

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK**

**DEBORAH MCCABE,**  
*on behalf of herself and others similarly situated,*

**Plaintiff,**

**- against -**

**HARRY'S NURSES REGISTRY, INC., and  
HARRY DORVILIER,**

**Defendants.**

**Index No:**

**CLASS ACTION  
COMPLAINT**

**JURY TRIAL DEMANDED**

Plaintiff DEBORAH MCCABE ("Plaintiff"), individually and on behalf of all others similarly situated, upon personal knowledge as to herself, and upon information and belief as to other matters, by and through her undersigned attorneys, hereby files this Class Action Complaint against Defendants, HARRY'S NURSES REGISTRY, INC. (the "Corporate Defendant"), and HARRY DORVILIER (the "Individual Defendant," and together with Corporate Defendant, "Defendants") and alleges as follows:

**INTRODUCTION**

1. Plaintiff brings this action on behalf of herself and similarly situated workers pursuant to the New York Labor Law ("NYLL") Article 6, §§ 190 *et seq.*, and Article 19, §§ 650 *et seq.*, the supporting New York State Department of Labor Regulations, and Article 9 of the Civil Practice Law & Rules ("CPLR"), seeking from Defendants: (1) unpaid overtime, (2) unpaid overtime wages due to time shaving, (3) unpaid wages due to illegal wage deductions, (4) statutory penalties, (5) liquidated damages, and (6) attorneys' fees and costs.

### **JURISDICTION AND VENUE**

2. Jurisdiction is proper because the events giving rise to the causes of action herein took place in the State of New York.

3. Venue is proper in the County of New York pursuant to CPLR § 509.

### **PARTIES**

#### **Plaintiff**

#### **DEBORAH MCCABE**

4. Plaintiff is an adult who resides in Bronx County, New York.

5. Plaintiff was a covered employee within the meaning of the NYLL.

6. Plaintiff retained Brown, Kwon & Lam LLP to represent Plaintiff in this action and have agreed to pay the firm a reasonable fee for its services.

#### **Defendants**

7. At all relevant times, Defendants owned and operated an enterprise under the trade name "Harry's Nurses Registry," which offers home/residential nursing services.

8. At all relevant times, Defendants jointly employed Plaintiff and similarly situated employees.

9. At all relevant times, each Defendant had substantial control over Plaintiff's and similarly situated employees' working conditions, and over the unlawful policies and practices alleged herein.

10. At all relevant times, Defendants were and continue to be employers within the meaning of the NYLL.