

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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VICTOR ANDUJAR, individually and
on behalf of all others similarly situated,

Case No. 23-CV-08764(MKV)

Plaintiff,

v.

SKYC MANAGEMENT LLC, 674 HOLDING
LTD., SHIMON GREISMAN, and GARY
GARTENBERG,

Defendants.
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COURT-AUTHORIZED NOTICE OF LAWSUIT

If you worked for SKYC Management LLC, 674 Holding LTD., Shimon Greisman, or Gary Gartenberg, or any related entity (collectively as “Defendants”), at any time between October 5, 2020 and the present, ***please read this Notice.***

*Important: You are NOT being sued. This Notice is NOT a solicitation from a lawyer.
The Court authorized this Notice.*

- Named Plaintiff, Victor Andujar (“Plaintiff”) is a former employee of Defendants. Plaintiff worked for Defendants as a superintendent.
- Plaintiff brought this lawsuit against Defendants on behalf of himself and all other current and former employees who worked for Defendants as superintendents at any time between October 5, 2020 and the present. Plaintiff claims that he worked in excess of forty hours per week and that Defendants did not pay him time and one-half his regular hourly rate for all hours that he worked in excess of forty per week. Defendants deny any wrongdoing and maintain that they paid all of their employees in accordance with applicable wage and hour laws.
- The Court has authorized the parties to send out this Notice. The Court has not decided who is right or who is wrong. However, your legal rights may be affected, and you have a choice to make now.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT	
ASK TO BE INCLUDED	If you choose to be included in this collective action, you must complete the consent form at the end of this Notice. You may then share in any proceeds from a settlement or judgment if this lawsuit is successful, but you give up any rights to separately sue the Defendants for the same legal claims asserted in

	this lawsuit. Inclusion in this lawsuit does not necessarily mean you are entitled to monetary relief.
DO NOTHING	By doing nothing, you will not be included in this lawsuit relating to claims under the Fair Labor Standards Act. You will not be entitled to share in any proceeds if this lawsuit is successful.

1. Why did I get this notice?

You are getting this notice because Defendants' records show that you may have worked for SKYC Management LLC, 674 Holding LTD., Shimon Greisman, or Gary Gartenberg, or a related entity, at some point between October 5, 2020 and the present, as a superintendent.

2. What is a collective action and who is involved?

In a collective action lawsuit, one or more persons bring a lawsuit on behalf of others who have similar claims. The individuals who brought this lawsuit are called the Plaintiffs. The corporate entities and individuals that are being sued are called the Defendants. One court resolves the issues for everyone who decides to join the case.

3. What is this collective action lawsuit about?

Plaintiff alleges that Defendants' compensation practices violated federal law. Specifically, Plaintiff claims that he and others who worked for Defendants are entitled to unpaid minimum wages, unpaid overtime wages, liquidated damages, attorneys' fees, and costs.

Defendants deny any wrongdoing or liability and maintain that all of their employees were paid in accordance with federal law.

4. How do I join this collective action lawsuit?

To participate in this lawsuit, you need to complete the enclosed form called "Consent to Join Lawsuit" and mail it in the enclosed, postage-paid envelope, fax it, or scan and email it to Rapaport Law Firm, PLLC. Should the enclosed envelope be lost or misplaced, the Consent to Join form must be sent to:

Marc A. Rapaport, Esq.
 Rapaport Law Firm, PLLC
 80 Eighth Avenue, Suite 206
 New York, New York 10011
 Fax No. (212) 382-0920
 Email: mrpaport@rapaportlaw.com

The signed Consent to Join form must be filed with the Court by February 17, 2025. If your signed Consent to Join Lawsuit form is not filed with the Court by February 17, 2025, you may not be allowed to participate in this lawsuit.

5. What happens if I join the collective action lawsuit?

You will be bound by any ruling, settlement, or judgment, whether favorable or unfavorable. If there is a favorable resolution, either by settlement or judgment, and you qualify under the law, you may be entitled to some portion of the recovery. By joining this lawsuit, you designate Plaintiffs, or their counsel, to the fullest extent possible, to make decisions on your behalf concerning the case, the method and manner of conducting the case, and all other matters pertaining to this lawsuit. Decisions made and agreements entered into by Plaintiffs or their counsel relating to the lawsuit will be binding on you if you join the lawsuit.

