

Gray [Source: field_name] annotations trace each allegation back to the intake form.

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

JOHN MARTINEZ, <i>Plaintiff,</i>	§	
	§	Civil Action No. _____
v.	§	
	§	COMPLAINT FOR VIOLATION OF
APEX LOGISTICS LLC, <i>Defendant.</i>	§	THE FAIR LABOR STANDARDS ACT
	§	JURY TRIAL DEMANDED
	§	

PARTIES

1. John Martinez ("Plaintiff") is an individual residing in Harris County, Texas, and was employed by Defendant within the Southern District of Texas.

[Source: plaintiff_county, plaintiff_state]

2. Apex Logistics LLC ("Defendant") is an employer within the meaning of 29 U.S.C. § 203(d) with its principal place of business at 4500 Ship Channel Blvd, Houston, Texas 77020.

[Source: employer_name, employer_address]

JURISDICTION AND VENUE

3. This Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1331 and 29 U.S.C. § 216(b), as this action arises under the Fair Labor Standards Act, 29 U.S.C. § 201 et seq.
4. Venue is proper in this District because a substantial part of the events giving rise to this action occurred in the Southern District of Texas.

[Source: employment_location]

FACTUAL ALLEGATIONS

5. From approximately January 2023 through June 2024, Plaintiff was employed by Defendant as a Delivery Route Supervisor.

[Source: employment_start, employment_end, job_title]

6. Throughout his employment, Plaintiff was classified as a non-exempt hourly employee and paid at a regular rate of \$18.50 per hour.

[Source: exempt_status, hourly_rate]

7. During the relevant period, Plaintiff regularly worked approximately 52 to 58 hours per week. Defendant's payroll records reflect only 40 hours of compensable time per week.

[Source: actual_weekly_hours, recorded_hours]

8. Defendant required Plaintiff to perform pre-shift vehicle inspection and route preparation before clocking in, consuming approximately 35 to 45 minutes per workday.

[Source: off_clock_tasks, off_clock_duration_minutes]

9. Plaintiff reported this practice to Defendant's Human Resources department on March 2023, July 2023, and November 2023. Defendant took no corrective action.

[Source: hr_complaint_dates, corrective_action_taken]

10. Defendant's failure to compensate Plaintiff for all hours worked in excess of 40 per week was willful within the meaning of 29 U.S.C. § 255(a).

[Source: willfulness_evidence]

11. Defendant failed to maintain accurate records of all hours worked by Plaintiff as required by 29 U.S.C. § 211(c).

12. As a direct and proximate result of Defendant's violations, Plaintiff suffered damages estimated at no less than \$14,400, plus an equal amount as liquidated damages.

[Source: hourly_rate, actual_weekly_hours, recorded_hours]

CAUSE OF ACTION

Violation of the Fair Labor Standards Act (29 U.S.C. § 207)

13. Plaintiff realleges and incorporates by reference all preceding paragraphs.

14. The FLSA requires covered employers to pay non-exempt employees one and one-half times their regular rate for all hours worked over 40 per workweek. 29 U.S.C. § 207(a).
15. Defendant willfully violated the FLSA by failing to pay Plaintiff overtime compensation for all hours worked in excess of 40 per workweek. 29 U.S.C. §§ 207(a), 255(a).

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Enter judgment in Plaintiff's favor for all unpaid overtime wages;
- (b) Award Plaintiff an equal amount in liquidated damages pursuant to 29 U.S.C. § 216(b);
- (c) Award Plaintiff reasonable attorneys' fees and costs pursuant to 29 U.S.C. § 216(b);
- (d) Award pre- and post-judgment interest as permitted by law;
- (e) Grant such other and further relief as this Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiff demands a trial by jury on all issues so triable.

Respectfully submitted,

[ATTORNEY NAME] _____

[State Bar No.]

[FIRM NAME]

[ADDRESS]

[CITY, TX XXXXX]

Tel: (XXX) XXX-XXXX

attorney@firmname.com

ATTORNEY FOR PLAINTIFF

SOURCE MAP ■■■ Intake Fields Used in This Draft

Every allegation traces back to one or more of these intake fields.

Intake Field	Value
employer_name	Apex Logistics LLC
employer_address	4500 Ship Channel Blvd, Houston, Texas 77020
employment_start	January 2023
employment_end	June 2024
job_title	Delivery Route Supervisor
hourly_rate	\$18.50
actual_weekly_hours	52 to 58
recorded_hours	40
off_clock_tasks	pre-shift vehicle inspection and route preparation
off_clock_duration_minutes	35 to 45 minutes
hr_complaint_dates	March 2023, July 2023, and November 2023
estimated_damages	\$14,400