

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

**JOHN LIPINSKI and JOHN W. TIBOLLA,
individually and on behalf of all others
similarly situated,**

Plaintiffs,

v.

**NORTH-EAST DECK & STEEL
SUPPLY, LLC,**

Defendant.

CIVIL ACTION NO.: 5:25-cv-1467

ORDER

**'AND NOW, this 26th day of 'August, 2026, upon consideration of the Notice of
Pendency of FLSA Lawsuit Settlement and Consent to Join Collective 'Action form submitted
to the Court by Plaintiffs' Counsel, and unopposed by Defendant's Counsel, it is hereby
ORDERED THAT the Notice and Consent form (attached hereto) are 'APPROVED.**

IT IS SO ORDERED.

/s/ Joseph F. Leeson, Jr.

**JOSEPH F. LEESON, JR.,
United States District Judge**

NOTICE OF PENDENCY OF FLSA LAWSUIT SETTLEMENT

To: All current and former employees of North-East Deck & Steel Supply, LLC, who were not fully-paid since March 19, 2022 for all overtime compensation due for such employee's work in one or more workweeks because the employer did not pay the employee (1) for time worked (or for reporting to work as requested by Defendant to be available to work) prior to scheduled shifts, or (2) overtime compensation due on account of bonus compensation, or (3) the full overtime rate of pay.

Re: NOTICE OF PENDENCY OF COLLECTIVE ACTION

The purpose of this Notice is to advise you that the lawsuit filed by John Lipinski and John Tibolla ("Plaintiffs") against North-East Deck & Steel Supply, LLC ("Defendant") in the United States District Court for the Eastern District of Pennsylvania has reached a proposed settlement. This Notice explains your legal rights in connection with this lawsuit and how to participate if you so desire.

1. DESCRIPTION OF THE LAWSUIT

Plaintiffs filed this lawsuit against Defendant on March 19, 2025, in the United States District Court for the Eastern District of Pennsylvania, Case Number 5:25-cv-1467. One of the legal claims in the lawsuit alleges a violation under the Fair Labor Standards Act ("FLSA") that Defendant failed to pay Plaintiffs and other employees at proper overtime rates for hours worked over 40 in a workweek. Defendant denies Plaintiffs' claims and maintains that their employees were paid properly. The Court has not determined whether Plaintiffs' claims have merit. Currently, Defendant has reached a settlement of this lawsuit for \$180,000 in damages with Plaintiffs and six other members of the collective who have opted-in to the collective. The Settlement is based on the participation of eight members of the collective. The participation of more members in the collective could jeopardize the Settlement. This may be your final opportunity to participate in this lawsuit.

2. WHO MAY JOIN THIS LAWSUIT

All current and former employees of North-East Deck & Steel Supply, LLC, who were not fully-paid since March 19, 2022 for all overtime compensation due for such employee's work in one or more workweeks because the employer did not pay the employee (1) for time worked (or for reporting to work as requested by Defendant to be available to work) prior to scheduled shifts, or (2) overtime compensation due on account of bonus compensation, or (3) the full overtime rate of pay.

3. PROCEDURE TO JOIN LAWSUIT

If you want to join this lawsuit, fill out and submit a Consent to Join by **[DATE- 30 DAYS FROM MAILING]**.

The Consent to Join form can be filled out and submitted at:
www.strategicclaims.net/northeastdeckandsteel

You may also mail the enclosed Consent to Join form to the Plaintiffs' attorneys at:

Eric Lechtzin
EDELSON LECHTZIN LLP
411 S. State Street, Suite 205N-300
Newtown, PA 18940

You may also email the enclosed Consent to Join form to the Plaintiffs' attorneys at:

EDELSON LECHTZIN LLP
Eric Lechtzin
elechtzin@edelson-law.com

If you do not submit the Consent to Join form by [DATE- 30 DAYS FROM MAILING], you may not be allowed to participate in the federal law portion of this lawsuit. Please only submit the form once.

4. EFFECT OF JOINING THIS LAWSUIT

If you choose to join this lawsuit, you will be bound by any ruling, settlement, or judgment, whether favorable or unfavorable. You will also share in any proceeds from a settlement or favorable judgment. While this lawsuit is pending, you may be asked to provide relevant information regarding the work you performed for North-East Deck & Steel Supply, LLC, including possibly providing testimony at a deposition (scheduled at your convenience) and/or court hearing under oath, responding to written questions, and providing relevant documents. For this reason, if you join the lawsuit, you should preserve all documents relating to your employment with North-East Deck & Steel Supply, LLC, currently in your possession.