While this lawsuit is pending, you may be asked to provide documents or information relating to your employment with Defendants, which may include responding to written questions or answering questions in person under oath, either before or at trial. For this reason, if you join the lawsuit, you must preserve all documents relating to your employment with Defendants currently in your possession. Plaintiff's attorneys will assist you.

6. What happens if I do nothing at all?

You will not be included in this lawsuit and you will not be affected by any settlement or judgment rendered in this case, whether favorable or unfavorable. The limitations period on your claim continues to run.

7. Can I participate in this collective action lawsuit regardless of my immigration status?

Yes. You have a right to participate in this Lawsuit regardless of your immigration status.

8. If I join, will there be any impact on my employment?

No. Federal and New York law prohibit Defendants from discharging you or retaliating against you in any way because you join this case.

9. Do I have a lawyer in this case?

Plaintiff is represented by Rapaport Law Firm, PLLC ("Plaintiff's Attorneys"). If you choose to join this Lawsuit and to be represented by Plaintiff's Attorneys, then Plaintiff's Attorneys will represent you on a contingency fee basis, meaning that you will not owe any attorneys' fees unless Plaintiff is successful and wins the case or obtains a settlement, in which case the Court will determine the amount of attorneys' fees to be paid.

You do not have to be represented by Plaintiff's Attorneys and may instead hire another attorney, at your own expense, or you may represent yourself. If you intend to retain your own lawyer or to represent yourself, you **must** so indicate on the "Consent to Join Lawsuit" form. If you send your form to Plaintiff's Attorneys but do not indicate that you intend to retain your own lawyer or to represent yourself, you will be agreeing to be represented by Plaintiff's Attorneys.

Defendants are represented by Bell Law Group, PLLC. Bell Law Group, PLLC's contact information is as follows:

Kyle Pulis, Esq.
Bell Law Group, PLLC
116 Jackson Avenue
Syosset, New York 11791
Ph: (516) 280-3008
Email: kp@belllg.com

10. This Notice has been authorized by the Court

This notice and its contents have been authorized by District Judge Mary Kay Vyskocil of the United States District Court for the Southern District of New York, located in New York, New York. The Court has not ruled on whether Plaintiff's claims or Defendants' defenses have any merit.

PLEASE DO NOT WRITE OR CALL THE COURT OR THE CLERK OF THE COURT ABOUT THIS NOTICE.

Although the Court has approved the sending of this Notice, the Court expresses no opinion on the merits of the Lawsuit. If you have any questions, you may contact Rapaport Law Firm, PLLC, by telephone at (212) 382-1600, or in writing at Rapaport Law Firm, PLLC, 80 Eighth Avenue, Suite 206, New York, New York 10011, or by email at mraperaport@rapaportlaw.com.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

VICTOR ANDUJAR, individually, and on behalf of all others
similarly situated,

Plaintiff,

- against -

SKYC MANAGEMENT LLC, 674 HOLDING LTD.,
SHIMON GREISMAN, and GARY GARTENBERG,

Defendants.

Case No. 23-CV-08764(MKV)

CONSENT TO JOIN LAWSUIT

IF YOU WANT TO JOIN THIS LAWSUIT, YOU MUST:

1. COMPLETE AND SIGN THIS FORM; AND
2. NOT LATER THAN FEBRUARY 17, 2025 RETURN THIS FORM TO:

Marc A. Rapaport, Esq.
Rapaport Law Firm, PLLC
80 Eighth Avenue, Suite 206
New York, New York 10011
Fax No. (212) 382-0920
Email: mrapaport@rapaportlaw.com

I consent to join the lawsuit brought pursuant to the Fair Labor Standards Act. Unless you choose to be represented by Rapaport Law Firm, PLLC, you MUST check one of the boxes below.

I choose to be represented:

☐ By another attorney, who will promptly file
a notice of appearance on my behalf.

☐ By myself *pro se* without the assistance of
an attorney.

If you do not select either of the options above but send your form to Rapaport Law Firm, PLLC, you are choosing to be represented by Rapaport Law Firm, PLLC, and you are authorizing Victor Andujar and Rapaport Law Firm, PLLC to act on your behalf in all matters relating to this action, including any settlement of your federal and state law claims. If you want different counsel at your own expense or if you want to represent yourself, you **must** check one of the selections above.

SIGNATURE

PRINT NAME

Address

City, State, Zip Code

Telephone Number

Email Address

Start Date of Employment

End Date of Employment