Plaintiffs allege Defendants deleted hours from payroll, forced them to work before they clocked in, and after they clocked out. Plaintiffs also allege Defendants deducted thirty minutes per day from their recorded work time for meal breaks, even when Plaintiffs were required to work through lunch. Plaintiffs also allege that they attended unpaid training.

Defendants deny Plaintiffs' claims and allegations. Defendants assert that they complied with the law, and properly compensated all of ~~its~~ employees for all time worked. ✓

The Court has not ruled on or decided any of these issues, including the merits of the claims or defenses.

(3) COMPOSITION OF THE CLASS: Plaintiffs seek to sue on behalf of themselves and on behalf of other Present and Former hourly employees of the specifically listed Retzer owned McDonald's restaurants who were employed at any time during the three years before the date of mailing of the notice, to the present.

(4) YOUR RIGHT TO PARTICIPATE IN THIS SUIT: If you fit the definition above, you may join this suit (that is, you may opt-in) provided that you file or cause to be filed the attached Consent to Join Collective Action.

Additional Consent to Join forms and information regarding the specific filing requirements are available from Plaintiffs' attorneys, John T. Holleman, Holleman & Associates, P.A., 1008 West Second Street, Little Rock, Arkansas 72201, (501) 975-5040 or Toll Free at: (855) 825-5916, [jholleman@johnholleman.net](mailto:jholleman@johnholleman.net).

(5) EFFECT OF JOINING THIS SUIT: If you choose to join this suit, you will be bound by the judgment whether it is favorable or unfavorable. While the suit is proceeding you may be required to provide information, sit for depositions, and testify in court. You will not be required to pay attorneys' fees directly. The Plaintiffs'

attorneys will receive a part of any money judgment or settlement entered in favor of the class.

It is important to understand that you are not entitled to recovery just because you were employed by any of these Retzer-owned McDonald's within the last 3 years. The court will make a final decision about whether you are entitled to recover, and the time period, if any, for which you are entitled to recover. The court has not made those decisions as of yet.

(6) EFFECT OF NOT JOINING THIS SUIT: If you choose not to join this suit, you will not be affected by the judgment, favorable or unfavorable. If you choose not to join this suit, you are free to file your own lawsuit. If you do not join this suit, however, its filing will not stop the running of the statute of limitations (deadlines) applicable to any claims you may have against Retzer LLC, Retzer Resources, Inc., The Retzer Group, Inc., or Michael L. Retzer, within the scope of the suit. If those deadlines expire before you file your own lawsuit, you may lose your rights. The statute of limitations continues to run against you until the date you file a written consent with the court to opt-in to the suit. Accordingly, if you desire to file your own lawsuit, you should contact an attorney to preserve whatever rights you may have.

(7) CLASS COUNSEL: If you choose to join this suit, the named Plaintiffs through their attorneys will represent your interests. The Plaintiffs' attorneys and the attorneys for the class are:

John T. Holleman	Lloyd "Tre" Kitchens
Holleman & Associates, P.A.	The Brad Hendricks Law
1008 W. 2nd St	Firm
Little Rock, AR 72201	500 C Pleasant Valley Drive
Telephone: (501) 975-5040	Little Rock, AR 72227
Toll Free: (855) 825-5916	Telephone: (501) 221-0444
Facsimile: (501) 975-5043	
jholleman@johnholleman.net	

You also have a right to hire your own attorney and pursue your potential cause of action individually. If you sign the Consent to Join, you agree that the above named attorneys for the class will represent you in this case.

(8) FURTHER INFORMATION: You can obtain further information about this suit, your rights to join in this action, information about filing a Consent to Join, and additional Consent to Join forms can be obtained by contacting John Holleman at (501) 975-5040 (toll free: 855-825-5916).

(9) RETALIATION PROHIBITED: The law prohibits anyone from discriminating or retaliating against you for taking part in this case. If you believe you have been discriminated or retaliated against in any way as a result of your receipt of this notice or election to participate in this lawsuit, you should contact the Clerk of the Court, or your attorney immediately.

THE COURT HAS MADE NO DECISION REGARDING  
THE MERITS OF THE CLAIMS OR DEFENSES.