

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>JULIE A. SU, Acting Secretary of Labor,</b>	:	<b>CIVIL ACTION</b>
<b>United States Department of Labor</b>	:	
	:	
<b>v.</b>	:	
	:	
<b>WYNCOTE WELLNESS, LLC</b>	:	
<b>DOMINIQUE CONNER</b>	:	<b>NO. 24-1975</b>

**CONSENT JUDGMENT**

Plaintiff, Julie A. Su, Acting Secretary of Labor, (“Plaintiff” or “the Acting Secretary,”) has filed her Complaint alleging violations of the Fair Labor Standards Act of 1938, 29 U.S.C. § 201, et seq. (“the Fair Labor Standards Act”). Defendants Wyncote Wellness, LLC and Dominique Conner (“Defendants” or “Employers”) have appeared by counsel, and waive formal service of process of the Summons and Complaint, waive an Answer and any defense which they may have and agree to the entry of this Consent Judgment.

**IT IS FURTHER ORDERED** that Defendants, their officers, agents, servants, and all persons acting or claiming to act on their behalf and interest are **PERMANENTLY ENJOINED** and **RESTRAINED** from violating the provisions of Sections 6, 7, 11(c), and 15 of the Fair Labor Standards Act, in any manner, specifically:

1. Defendants shall comply with the Fair Labor Standards Act’s minimum wage requirement (29 U.S.C. § 206) and pay all employees who are covered by and entitled to the protections of the Fair Labor Standards Act the required minimum wage.

2. Defendants shall comply with the Fair Labor Standards Act’s overtime requirement (29 U.S.C. §207) and pay all employees who are covered by and entitled to

the protections of the Fair Labor Standards Act the required overtime premium rate (which is currently one-and-one-half times the regular rate) for all overtime hours worked.

3. Defendants shall make, keep, and preserve adequate 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 pursuant to Section 11(c) and 15(a)(5) of the Fair Labor Standards Act, and found at 29 C.F.R. Part 516.

4. Defendants shall not discharge or retaliate in any manner against any employee, whether or not directly employed by Defendants, for engaging in any of the following activities pursuant to Section 15(a)(3) of the Fair Labor Standards Act:

i. Discloses, or threatens to disclose, to a supervisor or to a public agency, any activity, policy, or practice of the Employers or another employer with whom there is a business relationship that the employee reasonably believes is in violation of the Fair Labor Standards Act, or a rule or regulation promulgated pursuant to the Fair Labor Standards Act;

ii. Provides information to, or testifies before, any public agency or entity conducting an investigation, hearing or inquiry into any alleged violation of the Fair Labor Standards Act, or a rule or regulation promulgated pursuant to the Fair Labor Standards Act, by the Employers or another employer with whom there is a business relationship; and,

iii. Objects to, or refuses to participate in any activity, policy or practice which the employee reasonably believes is in violation of the Fair Labor Standards Act,

or a rule or regulation promulgated pursuant to the Fair Labor Standards Act.

**IT IS FURTHER ORDERED** that:

5. Defendants are **ENJOINED** and **RESTRAINED** from withholding gross back wages in the sum total amount \$405,160.00. Defendants are also jointly and severally liable for the payment of \$405,160.00 in liquidated damages, due certain employees and former employees of Defendants set forth and identified in Schedule A, which is attached as Exhibit A.

6. Regarding the matter of the civil money penalty, Defendants have agreed that the amount currently due and payable is \$10,000.00 that they are jointly and severally liable for this amount, that such assessment has become the final order of the Secretary of the Department of Labor, and that they waive any and all rights to appeal or contest such assessment. Pursuant to Section 16(e) of the Fair Labor Standards Act, Defendants shall pay a civil money penalty in the amount of \$10,000.00 no later than thirty days (30) days after the entry of this Consent Judgment. Payment may be made online by ACH transfer, credit card, or debit card by going to <https://www.pay.gov/public/form/start/77734139> or [www.pay.gov](http://www.pay.gov).

Alternatively, payment may be made by certified check, bank check, or money order, payable to "Wage and Hour Division, U.S. Department of Labor," and mailed to:

United States Department of Labor,  
Wage and Hour Division,  
Northeast Regional Office,  
1835 Market Street, 19th Floor,  
Mailstop WHD/19  
Philadelphia, PA, 19103-2968.

The check or money order shall bear the following reference: Case ID# 1963903.

7. Defendants shall pay gross back wages and liquidated damages in the total amount of \$810,320.00 for violations of Sections 6 and 7 of the Fair Labor Standards Act by Defendants that were alleged to have occurred during the period beginning August 12, 2019 and ending August 7, 2022 (“relevant period”). This amount shall represent the full extent of back wages and liquidated damages owed by Defendants for the relevant period to the employees identified on the attached Schedule A. The minimum wage and overtime compensation and the liquidated damage payments by the Defendants in the amounts as specified above are in the nature of back wages and liquidated damages pursuant to the provisions of the Fair Labor Standards Act. Defendants shall remain responsible for all tax payments considered to be the “employer’s share,” including, but not limited to, FICA.

