

of **SATNAAM JI, INC.**, in relation to employees within the meaning of section 3(d) of the Act and are individually responsible for compliance with the Act and for the obligations contained herein.

NOW, therefore, upon motion for the attorneys for Plaintiff and Defendants, and for cause shown,

JUDGMENT IS HEREBY ENTERED against Defendants pursuant to section 16(c) and 17 of the Act as follows.

IT IS HEREBY ORDERED AND ADJUDGED, pursuant to section 17 of the Act, that the Defendants,¹ their officers, agents, servants, employees, and all persons in active concert or participation with them are hereby permanently enjoined and restrained from violating the provisions of the Act in any of the following manners.

I

Defendants shall not, contrary to sections 6 and 15(a)(2) of the Act, pay any of their employees who in any workweek are engaged in commerce or in the production of goods for commerce or who are employed in an enterprise engaged in commerce or in the production of goods for commerce, within the meaning of the Act, wages at a rate less than \$7.25 per hour (or at a rate less than such other applicable minimum rate as may hereafter be established by amendment to the Act).

II

Defendants shall not, contrary to sections 7 and 15(a)(2) of the Act, employ any of their employees who in any workweek are engaged in commerce or the production of goods for

¹ Defendants acknowledge that the provisions I-IX below shall apply to all Defendants, individually and collectively, and to all Defendants' enterprises or entities comprising enterprises engaged in commerce within the meaning of sections 3(r) and 3(s)(1)(A) of the Act and for whom Defendants, individually or collectively, act as "employers" within the meaning of section 3(d) of the Act, including the following enterprises: Shri Waheguru, Inc., Sahibji Inc., and UB S Group Inc.

commerce, or who are employed in an enterprise engaged in commerce or in the production of goods for commerce, within the meaning of the Act, for workweeks longer than 40 hours, unless such employee receives compensation for his employment in excess of 40 hours at a rate not less than one and one-half times the regular rates at which he is employed.

III

Defendants shall not fail to make, keep and preserve records of their employees and of the wages, hours and other conditions and practices of employment maintained by them as prescribed by the regulations issued, and from time to time amended, pursuant to section 11(c) of the Act and found at 29 C.F.R. Part 516. This includes, but is not limited to, maintaining records of all hours worked by each employee in each work day and each workweek, and records of compensation paid to each employee in each workweek.

IV

The Defendants shall provide all employees with a copy of the U.S. Department of Labor, Wage & Hour Division, *Handy Reference Guide to the Fair Labor Standards Act* (Publication WH-1282) and *Overtime Pay Requirements of The FLSA* (Fact Sheet 23) in English and Spanish, which are available on the DOL website. The Defendants shall require employees to sign a receipt acknowledging that they have received the materials within 30 days of employment (for current employees within 30 days of entry of this consent judgment) and shall maintain the receipts in the employees' personnel files.

V

Within 30 days of entry of this consent judgment, Defendants shall hire a third-party certified public accounting firm ("CPA") or IRS enrolled agent ("EA") knowledgeable of the minimum wage, overtime, and record keeping provisions of the FLSA and the regulations

promulgated thereunder. The CPA or EA shall perform three annual audits of the Defendants to determine compliance with the Act. The audit shall include a review of time and payroll records and record keeping practices of the Defendants for compliance, including, but not limited to, proper payment of the overtime premium for hours worked in excess of 40 in a workweek and proper payment of the required minimum hourly rate. The aforesaid three audits shall be conducted annually with the initial audit commencing within three months of entry of the consent judgment. The accounting firm shall report the findings and recommendations, in writing, to Defendants. If any of the said audits determine that any employee was not paid the correct overtime premium or minimum wage, as required by the FLSA, the Defendants shall pay all wages due and owing within 15 days of the audit's completion and note corrective action taken in the audit reports. The Defendants shall make these reports available for review and copying to Wage and Hour upon request.

VI

FURTHER, JUDGMENT IS HEREBY ENTERED, pursuant to section 16(c) of the Act, in favor of the Plaintiff and against the Defendants in the total amount of \$40,000.00.

A. Defendants shall pay to Plaintiff the sum of \$20,000.00, which represents the unpaid minimum wages and overtime compensation hereby found to be due to the current or former employees named in **EXHIBIT A**, attached hereto and made a part hereof.

B. Defendants shall further pay to Plaintiff as liquidated damages the additional sum of \$20,000.00 hereby found to be due the present and former employees named in **EXHIBIT A**.

C. The unpaid compensation and liquidated damages referred to hereinabove cover the present and former employees identified in **EXHIBIT A**, respectively, for the following time period: November 1, 2011, to April 19, 2014.

