

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

**MICHAEL ALTAZAN, DAN CRUM,  
HENRY RICARDSON, FAIRE HICKS,  
VON COBELL, SCOTTY BALILE,  
GEORGE HAYDEN, JOHN VIDRINE  
STEVE BENTLEY, WILTON DELATTE,  
BENNY DELATTE, MIKE BAUER,  
JOHN STANGA, CONRAD STANGA,  
LYNWOOD ABBOTT, GARY GEMILLION,  
TRAVIS LEADER, SHANE CARBO,  
ALAN HARRELL, GABRIEL FLEMING,  
TERRY VERNON, TERRY MOLEA,  
TERRY EDWARDS, LEONARD MATTHEWS,  
JOHN HERNANDEZ, ADAM ZELL, COY DAIGLE,  
HEBERT TABOR, ROLAND STEIN, DENNIS CARBO,  
MARK WALOCK, and CLARENCE ROBERTSON**

**versus**

**INLAND FABRICATORS, LLC and  
ROGER E. THOMAS**

\*\*\*\*\*

**\* CIVIL ACTION NO.: 06-1429**

**\***

**\* JUDGE: A.J. McNamara**

**\***

**\* MAGISTRATE:**

**\***

**\***

**\***

**\***

**\***

**\***

**\***

**\***

**\***

**\***

**\***

**\***

**\***

**\***

**\***

**COMPLAINT**

The complaint of the above listed plaintiffs respectfully states as follows:

**I. JURISDICTION**

1. This is an action seeking unpaid minimum wages for employees of an “employer,” as more fully defined herein, liquidated damages, attorney’s fees and costs and equitable relief pursuant to Section 16 of the Fair Labor Standards Act (“FLSA”), 29

U.S.C. § 216. The supplemental jurisdiction of the court is also invoked to recover penalty wages under the Louisiana Unpaid Wage Statute, La. R.S. 23:631, *et seq.*

## **II. PARTIES**

2. The plaintiffs, Michael Altazan, Dan Crum, Henry Ricardson, Faire Hicks, Von Cobell, Scotty Balile, George Hayden, John Vidrine, Steve Bentley, Wilton Delatte, Benny Delatte, Mike Bauer, John Stanga, Conrad Stanga, Lynwood Abbott, Gary Gemillion, Travis Leader, Shane Carbo, Alan Harrell, Gabriel Fleming, Terry Vernon, Terry Molea, Terry Edwards, Leonard Matthews, John Hernandez, Adam Zell, Coy Daigle, Hebert Tabor, Roland Stein, Dennis Carbo, Mark Walock, and Clarence Robertson are domiciliaries of the State of Louisiana who were employed through March 15, 2006 by the defendants at a pipe fabrication facility located in St. John the Baptist Parish, which is in the Eastern District of Louisiana. They were “employees” within the meaning of Section 3 of the FLSA, 29 U.S.C. § 203.

3. Inland Fabricators, LLC is a Louisiana limited liability company operating a pipe fabrication facility in Reserve, Louisiana. It is engaged in commerce and in the production of goods for commerce. It is an “employer” as defined by Section 3(d) of the FLSA, 29 U.S.C. § 203(d), who employed plaintiffs.

4. Roger E. Thomas, a domiciliary of East Baton Rouge Parish, is likewise an “employer” of the plaintiffs. He served and continues to serve as chief executive officer of Inland Fabricators, LLC. He is a “person,” as defined in Section 3(a) of the FLSA, 29 U.S.C. § 203(a) that acted “directly or indirectly in the interest” of Inland Fabricators, LLC “in relation to” each plaintiff. He possessed the power to hire and fire employees, supervised and controlled employee work schedules and conditions of employment, determined the rate and method of wages to plaintiffs, and maintained employment records.

4. The defendants are jointly and severally liable to pay statutorily-required wages to plaintiffs.

### **III. FACTS**

5. The plaintiffs were each employed by defendants as pipefitters or pipe welders through their termination on March 15, 2006. No plaintiff was employed as an “exempt” employee as defined by Section 13 of the FLSA, 20 U.S.C. § 213.

6. Each plaintiff was employed at an hourly rate of \$18.61, which was their “regular rate” of wages as defined by Section 7(e) of the FLSA, 29 U.S.C. § 207(e).

7. As of March 15, 2006, each plaintiff was owed 64 hours of their “regular rate” of pay. The defendants have refused or failed to pay any plaintiff his earned wages as of the date of the filing of this action.

8. Moreover, each plaintiff accrued 20 hours of vacation leave, which are deferred wages at the designated regular rate of \$18.61. These amounts remain unpaid as well.

#### IV. STATEMENT OF CLAIMS

9. The FLSA requires timely payment of wages in cash. Section 6(d) of the FLSA, 20 U.S.C. § 206(d), mandates that “every employer shall pay” its employees the minimum wage “if in any workweek [the employer] is engaged in commerce.” The defendants are liable unto each plaintiff for 64 hours of wages at this agreed-to regular rate of wages, plus liquidated damages (double pay), pre-judgment interest, attorney’s fees and costs, as allowed by Section 16(b) of the FLSA, 20 U.S.C. § 216(b).

10. Plaintiffs are entitled to injunctive relief pursuant to Section 17 of the FLSA, 29 U.S.C. § 217, to restrain both defendants from violating and continuing to violate Section 6 of the FLSA, 29 U.S.C. § 206, compelling full payment of all wages due.

11. Plaintiffs are also entitled to penalty wages of 8 hours per work day up to 90 days beyond March 15, 2006, until their back wages (including accrued vacation) are paid, as allowed by the Louisiana Unpaid Wages Statute, LA. R.S. 23:632.

WHEREFORE, Plaintiffs pray for the relief pled herein, particularly for a temporary restraining order, after due notice with hearing, mandating defendants, jointly and severally, to pay plaintiffs their wages due through their date of termination.

Respectfully submitted,  
ROBEIN, URANN & LURYE, P.L.C.

s/ Louis L. Robein, Jr.  
**Louis L. Robein, Jr. (Bar No. 11307)**  
P. O. Box 6768  
2540 Severn Avenue, Suite 400 (70002)  
Metairie, Louisiana 70009-6768  
(504) 885-9994

Counsel for Plaintiffs

**PLEASE SERVE:**

**ROGER THOMAS**

469 West 19<sup>th</sup> Street  
Reserve, LA 70805

and

**INLAND FABRICATORS, LLC**

469 West 19<sup>th</sup> Street  
Reserve, LA 70805