

**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF CONNECTICUT**

**DAVID OBERMEIER, individually
and on behalf of all others similarly situated**

Plaintiff,

V.

**NORTHEAST WORK & SAFETY
BOATS, LLC**

and

JACK CASEY

and

LINDA CASEY

Defendants.

[illegible]

CLASS AND COLLECTIVE ACTION

Case No.: 2:23-00046-SVN

NOTICE OF PLAINTIFF'S MOTION FOR CONDITIONAL CERTIFICATION

Plaintiff David Obermeier (“Plaintiff” or “Obermeier”), individually and on behalf of other similarly-situated past and current workers employed by Defendants, Northeast Work & Safety Boat, LLC, Jack Casey and Linda Casey (“Defendants” or “Company”), by and through undersigned counsel, and for the reasons set forth in the attached Memorandum of Law and pursuant to 29 U.S.C. § 216(b) and *Hoffman-La Roche Inc. v. Sperling*, 493 U.S. 165 (1989), respectfully requests that this Court:

1. Conditionally certify a collective of all current and former employees of Defendant Northeast Work & Safety Boats, LLC (“Company”) who operated or otherwise worked on a boat as a Boat Operator, Captain, Deckhand or similar position within the last three (3) years (the “FLSA Collective”);

2. Conditionally certify a sub-collective of all employees who opt into the FLSA Collective and who were employed by defendant Company on any New Jersey bridge project during the last six (6) years and was not paid the applicable prevailing wage for all hours worked on such bridge projects in accordance with the New Jersey Prevailing Wage Act (the “NJPWA Sub-Collective”);

3. Conditionally certify a sub-collective of all employees who opt into the FLSA Collective and who were employed by Defendant Company on any Pennsylvania bridge project during the last six (6) months and was not paid the applicable prevailing wage for all hours worked as required by the Pennsylvania Prevailing Wage Act (the “PPWA Sub-Collective,” and together with the FLSA Collective and NJPWA Sub-Collective, the “Collectives”);

4. Order Defendants to produce to Plaintiff’s Counsel the names, last known addresses, cellphone numbers, and email addresses of all potential members of the FLSA Collective within ten (10) days of the date of the Order;

5. Permit Plaintiff to issue notice to all potential members of the FLSA Collective by first-class mail, email and text message, informing them of their right to opt into this case, regardless of any improper communications that Defendants (specifically Defendant Jack Casey) may have made to any putative Collective Members;

6. Order an opt-in period of ninety (90) days, beginning from the date of Plaintiff’s first issuance of notice;

7. Allow Plaintiff to send reminder notices by first-class mail, email and text message to all potential members of the FLSA Collective who have not yet responded to notice within forty-five (45) days of the first issuance of notice;

8. Approve Plaintiff's proposed form of notice, attached hereto as Exhibit E, and Plaintiff's proposed Opt-In Consent Form, attached hereto as Exhibit F, to be included with the issuance of notice.

Dated: April 21, 2023

Respectfully Submitted,

GOODLEY MCCARTHY LLC

BY: /s/ Ryan P. McCarthy
Ryan P. McCarthy*
James E. Goodley*
1650 Market Street, Suite 3600
Philadelphia, PA 19103
Telephone: (215) 394-0541
james@gmlaborlaw.com
ryan@gmlaborlaw.com

BOURTIN LAW, PLLC
Stephen M. Bourtin
68 Southfield Avenue, Suite 100
Stamford, CT 06902
Telephone: (203) 350-3671
sbourtin@bourtinlaw.com

MORGAN ROOKS, PC
Franklin J. Rooks, Jr.*
525 Route 73 North, Suite 104
Marlton, NJ 08053
Telephone: (856) 874-8999
Email: fjrooks@morganrooks.com

Attorneys for Plaintiff and the Classes

*Admitted Pro Hac Vice