

NOTICE

To: Workers Recruited by Vasquez Citrus & Hauling, and that worked at Four Star Greenhouse in Carleton, Michigan between December 2017 and July 2018

Re: Right to Join Lawsuit to Seek to Recover Alleged Unpaid Wages and Liquidated Damages

Date: February 11, 2021

WHY AM I RECEIVING THIS NOTICE?

This Notice is about a lawsuit brought by six workers (the Plaintiffs) who claim that Four Star Greenhouse, Inc. (“Four Star”) and Thomas Smith (the Defendants) were required but failed to pay workers recruited by Vasquez Citrus & Hauling, Inc. (“Vasquez”) minimum wages, violating a U.S. law called the Fair Labor Standards Act (FLSA). Four Star and Smith deny any liability. The lawsuit is in the U.S. District Court for the Eastern District of Michigan. It is called *Reyes-Trujillo v. Four Star Greenhouse, Inc.* The case number is 5:20-cv-11692-JEL-RSW.

The Plaintiffs claim their FLSA rights were violated each work week that they weren’t paid any wages at all, that they received wages late, or that they weren’t reimbursed for inbound and outbound transportation and visa costs under the H-2A program. They claim other workers (similarly situated non-supervisory employees) are also entitled to recover their unpaid wages, and seek an additional equal amount as liquidated damages, as well as attorney’s fees and costs.

This Notice explains how your rights may be affected by this lawsuit and how you can join. If you do not act, you may lose your right to claim any unpaid wages owed to you.

If you choose to participate, you must return the “Consent to Join” form by August 3, 2021.

WHO CAN JOIN THIS LAWSUIT?

The Court has approved this Notice to be distributed to: all workers who were recruited by Vasquez, worked on the premises of Four Star between December 2017 and July 2018.

You may join the lawsuit to seek to recover wages if you were recruited by Vasquez and,

- You worked at Four Star at any time from December 1, 2017 to July 31, 2018 and you were not paid at least the minimum wage for all your hours, and/or
- You were not reimbursed for your expenses to travel to and from Four Star and your hometown in Mexico or for your H-2A visa to work at Four Star.

CAN I JOIN EVEN IF I’M NOT IN THE UNITED STATES?

Yes. If you fit the description above, you have a right to participate in this lawsuit regardless of your immigration status and regardless of whether you reside outside of the United States or whether you work or have plans to work in the United States under the H-2A program.

HOW DO I JOIN THE LAWSUIT?

To make a claim to recover minimum wages and join this lawsuit, you must complete and sign the attached form titled “Consent to Join” and return it to Plaintiffs’ counsel **on or before August 3, 2021**. You may send the completed “Consent to Join” form to attorney Anna Hill at:

WhatsApp: +1-269-409-1682 (from Mexico dial 001-269-409-1682)
Mailing Address: Michigan Immigrant Rights Center
15 S Washington St., Ste. 201
Ypsilanti, MI 48197, USA
Email: ahill@michiganimmigrant.org
Fax: 734-998-9125 (from Mexico dial 001-734-998-9125)

WHAT HAPPENS IF I JOIN THIS LAWSUIT?

If you decide to join this lawsuit by submitting a “Consent to Join” form, you designate Plaintiffs to make decisions on your behalf, and the decisions and agreements made in this lawsuit will affect your claims. You will be bound by the judge’s decision, whether favorable or unfavorable. You would share in any money recovered from the lawsuit, either through a court judgment or settlement. You may be required to provide information, testify as a witness, and/or appear at trial. Your continued right to participate in this case may depend upon a later decision that you and Plaintiffs are similarly situated under federal law.

WHAT HAPPENS IF I DON’T JOIN THIS LAWSUIT?

If you do not join this lawsuit, you will not be bound by the judge’s decision whether favorable or unfavorable. You also would not share in any money recovered from the lawsuit. By not joining this lawsuit, you would maintain any rights to sue Defendants independently, about the same legal claims in the lawsuit, and could do so.

HOW LONG DO I HAVE TO JOIN THE LAWSUIT?

The federal minimum wage law, the FLSA, allows workers up to a maximum of three years to sue for unpaid wages. In some cases, the time limit is two years. You may lose your right to recover any unpaid wages if you do not join this lawsuit or file your own lawsuit within two or three years of the first week you were not reimbursed for your travel or visa costs (typically, the date of your first paycheck) and/or the first week you were not paid in full or at all. If you do not join this lawsuit, you may file your own.

CAN I BE RETALIATED AGAINST FOR JOINING THIS LAWSUIT?

Federal law prohibits any person from retaliating or discriminating against you for participating in this case. You may not be fired, punished, or penalized because you joined in this lawsuit, or have otherwise exercised your rights under the federal wage law, the FLSA. You may not be blacklisted from or otherwise denied a job in the H-2A program for participating in this lawsuit.

DO I NEED A LAWYER?

Plaintiffs Eduardo Reyes-Trujillo, Gerardo Santiago-Hernandez, Miguel Angel Martinez-Barragan, Santos Bruno-Cruz, Pablo Mateo-Velazquez, and Andres Ponciano-Serna are represented by the Michigan Immigrant Rights Center (MIRC), Farmworker Legal Services (FLS), and Centro de los Derechos del Migrante, Inc. (CDM), non-profit organizations that provide free legal services. These same lawyers will represent you if you decide to join this

lawsuit. They are listed at the end of this notice.

The services of these attorneys are free of charge to you. If the case is successful, MIRC, FLS, and CDM will seek an award of costs and attorneys' fees from the Court. However, any fees or costs awarded to the attorneys will *not* reduce the amount you may receive if the case succeeds.

NO OPINION EXPRESSED AS TO MERITS OF LAWSUIT

This Notice is for the sole purpose of providing workers recruited by Vasquez Citrus & Hauling and who worked at Four Star Greenhouse between December 2017 and July 2018 with information concerning their right to join this lawsuit. Although this Notice and its contents have been authorized by the Court, the Court takes no position on the merits of Plaintiffs' claims.

WHAT IF I HAVE QUESTIONS?

If you have any questions or would like additional information about this Notice, please contact Plaintiffs' counsel by phone or WhatsApp at +1-269-409-1682 (from Mexico dial 001-269-409-1682) or contact any of the Plaintiffs' attorneys as listed below.

Michigan Immigrant Rights Center

Anna M. Hill (P78632)
ahill@michiganimmigrant.org
Diana E. Marin (P81514)
dmarin@michiganimmigrant.org
15 S Washington St., Ste. 201
Ypsilanti, MI 48197
Phone: (734) 239-6863
Fax: (734) 998-9125

Farmworker Legal Services

M. Olivia Villegas (P83628)
ovillegas@farmworkerlaw.org
Kara Moberg (P73820)
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350 E. Michigan Ave., Ste. 310
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Phone: (269) 492-7190
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Centro de los Derechos del Migrante, Inc.

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800-590-1773 (from Mexico)
Fax: (443) 817-0806

PLEASE DO NOT CONTACT THE COURT REGARDING THIS LAWSUIT

Note: This Page Will Not Be Filed with the Court

FULL NAME: _____

ADDRESS: _____

CITY _____

STATE _____

ZIP/POSTAL CODE: _____

COUNTRY: _____

PHONE NUMBER: _____

DO YOU USE WHATSAPP ON THIS PHONE? YES NO

ALTERNATE PHONE: _____

E-MAIL: _____

If you wish to join this lawsuit, you must return these forms by August 3, 2021
to Anna Hill, Michigan Immigrant Rights Center, at

WhatsApp: +1-269-409-1682 (from Mexico dial 001-269-409-1682)

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