

# **EXHIBIT 2**

# MELINDA ARBUCKLE

400 N. St. Paul St., Ste 700  
Dallas, TX 75201  
[marbuckle@wageandhourfirm.com](mailto:marbuckle@wageandhourfirm.com)  
214.577.0258

## LEGAL EXPERIENCE

---

### Wage and Hour Firm

Dallas, Texas

Founding Partner, September 1, 2022 – present

- Generate and manage docket of single plaintiff and class/collective action cases; responsible for all aspects of litigation
- Sample of active cases:
  - o *Flaherty v. Kanaway Seafoods, Inc.*, No. 3:22-cv-00155 (D. Alaska) (meat packing; sleeping time case under 29 C.F.R. § 785.20)
  - o *Smith v. Jill-Est Inc.*, No. 3:22-cv-00980 (N.D. Tex.) (restaurant; 80/20)
  - o *Powell v. Tri-W Global, Inc.*, No. 6:22-cv-00112 (E.D. Tex.) (oil and gas; straight time for overtime)
  - o *Campos v. JBS USA Food Co. Holdings*, No. 1:22-cv-00744 (D. Colo.) (meat packing; donning and doffing)
  - o *Armstrong v. Chesapeake Energy Corp.*, No. 5:22-cv-00225 (W.D. Okla) (oil and gas; day rate)
  - o *Keller v. El Dorado Oil & Gas, Inc.*, No. 1:22-cv-0042 (S.D. Miss.) (oil and gas; straight time for overtime)
  - o *White v. Wood Group Mustang, Inc.*, No. 4:21-cv-03985 (S.D. Tex.) (oil and gas; per diem/regular rate)
  - o *Freeman v. Tyson Foods, Inc.*, No. 5:21-cv-05175 (W.D. Ark.) (meat packing; misclassified exempt)
  - o *Guilbeau v. Schlumberger Tech. Corp.*, No. 5:21-cv-00142 (W.D. Tex.) (oil and gas; unpaid overtime, reasonable relationship test)
  - o *Bowling v. DaVita, Inc.*, No. 1:21-cv-03033 (D. Colo.) (health care; meal and rest break)

### Shellist Lazarz Slobin LLP

Houston, Texas

Partner, July 2021 – August 31, 2022

Associate Attorney, September 2019 – July 2021

- Jointly managed docket of 60-120 single plaintiff and collective actions (at a time), worked up cases from start to finish, predominantly under Fair Labor Standards Act (“FLSA”).
- Originated case for firm against Universal Protection Services, LP d/b/a Allied Universal, certified collective action of approximately 500,000 individuals notwithstanding presence of arbitration agreements.
- Obtained summary judgment on behalf of engineers in oil and gas industry. *Gentry v. Hamilton-Ryker IT Solutions, LLC*, No. 3:19-cv-00320, 2022 WL 658768 (S.D. Tex. Mar. 4, 2022).
- Defeated motion to transfer venue in sexual assault case. *Warner v. Surefox Consulting LLC*, No. 21-cv-07473-RS, 2022 WL 526489 (N.D. Cal. Feb. 22, 2022).

- Defeated motion to dismiss on behalf of directional drillers and measuring while drilling oilfield employees. *Guilbeau v. Schlumberger Tech. Corp.*, No. SA-21-CV-0142-JKP-ESC, 2022 WL 199271 (W.D. Tex. Jan. 21, 2022).
- Defeated motion to compel arbitration on behalf of allegedly misclassified independent contractors. *Oldham v. Nova Mud, Inc.*, No. 2:20-cv-1166-KWR-GBW, 2021 WL 4066691 (D. N.M. Sept. 7, 2021).
- Represented plaintiffs in a variety of industries – Recent settlements:
  - o Resolved case at mediation, confidential settlement reached on behalf of 142 oilfield workers (FLSA - Texas).
  - o Resolved case at second mediation, confidential settlement reached on behalf of 29,107 security guard employees (FLSA – California).
  - o Resolved case at mediation, confidential settlement reached on behalf of class of truck driver employees (FLSA – Arbitration).