By joining this lawsuit, you designate the named Plaintiffs as your representatives, and to the fullest extent possible, you designate the named Plaintiffs and their counsel to make decisions on your behalf concerning the case, the method and manner of conducting the case, and all other matters pertaining to this lawsuit. Decisions made and agreements entered into by Plaintiffs relating to the lawsuit will be binding on you if you join the lawsuit.

5. WHO ARE THE LAWYERS IN THIS CASE?

If you choose to join this lawsuit, you will be represented by Plaintiffs' Counsel: Eric Lechtzin and Andrew Lapat from the law firm of Edelson Lechtzin, LLP.

6. CAN NORTH-EAST DECK & STEEL SUPPLY, LLC RETALIATE OR FIRE ME IF I JOIN THE LAWSUIT?

No. The law prohibits retaliation against workers for exercising their rights under the FLSA. Thus, you may not be fired, demoted, or subjected to discrimination in any manner if you exercise your rights under the FLSA by joining this lawsuit.

7. WHAT HAPPENS IF I DO NOTHING AT ALL?

If you choose not to join this lawsuit, you will not be eligible to participate in the federal portion of this lawsuit and will not be eligible to receive any money or benefits if that part of the case is settled or a judgment is obtained. In addition, the limitations period on your claims will continue to run and diminish as time passes.

8. NO OPINION EXPRESSED ON WHETHER THIS CASE HAS MERIT

At this early stage, the Court has not made any determination on the merits of Plaintiffs' claims and is not advising you to participate in this lawsuit. This Notice is solely to determine if any other similarly situated employees wish to participate in the case.

9. QUESTIONS ABOUT THIS NOTICE

If you have any questions regarding this Notice, you may contact any of the Plaintiffs' attorneys listed below or direct your questions to the legal representative of your choosing. Please do not contact the Court with any questions that you may have about this Notice.

Eric Lechtzin
EDELSON LECHTZIN LLP
411 S. State Street, Suite N-300
Newtown, PA 18940
Telephone: (215) 867-2399
elechtzin@edelson-law.com

United States District Court, Eastern District of Pennsylvania
Lipinski and Tibolla v. North-East Deck & Steel Supply, LLC
Docket No. 5:25-cv-1467

CONSENT TO JOIN COLLECTIVE ACTION

Pursuant to the Fair Labor Standards Act, 29 U.S.C. § 216(b)

1. I, _____ (PRINT NAME), hereby consent and agree to pursue my claims arising out of my employment with North-East Deck & Steel Supply, LLC (“North-East”) and/or related entities and individuals in connection with the above-referenced lawsuit.

2. I work/worked as an hourly-paid employee for North-East at the Neuweiler Lofts Project in Allentown, PA, during the last three (3) years. My employment dates were: _____ to _____.

3. I understand that this lawsuit is brought under the Fair Labor Standards Act, 29 U.S.C. § 201, *et seq.* I hereby consent, agree, and “opt in” to become a party plaintiff to this action and to be bound by any judgment or any settlement approved by the Court.

4. I designate **Edelson Lechtzin LLP**, in Newtown, Pennsylvania (“Plaintiffs’ Counsel”), to represent me for all purposes in this action.

5. I authorize Plaintiffs’ Counsel and the named plaintiffs in this action, John Lipinski and John Tibolla, the collective action representatives, as my agent to make decisions on my behalf concerning the litigation, including the method and manner of conducting this litigation, entering into settlement agreements, entering into an agreement with the Plaintiffs’ Counsel concerning representation (with the understanding that Plaintiffs’ Counsel is being paid on a contingency fee basis, which means that if there is no recovery, there will be no attorneys’ fees) and all other matters pertaining to this lawsuit.

Signature: _____

Date: _____

Home Address: _____

Email Address: _____

Cell Phone: _____

RETURN COMPLETED FORM TO:

EDELSON LECHTZIN LLP
411 S. State Street, Suite N-300, Newtown, PA 18940
Tel: 215-867-2399 ext. 1
elechtzin@edelson-law.com