

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

DARRYL E. AYERS, WILLIAM J. BEARDEN, §
FELIPE BELMAREZ, II, JEFFREY E. BICKEL, §
GREGG D. BISSO, ROSENDO J. BRIONES, §
TROY CASTILLE, BILLY E. CORLEY, §
RICHARD M. CORRALES, RICKEY J. §
CUEVAS, GARY W. DOYLE, KENNETH §
J. FEDDERSEN, STEVEN E. FISHER, §
MONROE H. GAGE, III, LANDRUM F. §
GAY, III, DOMINGO GUERRERO, JR. §
MICHAEL D. HANLEY, GUY D. HARDY, §
KEN RAY HARTMAN, STEVEN K. HEIN, §
MARYANN E. HRNCIR, BENJAMIN L. §
HUFF, STEPHEN S. JERGER, JAMES H. §
LOCKLEY, JR., BOBBY D. LOTT, ROBERT L. §
MASON, GRIFF R. MAXWELL, DARRELL D. §
MAYFIELD, ALEXANDER MOREIRA, §
DAVID R. NECK, ERIC L. NEWMAN, §
GORDON R. ORAND, GABRIEL ORTIZ, §
ANTHONY J. PAONESSA, ADOLPH PARKER, §
JR., MICHAEL A. PERALES, CARLOS R. §
PEREZ, BRADLEY A. PIEL, ANDREW §
PORRAS, JR., STUART F. RED, JERROLD J. §
REECE, JESUS R. RODRIGUEZ, DAVID L. §
ROGERS, FRANK A. RUFFINO, JR., BRIAN L. §
SCHMIDT, GREGORY W. SMITH, DAVID A. §
THOMAS, TORY B. TYRRELL, KRISTIN E. §
UHLIN, and H. CHARLES WILLIAMS, §

Plaintiffs, §

v. §

CITY OF HOUSTON, TEXAS, §

Defendant. §

CIVIL ACTION NO. _____
JURY DEMAND

PLAINTIFFS' ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

Darryl E. Ayers, William J. Bearden, Felipe Belmarez, II, Jeffrey E. Bickel, Gregg D. Bisso, Rosendo J. Briones, Troy Castille, Billy E. Corley, Richard M. Corrales, Rickey J. Cuevas, Gary W. Doyle, Kenneth J. Feddersen, Steven E. Fisher, Monroe H. Gage, III, Landrum F. Gay, III, Domingo Guerrero, Jr., Michael D. Hanley, Guy D. Hardy, Ken Ray Hartman, Steven K. Hein, Maryann E. Hrcncir, Benjamin L. Huff, Stephen S. Jerger, James H. Lockley, Jr., Bobby L. Lott, Robert L. Mason, Griff R. Maxwell, Darrell D. Mayfield, Alexander Moreira, David R. Neck, Eric L. Newman, Gordon R. Orand, Gabriel Ortiz, Anthony J. Paonessa, Adolph Parker, Jr., Michael A. Perales, Carlos R. Perez, Bradley A. Piel, Andrew Porras, Jr., Stuart F. Red, Jerrold J. Reece, Jesus R. Rodriguez, David L. Rogers, Frank A. Ruffino, Jr., Brian L. Schmidt, Gregory W. Smith, David A. Thomas, Tory B. Tyrrell, Kristin E. Uhlin and H. Charles Williams, and other persons similarly situated, hereinafter referred to as "Plaintiffs", file this their Original Complaint and complain of the City of Houston, Texas, herein after referred to as "Defendant", and for cause of action would show the court as follows:

NATURE OF THE ACTION

1. Plaintiffs bring this cause of action to recover from Defendant unpaid overtime compensation, pursuant to 29 U.S.C. §§201, et seq, Fair Labor Standards Act (FLSA) and the Portal to Portal Pay Act (Portal to Portal Act), 29 U.S.C. §§251-262

JURISDICTION AND VENUE

2. Jurisdiction is conferred on this court by Title 29, United States Code, Section 216 and Title 28, United States Code, Section 1331.

3. Venue is proper in the United States District Court for the Southern District of Texas, Houston Division, as the acts complained of were committed by the Defendants within the Southern District.

PARTIES

4. Plaintiffs were at all times, as alleged in this cause of action, and presently are, police officers of the City of Houston. Each named Plaintiff has consented to the filing of this action and their respective consents are attached to this complaint.