**Baron & Budd, P.C.**

**Dallas, Texas**

Associate Attorney, March 2015 – September 2019

- Carried docket of 20-40 class and collective actions (at a time), handled from start to finish, predominantly under Fair Labor Standards Act (“FLSA”) and Worker Adjustment and Retraining Notification Act (“WARN Act”)
- Trial victory, September 27-28, 2017 – *Cruz v. Maverick County*, No. 2:14-cv-50-AM-CW pending in the Western District of Texas, Del Rio Division.
  - o Second chair at bench trial, represented class of sheriff’s deputies in an off-the-clock dispute. Finding of willfulness because Defendants had previously been investigated by Department of Labor. Direct and cross examination.
- Trial victory, August 1-7, 2018 – *Meadows v. Latshaw Drilling Co., LLC*, No. 3:15-cv-1173-N pending in the Northern District of Texas, Dallas Division.
  - o Second chair at bench trial, represented class of roughnecks in regular rate dispute. Direct examination.
- Originated case for firm with co-counsel against Spearmint Rhino chain of gentleman’s clubs. Represented class of exotic dancers allegedly misclassified as owners of limited liability companies as opposed to employees. Although case was second filed and defendant had previously settled a similar claim for independent contractor misclassification, team obtained nationwide settlement of about \$8.5 million.
- Originated minimum wage and overtime cases for firm with co-counsel against Papa John’s International, Inc. on behalf of delivery drivers and other hourly paid employees, Cornerstone Healthcare Group on behalf of nurses, and Global Distribution Services, Inc., on behalf of garage installation technicians.
- Gained extensive appellate experience – independently handled briefing of two appeals at Fifth Circuit; mentored junior associate in briefing similar appeals.
  - o Successfully defended jury verdict in FLSA case involving Motor Carrier Act exemption. *Olibas v. Barclay*, 838 F.3d 442 (5th Cir. 2016).
  - o Presented oral argument regarding the definition of “single site of employment” under the WARN Act as applied to oilfield workers, an issue of first impression, before Fifth Circuit on April 5, 2017. *Meadows v. Latshaw Drilling Co., LLC*, No. 16-10988 (5th Cir. argued Apr. 5, 2017).

- Developed expertise with Federal Arbitration Act in employment context.
  - o Avoided arbitration agreement with class action waiver through motion practice resulting in trial on limited issue of forgery in execution of e-signed dispute resolution program.
  - o Conducted 30(b)(6) deposition, fact witness depositions, defended plaintiff deposition, made analytical decisions and evaluated strength of testimony.
- Honed pre-trial skills by deposing corporate representatives, witnesses; defending dozens of party depositions; and propounding and responding to written discovery.
- Briefed all major motions for department; prevailed on summary judgment in several cases, received favorable settlements prior to judgment in dozens of cases.
- Argued in court on behalf of plaintiffs for contested discovery and motion hearings, status conferences.
- Delegated tasks and responsible for junior associate and staff meeting deadlines.
- Represented plaintiffs in a variety of industries - Recent settlements:
  - o Lead counsel, resolved case at mediation, confidential settlement reached on behalf of 478 oilfield workers (FLSA - Texas).
  - o Lead counsel, resolved case through confidential settlement on behalf of medical transcriptionists (FLSA - Texas).
  - o Second chair, certified class and settled WARN Act case on behalf of 333 former fracking field/equipment workers for \$5,782,848.33.
  - o *Williams v. Go Frac, LLC*, No. 2:15-cv-00199-JRG, 2016 WL 1907802 (E.D. Tex. Jan. 19, 2017).
  - o Second chair in confidential settlement on behalf of approximately 156,000 customer service representatives (FLSA - California).
  - o Second chair in confidential settlement reached through arbitration on behalf of 1,849 Military & Family Life Counselors (FLSA - California).

**Amschler Hacker, P.C.**

**Addison, Texas**

Contract Attorney, December 2014 – March 2015

- General litigation practice

**Qureshi Arbuckle, PLLC**

**Dallas, Texas**

Principal Attorney, 2014

- General practice focusing on representation of medical service providers

**United States District Court; Northern District of Texas**

**Dallas, Texas**

Law Clerk to Hon. W. Royal Furgeson, Jr., 2012

- Draft orders of the Court

## **EDUCATION**

**Southern Methodist University, Dedman School of Law**

**Dallas, Texas**

Juris Doctor, May 2011

- Law Dean's Scholarship: 2008-2011

**University of Texas at Dallas**

**Richardson, Texas**

Bachelor of Arts in Arts and Technology, *magna cum laude*, May 2008

- Academic Excellence Scholarship: 2004-2008

### **ADMISSIONS**

---

|                                |                                                      |
|--------------------------------|------------------------------------------------------|
| <i>State Bar of Texas</i>      | All state and federal district courts, Fifth Circuit |
| <i>State Bar of California</i> | All state and federal district courts, Ninth Circuit |

### **PUBLICATIONS AND PRESENTATIONS**

---

David Epstein, Melinda Arbuckle & Kelly Flanagan, Contract Law's Two "P.E.'s": Promissory Estoppel and the Parol Evidence Rule, 62 Baylor L. Rev. 397 (2010).

