

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

United States District Court
Southern District of Texas

ENTERED

January 23, 2017
David J. Bradley, Clerk

Hilario David Chacaj,
Individually and on Behalf of
All Others Similarly Situated

Plaintiff,

versus

Doneraki Gulfgate, Inc., et al,

Defendants.

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Civil Action No. 4:16-cv-00380

Interlocutory Opinion on Summary Judgment

I. *Introduction.*

A worker sues his former employer, saying that he was not paid for hours worked. He will prevail.

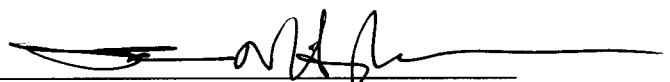
2. *Background.*

Hilario David Chacaj is a former dish-washer and kitchen helper. He was employed from February 2, 2012, to March 2, 2015, by Doneraki Gulfgate, Inc. controlled by Cesar Rodriguez and Magdalena Rodriguez through a collection of corporations that do business as Doneraki's Mexican Restaurant. Chacaj says that Doneraki did not pay him for all hours he worked, under-paying for his overtime, and not keeping accurate records of the hours worked.

3. *Conclusion*

Doneraki did not respond to Chacaj's motion for summary judgment. Doneraki's non-response means no genuine issue of material fact remains disputed. Chacaj's summary judgment is granted. Doneraki is obliged to pay Chacaj's owed wages. A hearing will be held to calculate damages.

Signed on January 23, 2017, at Houston, Texas.



Lynn N. Hughes
United States District Judge