

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
LAFAYETTE DIVISION**

DIANE OEHMEN and STEVE OEHMEN,	)	
On Behalf of Themselves and All Others	)	
Similarly Situated,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	CAUSE NO. 4:07-CV-0026-AS
	)	
LAURNSAM, INC. D/B/A TLC SUPPORTED	)	<b><u>CLASS ACTION</u></b>
LIVING SERVICES, INC.,	)	
	)	
Defendant.	)	

**NOTICE OF LAWSUIT UNDER FAIR LABOR STANDARDS ACT**

To: All individuals employed in Indiana by Laurnsam, Inc. d/b/a TLC Supported Living Services, Inc. as Direct Care Staff, who worked a 24/7 shift any time from December 1, 2005 until August 1, 2006.

Re: Unpaid Overtime Lawsuit Against Laurnsam, Inc. d/b/a TLC Supported Living Services, Inc.

**I. INTRODUCTION**

The purpose of this Notice is to inform you of the existence of a collective action lawsuit in which you may be similarly situated to the named Plaintiffs, to advise you of your right to join this lawsuit, and to instruct you on the procedure for participating in this lawsuit.

**II. DESCRIPTION OF THE LAWSUIT**

Plaintiffs claim that they and similarly situated employees, all former Direct Care Staff, are entitled to recover unpaid overtime wages and reasonable attorney fees and costs for any pay periods in which they worked a 24/7 shift between December 1, 2005 until August 1, 2006, because they claim that Laurnsam, Inc. d/b/a TLC Supported Living Services, Inc. (“Laurnsam”) was non-compliant with the Fair Labor Standards Act (“FLSA”). Laurnsam disputes Plaintiffs’ claims. The Court ordered dissemination of notice of this lawsuit on January 15, 2008.

### III. YOUR RIGHT TO PARTICIPATE IN THIS SUIT

If you were employed by Laurnsam, Inc. d/b/a TLC Supported Living Services, Inc. as Direct Care Staff, who worked a 24/7 shift any time from December 1, 2005 until August 1, 2006, you may join this suit by filling out, signing and mailing, faxing or e-mailing the attached “Notice of Consent to Become a Party Plaintiff” form to Plaintiffs’ counsel, who will represent you if you join, at the following address:

Amy Ficklin DeBrotta  
THE DEBROTA LAW FIRM LLC  
715 E. 107<sup>th</sup> Street  
Indianapolis, Indiana 46280  
317-848-5555  
(888) 273-1326 Fax  
E-Mail: [tlc@debrotalaw.com](mailto:tlc@debrotalaw.com)  
Website: [www.debrotalaw.com](http://www.debrotalaw.com)

The Consent Form **must be delivered to Plaintiffs’ counsel no later than March 24, 2008**. If you fail to return the Consent Form to Plaintiffs’ counsel by that date, you will not be eligible to join this lawsuit. That means you bear the risk of any non-delivery or delay in delivery of the Consent Form. The Consent Form is also available at class counsel’s website: [www.debrotalaw.com](http://www.debrotalaw.com). If you file a Consent Form, your continued right to participate in this suit may depend upon a later decision by the Plaintiffs’ counsel and/or the District Court that you and others are actually similarly situated in accordance with the FLSA.

### IV. EFFECT OF JOINING THE SUIT

If you choose to join in the suit, you will be bound by the final decision in the case, whether it is favorable or unfavorable. While this suit is proceeding, you may be required to respond to requests for information or documents or other similar tasks.

The attorney for the Plaintiff class may be entitled to receive the payment of attorney fees and costs from the Defendant in this lawsuit should there be a settlement, judgment or other recovery in Plaintiffs’ favor. If there is no recovery or judgment in Plaintiffs’ favor, you will not be responsible for any attorney fees. If there is a recovery, the attorney for the class will receive a part of any settlement obtained or money judgment entered in favor of all members of the class. The parties may also negotiate a separate payment for attorney fees and costs.

By joining the lawsuit, you designate the class representative as your agent to make decisions on your behalf concerning the litigation and the method and manner of conducting this litigation. These decisions and agreements made and entered into by the class representative will be binding on you. If you desire, you may also retain a lawyer of your choice and have that lawyer enter an appearance in this case, at your own cost.