VII

The monetary provisions of this judgment shall be deemed satisfied by Defendants, upon the following:

- A. Defendants shall deliver to Plaintiff payment of \$40,000.00 by certified or cashier's check at the time of execution of this agreement.
- B. Defendants shall provide to Plaintiff a schedule in duplicate showing the name, last-known address, and social security number for each employee named in **EXHIBIT A**.
- C. Plaintiff shall distribute the proceeds of the check (less legal deductions for each employee's share of social security and Federal withholding taxes) to the persons enumerated in **EXHIBIT A** or to their estates, if that be necessary and any amounts of unpaid compensation and liquidated damages not so paid within a period of three (3) years from the date of receipt thereof shall, pursuant to section 16(c) of the Act, be covered into the Treasury of the United States as miscellaneous receipts. Defendants remain responsible for paying their share of any applicable taxes to the appropriate State and Federal revenue authorities.

VIII

Defendants shall not request, solicit, suggest or coerce, directly or indirectly, any employee to return or to offer to return to the Defendants or to someone else for the Defendants, any money in the form of cash, check or in any other form, for wages previously due or to become due in the future to said employees under the provisions of this judgment or the Act; nor shall Defendants accept, or receive from any employee, either directly or indirectly, any money in the form of cash, check or any other form for wages heretofore or hereafter paid to said employee under the provisions of this judgment or the Act; nor shall Defendants discharge or in any other manner discriminate, nor solicit or encourage anyone else to discriminate against any

such employee because such employee has received or retained money due from the Defendants under the provisions of this judgment or this Act.

IX

FURTHER, it is agreed by the parties herein and hereby **ORDERED** that each party bear his, hers or its own fees and other expenses incurred by such party in connection with any stage of this proceeding to date with no costs, including, but not limited to, any and all costs referenced under the Equal Access to Justice Act, as Amended.

FURTHER, this Court shall retain jurisdiction of this matter to enforce the terms of the Consent Judgment.

Dated: October 20, 2015

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

Consented to By Plaintiff:

Consented to By Defendants:

M. PATRICIA SMITH
Solicitor of Labor

s/ with consent of Inderjeet Ubhi
INDERJEET UBHI,
Individually and as Owner
of Satnaam Ji, Inc.

CHRISTINE Z. HERI
Regional Solicitor

s/ with consent of Navtej Singh
NAVTEJ SINGH
Individually and as Owner
of Satnaam Ji, Inc.

s/ David J. Tanury
DAVID J. TANURY
Attorney

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U.S. Department of Labor
Office of the Solicitor
230 S. Dearborn St., #844

s/ with consent of Adam Vernon
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PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on October 20, 2015.

s/Michael A. Sian _____
MICHAEL A. SIAN, Case Manager

EXHIBIT A

First Name	Last Name	Back wages	Liquidated Damages
TAYLOR	NEAR	21.00	21.00
NATHAN	YENGLIN	21.25	21.25
DANIELLE	ARWOOD	22.20	22.20
KENDRA	FISK	22.69	22.69
WILLIAM	USREY	24.24	24.24
JESSICA	DEDAFOE	28.15	28.15
RAMONA	MCGRAW	31.01	31.01
APRIL	BROWN	35.78	35.78
DEANNA	POLL	38.02	38.02
MELLISSA	LOBSINGER	43.24	43.24
JASON	KINKLE	47.55	47.55
BRENDA	STONE	47.55	47.55
MARSHA	THOMAS	52.15	52.15
RACHEL	DAVIS	63.37	63.37
JANICE	SINISCHO	66.49	66.49
RONNIE	DENNO	67.34	67.34
JESSICA	FINNEGAN	78.28	78.28
PATRICIA	NEY	86.48	86.48
LELAND	LUKE	97.72	97.72
MONIQUE	KENT	103.36	103.36
DANNY	PRESTON III	105.18	105.18
ALEXANDRIA	JOHNS	111.08	111.08
MICHELLE	CAULEY	132.76	132.76
ROBERT	HARRIS	137.37	137.37
TRISH	KOHNERT	153.13	153.13
ANDREW	TAPIA	198.34	198.34
MARAGERY	ALEXANDER	203.71	203.71
AMBER	TACKETT	243.30	243.30
CRYSTAL	ADAMS	247.50	247.50
DANIELLE	GRIFKA	267.64	267.64
GERALDINE	BAKER	293.37	293.37
KEVIN	HARMER	295.22	295.22
JILL	NORTON	304.04	304.04
HEATHER	HENNINGER	476.95	476.95
PAUL	PARKER	652.67	652.67
HENRIETTA	SIMMONS	867.66	867.66
VICKI	CHRISTIAN	924.41	924.41
CHARLES	WINGO	1186.48	1186.48
DINAH	EMERICK	1478.39	1478.39

JACQUELIN	WOLCOTT	1590.43	1590.43
DONALD	RITTER	2495.18	2495.18
LARRY	BACHMAN	3168.52	3168.52
RUSSELL	NICHOLS	3468.79	3468.79
		20000.00	20000.00

Total due: \$40,000.00