

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
Civil Action No. 7:20-cv-144**

JOSE RAMIREZ individually, and on behalf  
of all others similarly situated,

Plaintiff,

v.

T&D CUSTOM FENCES AND DECKS,  
LLC and TIMMY WELLS,

Defendants.

**CONSENT TO BECOME PARTY PLAINTIFF**

By signing below, I state that I have been employed by T&D Custom Fences and Decks, LLC and/or Timmy Wells (collectively, “Defendants”) at some point between August 7, 2017 and the present. I hereby consent and agree to opt-in to become a plaintiff in a lawsuit brought under the Fair Labor Standards Act (hereinafter “FLSA”), 29 U.S.C. § 201 et seq., to recover to recover unpaid wages, compensatory damages, liquidated damages, and attorneys’ fees for harms suffered as a result of Defendants’ violations of the FLSA.

I hereby designate GessnerLaw, PLLC to represent me for all purposes of this action. By signing and returning this Consent to Become Party Plaintiff, I understand that if accepted for representation, I will be represented by GessnerLaw, PLLC without prepayment of costs or attorneys’ fees. I understand that if a monetary recovery is obtained from Defendants, costs expended by GessnerLaw, PLLC on my behalf will be deducted pro rata from my settlement or judgment first. I understand that GessnerLaw, PLLC may petition the court for an award of fees and costs to be paid by Defendants on my behalf. I understand that the fees retained by

GessnerLaw, PLLC will be either the amount of attorneys' fees received from Defendants that are specifically designated as attorneys' fees through settlement or judgment, or 40% of my settlement or judgment amount, whichever is greater, subject to review and approval by the Court. I understand that if the case is not successful, I will not be obligated to pay any fees or costs incurred by GessnerLaw, PLLC.

I also designate Jose Ramirez as my agents to make decisions on my behalf concerning the litigation, the method and manner of conducting this litigation, and all other matters pertaining to this lawsuit. I further agree to be bound by any collective action settlement herein approved by my attorneys and approved by this Court as fair, adequate, and reasonable.

Date \_\_\_\_\_

Signature \_\_\_\_\_

Printed Name \_\_\_\_\_

Complete and Mail, Email or Fax to:  
GESSNERLAW, PLLC  
ATTN: T&D Custom Fences and Decks Lawsuit  
602 East Morehead Street  
Charlotte, NC 28202  
Phone: (704) 234-7442; Fax: (980) 206-0286  
Email to: [michelle@mgessnerlaw.com](mailto:michelle@mgessnerlaw.com)

**\*Statute of limitations concerns mandate that you return this form as soon as possible to preserve your rights.**