

# 071250

**ORIGINAL**

**FILED**  
AUG 4 2010  
U.S. COURT OF  
FEDERAL CLAIMS

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Attorneys for Plaintiffs

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**IN THE UNITED STATES DISTRICT COURT OF FEDERAL CLAIMS**

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ALTON LANGLEY, individually, and  
on behalf of other similarly  
situated individuals,

Plaintiffs,

vs.

10-512 C

THE FEDERAL BUREAU OF  
INVESTIGATION, THE UNITED  
STATES DEPARTMENT OF JUSTICE  
and THE UNITED STATES OF  
AMERICA,

Defendants.

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**COMPLAINT**

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Plaintiff Alton Langley, through his undersigned counsel, complains and alleges of the defendants as follows:

**OVERVIEW**

This action is brought by Langley on behalf of himself and similarly situated individuals who worked more than forty hours per week at Quantico, Virginia, while training to become an officer in the Federal Bureau of Investigation ("FBI"). The defendants unlawfully failed to pay Langley overtime at the rate of time and one half for all hours worked each week over forty. The

plaintiffs seek unpaid overtime wages, liquidated damages, costs and attorney fees under the Fair Labor Standards Act (“FLSA”), 29 U.S.C. §201 *et. seq.*

**PARTIES, JURISDICTION AND VENUE**

1. Jurisdiction is conferred upon this Court by 28 U.S.C. §1491 as an action against the United States founded upon an act of Congress, the Fair Labor Standards Act, 29 U.S.C. §201 *et. seq.*, for overtime wages, liquidated damages and attorney fees and costs.
2. Langley was an employee of the FBI. He is currently a resident of North Carolina.
3. A consent to sue for Langley is attached as Exhibit A.
4. Langley was engaged in commerce while working for the defendants.
5. Langley represents not only himself but also individuals who, like him, trained at Quantico for the FBI and who were not paid time and a half for hours worked over forty in a week.
6. This action is brought pursuant to the collective action provision of 29 U.S.C. §216(b) on behalf of similarly situated individuals who, like Langley, worked over forty hours per week and have not been paid overtime.
7. The FBI is a governmental agency subdivision of the United States of America and is an agency within the United States Department of Justice. The FBI maintains operations in Washington, D.C.
8. The United States Department of Justice is a governmental subdivision of the United States of America and also maintains its principal offices in Washington, D.C.
9. The defendants grossed more than \$500,000.00 in the past fiscal year and are operating an enterprise engaged in commerce within the meaning of the FLSA.

**BACKGROUND FACTS**

10. Langley was employed by the defendants and was trained to work as an FBI agent commencing September 2008.
11. The defendants required Langley and other FBI agents in training to participate in a training period of several months at Quantico, Virginia.
12. As part of the training Langley was required by the defendants to attend training sessions and other training activities which were regularly scheduled for six days per week, often exceeding eight hours per day, thus working more than forty hours per week for the defendants.
13. The defendants paid the plaintiffs a bi-weekly salary.
14. The defendants failed to pay Langley overtime compensation at the rate of time and a half of all hours worked over forty.
15. The defendants' failure to pay the plaintiff wages that were required to be paid by law was willful.
16. The actions and omissions described in this Complaint were made by the defendants directly or through their supervisory employees and agents.

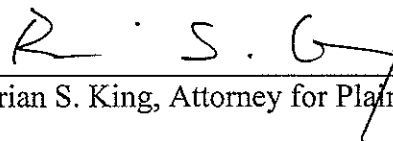
**CAUSE OF ACTION**  
**(FLSA claim for overtime)**

17. The defendants have failed to pay overtime wages to Langley and the class of similarly situated individuals in violation of the FLSA, 29 U.S.C. §201 *et. seq.*, and its implementing regulations.
18. The defendants' failure to comply with the FLSA overtime protection has caused Langley to suffer a loss of wages and interest thereof.

WHEREFORE, Langley requests this Court enter an order:

- a. Granting judgment to Langley in the amount of his unpaid wages as secured by the Fair Labor Standards Act as well as an equal amount in liquidated damages;
- b. Awarding Langley costs and reasonable attorney's fees;
- c. For an order providing similar unpaid wages and liquidated damages to the similarly situated individuals and;
- d. Granting such for the relief as the Court deems appropriate.

DATED this 4th day of August, 2010

  
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Brian S. King, Attorney for Plaintiffs

# **EXHIBIT "A"**

**CONSENT TO SUE UNDER THE FLSA**

I hereby consent to be a plaintiff in an action under the Fair Labor Standards Act, 29 U.S.C. § 201 et. seq., to secure any unpaid minimum wages, overtime, liquidated damages, attorney fees, costs and other relief arising out of my employment with the Federal Bureau of Investigation, the United States Department of Justice and the United States of America and any other associated parties. I authorize Brian S. King, any associated attorneys, as well as any successors or assigns, to represent me in this action.

DATED this 14<sup>th</sup> day of July, 2010.

  
\_\_\_\_\_  
Alton Langley

Alton Langley  
\_\_\_\_\_  
Name (printed)