5. Defendant City of Houston, Texas is a municipal corporation and was at all times material hereto subject to the Fair Labor Standards Act and the Portal to Portal Act. Defendant City of Houston, Texas has acted through its police chief in regard to allegations in this cause of action but the individual police chiefs are not being sued in their official capacity as that would be redundant. Defendant may be served with process by serving Ms. Anna Russell, City Secretary, Houston City Hall Annex, 900 Bagby, Houston, Texas 77002.

6. Defendant City of Houston, Texas is an “enterprise engaged in commerce” as defined in 29 U.S.C. §203(s).

7. Defendant City of Houston, Texas is a “public agency” as defined in 29 U.S.C. § 203(x).

8. Defendant City of Houston, Texas employs more than five (5) employees assigned to the task of law enforcement.

9. At the times set forth in the claims for relief, Defendant employed Plaintiffs as police officers with the specific assignment as canine (K-9) officers. Plaintiffs were assigned a police dog and were required to work in excess of forty (40) hours per week to provide care for their assigned dogs. Such activities were a benefit to the Defendant. Plaintiffs have not received compensation

for these activities in violation of the Fair Labor Standards Act. Plaintiffs have attempted to resolve this claim with Defendant but have been unable to reach a settlement. Specific facts pertinent to each Plaintiff are outlined in the individual Claims For Relief paragraphs.

CLAIMS FOR RELIEF

10. Plaintiff, Darryl E. Ayers, since September 5, 2006, has been a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

11. Plaintiff, Darryl E. Ayers, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

12. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for up to three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

13. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance

with 29 U.S.C. §§ 216 and 260.

14. Plaintiff, William J. Bearden, was at all times set forth herein, a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

15. Plaintiff, William J. Bearden, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

16. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

17. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

18. Plaintiff, Felipe Belmarez, II, was at all times set forth herein, a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned

a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

19. Plaintiff, Felipe Belmarez, II, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

20. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

21. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

22. Plaintiff, Jeffrey E. Bickel, was at all times set forth herein, a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

23. Plaintiff, Jeffrey E. Bickel, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

24. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

25. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

26. Plaintiff, Gregg D. Bisso, was at all times set forth herein, a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and

c. any other activity which related to the care and maintenance of the dog.

27. Plaintiff, Gregg D. Bisso, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

28. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

29. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

30. Plaintiff, Rosendo J. Briones, was a member of the Canine Detail of the Houston Police Department from February 1984 until May 31, 2008. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

31. Plaintiff, Rosendo J. Briones, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

32. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

33. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

34. Plaintiff, Troy Castille, was at all times set forth herein, a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

35. Plaintiff, Troy Castille, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

36. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with

29 U.S.C. § 255(a).

37. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

38. Plaintiff, Billy E. Corley, was at all times set forth herein, a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

39. Plaintiff, Billy E. Corley, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

40. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

41. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an

additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

42. Plaintiff, Richard M. Corrales, since January 23, 2007, has been a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

43. Plaintiff, Richard M. Corrales, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

44. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for up to three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

45. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

46. Plaintiff, Rickey J. Cuevas, was at all times set forth herein, a member of the Canine

Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

47. Plaintiff, Rickey J. Cuevas, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

48. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

49. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

50. Plaintiff, Gary W. Doyle, was at all times set forth herein, a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and

care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

51. Plaintiff, Gary W. Doyle, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

52. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

53. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

54. Plaintiff, Kenneth J. Feddersen, was at all times set forth herein, a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used

to transport the dog; and

c. any other activity which related to the care and maintenance of the dog.

55. Plaintiff, Kenneth J. Feddersen, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

56. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

57. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

58. Plaintiff, Steven E. Fisher, since December 10, 2008, has been a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

a. groom, feed, board, exercise and generally provide care for the dog;

b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and

c. any other activity which related to the care and maintenance of the dog.

59. Plaintiff, Steven E. Fisher, has not been compensated for these activities in violation of

the Fair Labor Standards Act and the Portal to Portal Act.

60. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for up to three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

61. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

62. Plaintiff, Monroe H. Gage, III, was at all times set forth herein, a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

63. Plaintiff, Monroe H. Gage, III, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

64. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above,

for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

65. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

66. Plaintiff, Landrum F. Gay, III, was at all times set forth herein, a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

67. Plaintiff, Landrum F. Gay, III, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

68. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

69. Upon a showing the Defendant violated the protective provisions of the Fair Labor

Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

70. Plaintiff, Domingo Guerrero, Jr., was at all times set forth herein, a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

71. Plaintiff, Domingo Guerrero, Jr., has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

72. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

73. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

74. Plaintiff, Michael D. Hanley, was at all times set forth herein, a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

75. Plaintiff, Michael E. Hanley, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

76. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

77. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

78. Plaintiff, Guy D. Hardy, was at all times set forth herein, a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff.

Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

79. Plaintiff, Guy D. Hardy, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

80. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

81 Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

82. Plaintiff, Ken Ray Hartman, was at all times set forth herein, a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;

- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

83. Plaintiff, Ken Ray Hartman, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

84. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

85. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

86. Plaintiff, Steven K. Hein, was at all times set forth herein, a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

87. Plaintiff, Steven K. Hein, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

88. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

89. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

90. Plaintiff, Maryann E. Hrncir, since December 15, 2008, has been a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

91. Plaintiff, Maryann E. Hrncir, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

92. Defendants willfully, as defined by the pertinent case law, violated the provisions of the

Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for up to three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

93. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

94. Plaintiff, Benjamin L. Huff, was at all times set forth herein, a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

95. Plaintiff, Benjamin L. Huff, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

97. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

98. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

99. Plaintiff, Stephen S. Jerger, was at all times set forth herein, a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

100. Plaintiff, Stephen S. Jerger, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

101. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

102. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance

with 29 U.S.C. §§ 216 and 260.

103. Plaintiff, James H. Lockley, Jr, since January 23, 2007, has been a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

104. Plaintiff, James H. Lockley, Jr., has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

105. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for up to three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

106. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

107. Plaintiff, Bobby D. Lott, was at all times set forth herein, a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned

a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

108. Plaintiff, Bobby D. Lott, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

109. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

110. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

111. Plaintiff, Robert L. Mason, was at all times set forth herein, a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

112. Plaintiff, Robert L. Mason, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

113. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

114. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

115. Plaintiff, Griff R. Maxwell, since January 23, 2007, has been a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and

c. any other activity which related to the care and maintenance of the dog.

116. Plaintiff, Griff R. Maxwell, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

117. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for up to three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

118. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

119. Plaintiff, Darrell D. Mayfield, was at all times set forth herein, a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

120. Plaintiff, Darrell D. Mayfield, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

121. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

122. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

123. Plaintiff, Alexander Moreira, from May 17, 2007 to November 14, 2008, was a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

124. Plaintiff, Alexander Moreira, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

125. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for up to three (3) years prior to the date of the filing of this original cause of action in

accordance with 29 U.S.C. § 255(a).

126. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

127. Plaintiff, David R. Neck, was at all times set forth herein, a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

128. Plaintiff, David R. Neck, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

129. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

130. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an

additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

131. Plaintiff, Eric L. Newman, since October 18, 2008, been a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

132. Plaintiff, Eric L. Newman, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

133. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

134. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

135. Plaintiff, Gordon R. Orand, was at all times set forth herein, a member of the Canine

Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

136. Plaintiff, Gordon R. Orand, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

137. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

138. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

139. Plaintiff, Gabriel Ortiz, since December 13, 2008, has been a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following

services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

140. Plaintiff, Gabriel Ortiz, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

141. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for up to three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

142. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

143. Plaintiff, Anthony J. Paonessa, since November 7, 2007, has been a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used

to transport the dog; and

c. any other activity which related to the care and maintenance of the dog.

144. Plaintiff, Anthony J. Paonessa, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

145. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for up to three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

146. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

147. Plaintiff, Adolph Parker, Jr., since October 6, 2006, has been a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

a. groom, feed, board, exercise and generally provide care for the dog;

b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and

c. any other activity which related to the care and maintenance of the dog.

148. Plaintiff, Adolph Parker, Jr., has not been compensated for these activities in violation

of the Fair Labor Standards Act and the Portal to Portal Act.

149. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for up to three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

150. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

151. Plaintiff, Michael A. Perales, was at all times set forth herein, a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

152. Plaintiff, Michael A. Perales, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

153. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined

above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

154. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

155. Plaintiff, Carlos R. Perez, was at all times set forth herein, a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

156. Plaintiff, Carlos R. Perez, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

157. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

158. Upon a showing the Defendant violated the protective provisions of the Fair Labor

Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

159. Plaintiff, Bradley A. Piel, was at all times set forth herein, a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

160. Plaintiff, Bradley A. Piel, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

161. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

162. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

163. Plaintiff, Andrew Porras, Jr., was at all times set forth herein, a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

164. Plaintiff, Andrew Porras, Jr., has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

165. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

166. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

167. Plaintiff, Stuart F. Red, was at all times set forth herein, a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff

was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

168. Plaintiff, Stuart F. Red, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

169. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

170. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

171. Plaintiff, Jerrold J. Reece, since October 18, 2008, been a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;

- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

172. Plaintiff, Jerrold J. Reece, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

173. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

174. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

175. Plaintiff, Jesus R. Rodriguez, since October 1, 2006, has been a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

176. Plaintiff, Jesus R. Rodriguez, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

177. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for up to three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

178. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

179. Plaintiff, David L. Rogers, was at all times set forth herein, a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

180. Plaintiff, David L. Rogers, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

181. Defendants willfully, as defined by the pertinent case law, violated the provisions of

the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

182. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

183. Plaintiff, Frank A. Ruffino, Jr., was at all times set forth herein, a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

184. Plaintiff, Frank A. Ruffino, Jr., has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

185. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

186. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

187. Plaintiff, Brian L. Schmidt, since September 16, 2008, been a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

188. Plaintiff, Brian L. Schmidt, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

189. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for up to three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

190. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance

with 29 U.S.C. §§ 216 and 260.

191. Plaintiff, Gregory W. Smith, since June 18, 2007, has been a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

192. Plaintiff, Gregory W. Smith, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

193. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

194. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

195. Plaintiff, David A. Thomas, was from July of 1991 to November 15, 2008, a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff

was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

196. Plaintiff, David A. Thomas, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

197. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

198. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

199. Plaintiff, Tory B. Tyrrell, was at all times set forth herein, a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

200. Plaintiff, Tory B. Tyrrell, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

201. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

202. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

203. Plaintiff, Kristin E. Uhlin, was at all times set forth herein, a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and

c. any other activity which related to the care and maintenance of the dog.

204. Plaintiff, Kristin E. Uhlin, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

205. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

206. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

207. Plaintiff, H. Charles Williams, was at all times set forth herein, a member of the Canine Detail of the Houston Police Department. As a member of the Canine Detail, Plaintiff was assigned a dog. The dog was boarded at Plaintiff's residence and transported to and from work by Plaintiff. Plaintiff was required to work in excess of forty (40) hours per week to provide the following services and care regarding the dog, which services benefitted the Defendant:

- a. groom, feed, board, exercise and generally provide care for the dog;
- b. maintain a sanitary environment in the kennel, Plaintiff's yard and vehicle used to transport the dog; and
- c. any other activity which related to the care and maintenance of the dog.

208. Plaintiff, H. Charles Williams, has not been compensated for these activities in violation of the Fair Labor Standards Act and the Portal to Portal Act.

209. Defendants willfully, as defined by the pertinent case law, violated the provisions of the Fair Labor Standards Act and Plaintiff requests payment for all overtime worked, as outlined above, for three (3) years prior to the date of the filing of this original cause of action in accordance with 29 U.S.C. § 255(a).

210. Upon a showing the Defendant violated the protective provisions of the Fair Labor Standards Act and the Portal to Portal Act, Plaintiff requests Defendant be required to pay an additional amount, equal to the overtime compensation due, as liquidated damages in accordance with 29 U.S.C. §§ 216 and 260.

ATTORNEYS FEES, COSTS AND INTEREST

211. Plaintiffs, have found it necessary to retain the services of attorneys to pursue their remedies at law and, in accordance with 29 U.S.C. § 216, demand of the Defendant reasonable attorneys fees and costs as may be required to prosecute this cause of action.

212. Plaintiffs pray for pre-judgment and post judgment interest and any other legal and equitable relief as the court may find Plaintiffs are justly entitled.

213. Plaintiffs request a trial by jury.

Plaintiffs pray that upon final hearing Plaintiffs be granted the relief herein requested.

Respectfully submitted,

s/Robert A. Armbruster
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s/Chad T. Hoffman

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