8. The provisions of this Consent Judgment relative to back wage and liquidated damages payments shall be deemed satisfied when Defendants deliver to the designated representatives of the Plaintiff payment in the amount of \$810,320.00 within thirty (30) days of the entry of this Judgment by the Court. Payment may be made online by ACH transfer, credit card, or debit card by going to <https://www.pay.gov/public/form/start/77689032> or [www.pay.gov](http://www.pay.gov).

Alternatively, payment may be in the form of a certified check, bank check, or money order made payable to the order of “Wage and Hour Division – Labor,” and mailed to:

United States Department of Labor,  
Wage and Hour Division,  
Northeast Regional Office,  
1835 Market Street, 19th Floor,  
Mailstop WHD/19  
Philadelphia, PA, 19103-2968.

The check or money order shall bear the following reference: Case ID# 1963903.

9. The Acting Secretary, through the Wage and Hour Division, shall distribute the back wages (less any applicable federal taxes, withholdings, and deductions) and liquidated damages payments to the employees and former employees, or to their estates, as set forth in Schedule A. Schedule A will show for each individual the gross back pay due (subject to applicable legal deductions), and liquidated damages. Any sums not distributed to the employees or former employees on Schedule A, or to their estates, because of inability to locate the proper persons or because of such persons' refusal to accept such sums, shall be deposited with the Treasurer of the United States pursuant to 29 U.S.C § 216(c).

10. To the best of their ability and based upon information it currently has in their possession. Defendants shall provide to Plaintiff the social security number, last known address, last known phone number and last known email address of each employee or former employee due money under this Consent Judgment at the time of the initial lump sum payment.

11. The provisions of this Consent Judgment shall not in any way affect any legal right of any individual not named in Exhibit A. Nor shall the provisions in any way affect any legal right of any individual named in Exhibit A to file any action against

Defendants for any violations alleged to have occurred outside the relevant period.

12. Neither Defendants nor anyone on their behalf shall directly or indirectly solicit or accept the return or refusal of any sums paid under this Consent Judgment. Any such amount shall be immediately paid to the Acting Secretary for deposit as above, and Defendants shall have no further obligations with respect to such returned monies. If recovered wages have not been claimed by the employee or the employee's estate within three years of the entry of this Consent Judgment, the Acting Secretary shall deposit such money with the Treasury in accordance with Section 16(c) of the Fair Labor Standards Act.

13. Further, the parties agree that this action is deemed to solely cover Defendants' business and operations for the relevant period for all claims raised in the Complaint as a result of the Acting Secretary's investigation. The parties agree that the filing of this action and the provisions of this Judgment shall not, in any way, affect, determine, or prejudice the rights of any person specifically named on Schedule A or the Acting Secretary for any period after August 7, 2022, or any current or former employees not specifically named on Schedule A, insofar as such rights are conferred and reserved to said employees by reason of Section 16(b) of the Fair Labor Standards Act.

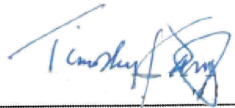
14. Defendants agree that they are employers within the meaning of Section 3(d) of the Fair Labor Standards Act, 29 U.S.C. § 203(d).

15. By entering into this Consent Judgment, Plaintiff does not waive her right to conduct future investigations of Defendants under the provisions of the Fair Labor Standards Act and to take appropriate enforcement action, including assessment of civil

money penalties pursuant to Section 16(e) of the Fair Labor Standards Act, with respect to any violations disclosed by such investigations.

16. Each party shall bear its own fees and expenses incurred by such party in connection with any stage of this proceeding including, but not limited to, attorney fees which may be available under the Equal Access to Justice Act, as amended.

Dated: October 31, 2024

  
\_\_\_\_\_  
Timothy J. Savage, J.

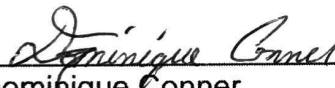
Defendants have appeared by counsel and consent to the entry of this Judgment.

For the Acting Secretary:

Seema Nanda  
Solicitor of Labor

Samantha N. Thomas  
Regional Solicitor


For Defendants:

  
\_\_\_\_\_  
Dominique Conner  
Owner of Wyncote Wellness, LLC

/s/David Casserly  
David Casserly  
Senior Attorney

  
\_\_\_\_\_  
Dominique Conner

U.S. Department of Labor  
Office of the Solicitor, Region III  
201 12<sup>th</sup> St. S, Suite 401  
Arlington, VA 22202  
(202) 693-5677  
Casserly.David.J@dol.gov  
U.S. DEPARTMENT OF LABOR  
Attorneys for Plaintiff  
U.S. Department of Labor

  
\_\_\_\_\_  
H. Adam Shapiro, Esquire  
Danziger Shapiro P.C.  
Attorneys for Defendants Wyncote Wellness,  
LLC and Dominique Conner