"FMLA: Things Have Gone Wrong – How You as an Employer Can Make Them Better," When Cancer Enters the Workplace: A Seminar for Human Resource & EAP Specialists, March 21, 2018.

Contributor to FLSA Midwinter Report.

### **RECOGNITION**

---

SuperLawyers Rising Star 2018-present

# **RICARDO J. PRIETO**

[rprieto@wageandhourfirm.com](mailto:rprieto@wageandhourfirm.com)

---

## **PROFESSIONAL EXPERIENCE**

### **Wage and Hour Firm**

**Houston and Dallas, Texas**

*Founding Partner, November 2022 – Present*

- Generates and manages litigation case docket exclusively related to employment issues, with primary focus on FLSA Wage and Hour collective and class action cases and state law counterparts across the United States.

### **Shellist Lazarz Slobin, LLP**

**Houston, Texas**

*Partner, July 2012 – October 2022*

- Generates and manages litigation case docket exclusively related to employment issues, with primary focus on FLSA Wage and Hour collective and class action cases and state law counterparts across the United States.
- First chair litigation and trial experience in federal and state employment cases, from initial case screening through trial.
- Experience representing employees before federal and state administrative agencies, including the Equal Employment Opportunity Commission, the Texas Workforce Commission, and the Department of Labor.
- Federal law practice focuses primarily on FLSA Wage and Hour cases. Experience in all aspects of FLSA litigation, including nationwide class and collective actions. Lead attorney in most cases.

### **Kennedy Hodges, LLP**

**Houston, Texas**

*Associate, June 2009 – July 2012*

- Managed litigation case docket: 75% FLSA / 25% Personal Injury.
- Litigation experience in federal and state cases, from initial case screening through trial.
- Federal law practice focused primarily on FLSA Wage and Hour cases.
- State law practice focused primarily on personal injury cases: auto accident, non-subscriber workplace job injury, premises liability, pharmaceutical errors, wrongful death, and breach of contract cases.

### **The Law Offices of Wayne T. Rife, PC**

**College Station, Texas**

*Associate, September 2008 – June 2009*

- Provided litigation support as associate attorney for solo attorney with a general civil litigation docket.
- Experience in probate, construction and property law.
- Texas Certified Attorney Ad Litem.

## **BAR/COURT ADMISSIONS**

- Texas State Bar, May 2008
- United States Court of Appeals for the Fifth Circuit
- United States Court of Appeals for the Ninth Circuit
- United States Colorado District Court
- United States New Mexico District Court
- United States North Dakota District Court
- United States District Court for the Northern, Southern, Western and Eastern Districts of Texas
- United States District Court for the Western District of Arkansas
- United States District Court for the Western District of Oklahoma
- United States District Court for the Northern District of Ohio

## **EDUCATION**

**Oklahoma City University School of Law**

**Oklahoma City, OK**

J.D., December 2007

Honors

- Dean's List Spring 2005, Fall 2005, Spring 2006, Spring 2007
- Phi Delta Phi (honor law fraternity for students in top 25% of Class)
- CALI Award for highest grade in antitrust law

**Texas A & M University**

B.A., Political Science, December 2002

Minor in Spanish/Hispanic Studies

**College Station, TX**

**CERTIFIED LEGAL SPECIALTIES**

- Board Certified, Labor and Employment Law, Texas Board of Legal Specialization

**HONORS AND AWARDS**

- Texas Super Lawyers' "Rising Star" by Texas Monthly, 2014 – 2018
- Texas "Super Lawyer" by Texas Monthly, 2021 – 2022
- Named "Litigator of the Week" by Texas Lawyer – 2015 (FLSA Jury Trial Victory)
- Trial verdict selected for inclusion in "Top Texas Verdicts & Settlements of 2014," as reported by Verdict Search
- Member of The College of the State Bar of Texas, an organization recognizing commitment to continuing legal education

**PUBLICATIONS**

- Contributing author to the American Bar Association's FLSA Midwinter Report, 2016, 2018 – 2022

**PROFESSIONAL AFFILIATIONS**

- National Employment Lawyers Association (NELA) – former Treasurer, former Secretary
- Member of the Labor and Employment Law Section of the State Bar of Texas
- Member of the Labor and Employment Law Section of the Houston Bar Association
- Member of the Texas Employment Lawyers Association (TELA)
- Houston Bar Association – Labor & Employment Section – Council Member 2021-2024

**LANGUAGES**

- Fluent in Spanish