

Local Business Wins Overtime Lawsuit Brought By Former Employee

Adi Amit, Esq., partner at leading law firm Lubell Rosen, successfully represented a local cleaning company that was sued by a former employee.

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Mr. Garcia, while under the counsel of South Florida's most active Plaintiffs' lawyers in overtime/minimum wage cases, alleged that he wasn't paid overtime properly. But in discovery, it became clear that he was lying regarding his alleged claim for unpaid overtime.

In the original complaint filed by Mr. Garcia, he stated that he worked, "an average of 70 hours per week," and had overtime wages owed to him - something he failed to mention to his creditors in a bankruptcy filing he filed the day before filing the Complaint. Amit effectively showed the Court that the Plaintiff never disclosed this information in the filing, making it evident it was untrue and could not be pursued as a matter of law. The Court agreed with Amit and dismissed Mr. Garcia's claim.

Amit is currently in the process of pursuing costs against Mr. Garcia and sanctions against his three lawyers from J.H. Zidell, P.A.

Amit focuses his practice on employment defense litigation, representing small to medium-sized businesses and their owners across Florida. He also helps clients in managing their employee-related needs and mitigating future possible liability. Amit has been recognized as a Florida Super Lawyers® Rising Star, editions 2010–2012 and 2014–2016, representing the top 2.5 percent of up-and-coming lawyers in the state of Florida.

"In 2016, Florida's Southern District had more new FLSA complaints filed than anywhere else in the U.S.; almost one in every seven new cases was filed here in South Florida against local businesses," said Steven L. Lubell, Esq., partner at Lubell Rosen. "This reinforces the fact, that especially in South Florida, it is imperative for businesses to have a knowledgeable and experienced lawyer with proven results, such as Mr. Amit, working on their behalf."

About Lubell Rosen:

Lubell Rosen is a law firm dedicated to providing full service representation as well as defending and protecting entrepreneurs and business owners, physicians, healthcare professionals and businesses in the healthcare industry. The firm has been named a U.S. Top Ranked Law Firm by FORTUNE Money Magazine. Only the finest attorneys are invited to join the practice. Lubell Rosen's headquarters are located at 200 S. Andrews Ave., Suite 900, Fort Lauderdale, FL 33301. To reach Lubell Rosen's headquarters, call 954-880-9500. The firm also has offices in Coral Gables, Florida; Syosset, New York; Upper Saddle River, New Jersey; and Philadelphia, Pennsylvania. For more information, visit www.lubellrosen.com.

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“This case is a good example of how the overtime and minimum wage laws, while well-intended, are often misused by former employees and their attorneys against small businesses. It is unfortunate that a court order in my clients' favor was necessary, but I am satisfied that we were able to demonstrate, without the need to have a jury trial, that Mr. Garcia's claim was frivolous.”

Adi Amit, Esq.