#### **V. LEGAL EFFECT OF NOT JOINING THIS SUIT**

If you choose not to join this lawsuit, you will not receive any compensation as a result of this lawsuit and you will not be affected by any judgment in this case. If you do not join this lawsuit, you are free to file your own lawsuit, at your own cost.

#### **VI. NO RETALIATION AGAINST YOU IS PERMITTED**

Federal law prohibits Laurnsam from discharging you from employment or taking any other adverse employment action against you because you have exercised your legal right to join this lawsuit or because you have otherwise exercised your statutory rights under the FLSA.

#### **VII. INSPECTION OF PAPERS AND QUESTIONS**

Should you wish to inspect or examine the court documents, you may do so in person at the Clerk's Office of the Federal District Court for the Northern District of Indiana, Lafayette Division, 230 N. Fourth Street, Lafayette, Indiana. The filings are also available for a fee at <https://pacer.psc.uscourts.gov>.

Further information about this Notice, the Complaint, the deadline for filing a Consent Form or other questions about this lawsuit may be obtained by writing, e-mailing, or telephoning Plaintiff's counsel at the contact information stated above, or by visiting [www.debrotalaw.com](http://www.debrotalaw.com).

**This Notice and its Contents Have Been Authorized by the United States District Court for the Northern District of Indiana. The Court Has Taken No Position in this Case Regarding the Merits of Plaintiffs' Claims or of Defendant's Defenses. Other than to Review the Court File or this Case, Please Do Not Contact the Court or the Clerk of the Court.**

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NORTHERN DISTRICT OF INDIANA  
LAFAYETTE DIVISION**

DIANE OEHMEN and STEVE OEHMEN, )  
On Behalf of Themselves and )  
All Others Similarly Situated, )

Plaintiffs, )

vs. )

LAURNSAM, INC. D/B/A TLC SUPPORTED )  
LIVING SERVICES, INC., )

Defendant. )

CAUSE NO. 4:07-CV-0026-AS

**CLASS ACTION**

**NOTICE OF CONSENT TO BECOME A PARTY PLAINTIFF  
IN FLSA COLLECTIVE ACTION**

By my signature below: (1) I represent to the Court that I am an individual employed in Indiana by Laurnsam, Inc. d/b/a TLC Supported Living Services, Inc. as Direct Care Staff, who worked a 24/7 shift any time from December 1, 2005 until August 1, 2006 and (2) I hereby authorize the prosecution of this Fair Labor Standards action in my name and on my behalf by the above representative Plaintiffs and designate the class representatives and Plaintiffs' counsel as my agents to make decisions on my behalf concerning this litigation, the method and manner of conducting this litigation, and all other matters pertaining to this lawsuit. I hereby specifically authorize the named, representative Plaintiff(s) as my agent(s) to prosecute this lawsuit on my behalf, to make any and all decisions with respect to the conduct of this litigation, to enter an agreement with counsel for Plaintiffs with respect to costs and attorneys' fees, to file a proof of claim on my behalf if either Defendant files for bankruptcy protection, to negotiate and/or settle any and all wage claims I may have against Laurnsam, Inc. d/b/a TLC Supported Living

Services, Inc. and to take any other action necessary to present, preserve or resolve my wage claims.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
E-mail Address

\_\_\_\_\_  
Emergency Contact Name and Telephone Number

**Please immediately notify The DeBrot Law Firm LLC if any of your contact information changes.**

I HEREBY CERTIFY UNDER THE PENALTY FOR PERJURY THAT THE FOREGOING INFORMATION IS ACCURATE AND TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Signature: \_\_\_\_\_ Dated: \_\_\_\_\_

**Send To:**

Amy Ficklin DeBrot  
THE DEBROTA LAW FIRM LLC  
715 E. 107<sup>th</sup> Street  
Indianapolis, Indiana 46280  
(317) 848-5555  
(888) 273-1326 Fax  
E-Mail: [tlc@debrotalaw.com](mailto:tlc@debrotalaw.com)  
Website: [www.debrotalaw.com](http://www.debrotalaw.com)

**To be effective, this notice must be received by The DeBrot Law Firm LLC by U.S. Mail, fax or e-mail no later than March 24, 2008.**