

# **NOTICE OF YOUR RIGHT** **To Claim Unpaid Wages**

November 16, 2023

## **Does This Affect Me?**

You might be owed money for unpaid wages from Boykin Farms, Inc., Rhodes Farming, LLC, Willie C. Boykin, III, Matthew Z. Rhodes, Tony C. Lee, d/b/a Lee and Sons Farms, Cameron Lee, d/b/a Lee and Sons Farms, and/or Clint Lee, d/b/a Lee and Sons Farms (defendants).

If you worked for any of the defendants as an H-2A worker at any time in three years immediately preceding the date of this notice, this may affect you.

## **What's This About?**

The workers who brought this case say that:

- They paid recruitment fees, the cost of their H-2A visa and visa-related processing fees, travel within Mexico, lodging near the U.S. Consulate, travel to North Carolina, border crossing fee, and/or inbound food costs and they were not fully reimbursed for those costs after beginning work.
- They were not paid properly for all hours worked, which means that they did not get paid the legally required minimum wage for every week they performed work.

If you think this happened to you too, ***this is your notice to file a claim.***

The defendants say that the workers were paid all wages owed under the law.

The Court will not decide who is right until later.

The workers may receive money if they win at trial or settle with the defendants.

## **What Happens If I File A Claim?**

If the workers win, you may receive money.

If the workers lose, you may not sue defendants again.

You *will not* have to pay the lawyers *anything* out of your pocket, win or lose. However, you are potentially liable for some portion of defendants' costs if defendants should prevail in the action.

It is possible that you will have to answer questions or provide evidence, if you have any, during Discovery, but that will be determined by the court.

## **What Happens If I Don't File A Claim?**

You will not receive any money from this lawsuit.

If you are owed wages, you could sue defendants on your own but must act within the deadline.

## **How Do I File A Claim?**

***You must*** fill out the attached *Consent to Join FLSA Unpaid Wages Lawsuit* and ***return it by May 15, 2024.***

The statute of limitations in your case depends upon the date on which you file the attached consent to sue.

## **What If I Have Questions?**

Call or send a WhatsApp message to the workers' attorneys: **(919) 909-0580**

The call is free and confidential. Or write to:

**North Carolina Justice Center**  
P.O. Box 28068  
Raleigh, NC 27611

Or contact us through Facebook:

<https://www.facebook.com/ConozcaSusDerechosConNCJC>

**Judge Boyle of the United States District Court for the Eastern District of North Carolina approved this Notice but takes no position on the merits of the case.**

**PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION:**

This information will not be made part of any public record and is necessary for your attorney's files for litigation and possible settlement purposes.

Name: \_\_\_\_\_

Any other Name(s) used or known by:

\_\_\_\_\_

Date of Birth: \_\_\_\_\_

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

Mailing Address: \_\_\_\_\_

City, State & Zip Code: \_\_\_\_\_

Daytime Telephone: \_\_\_\_\_

Evening Telephone: \_\_\_\_\_

Cellular Telephone: \_\_\_\_\_

WhatsApp: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Return these forms to:

North Carolina Justice Center  
P.O. Box 28068  
Raleigh, NC 27611  
Phone/WhatsApp: 919-909-0580

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
CIVIL CASE NO: 5:22-cv-491-BO-RN

CRISTOBAL LOPEZ LOPEZ and GILBERTO	)
FLORES LOZANO, <i>on behalf of themselves and all</i>	)
<i>other similarly situated persons</i>	)
	)
Plaintiffs	)
v.	)
	)
BOYKIN FARMS, INC., RHODES FARMING,	)
LLC, WILLIE C. BOYKIN, III, MATTHEW Z.	)
RHODES, TONY C. LEE, d/b/a LEE AND SONS	)
FARMS, CAMERON LEE, d/b/a LEE AND	)
SONS FARMS, and CLINT LEE, d/b/a LEE AND	)
SONS FARMS,	)
	)
Defendants.	)
_____	)

**CONSENT TO JOIN FLSA LAWSUIT**

I CONSENT to join the above-captioned lawsuit, pursuant to 29 U.S.C. § 216(b) of the Fair Labor Standards Act (“FLSA”), as to my claims for unpaid wages against Defendants under the FLSA. By filing this consent, I hereby designate Cristobal Lopez Lopez and Gilberto Flores Lozano (“Named Plaintiffs”) and/or any individual(s) later designated as representative(s) in this FLSA action, as my agents to make decisions on my behalf concerning the FLSA claims involved in this litigation, including the method and manner of conducting the litigation, entering into any settlement agreement, entering into any agreement with Named Plaintiffs’ attorneys concerning attorneys’ fees and costs, and all other matters concerning the FLSA claims involved in this lawsuit.

I hereby authorize the attorneys of the North Carolina Justice Center and attorney Jonathan Wall of Higgins Benjamin, PLLC as well as any other attorney(s) they may associate with, to represent me for all purposes with respect to this litigation. I understand that I will not be charged for my attorneys' services.

I acknowledge that this Consent is intended to be filed in order to recover unpaid wages from Defendants. I understand that I will be bound by any judgment of this Court, whether favorable or unfavorable, and that I will be bound by and share in any settlement that may be negotiated on behalf of Plaintiffs.

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Printed Name

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Date

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Signature