

School bus drivers, contractor agree to terms

Durham to pay \$1.25M to end FLSA class action, subject to approval of federal judge in Baltimore

BY DANNY JACOBS

Danny.Jacobs@TheDailyRecord.com

A class-action lawsuit alleging unpaid wages by a school bus contractor for **Baltimore City Public Schools** has been settled for \$1.25 million, according to court records.

The preliminary agreement between bus drivers and attendants and **Durham School Services L.P.** includes a total of \$1 million for the plaintiff class, according to filings Monday in **U.S. District Court** in Baltimore. Half of each payment to a class member will be wages and subject to payroll taxes and withholdings, according to the filings.

The plaintiff class consists of more than 350 people who worked at Durham's Baltimore customer service center between March 2010 and September 2013, according to Andrew D. Freeman, a

partner at **Brown Goldstein Levy LLP** in Baltimore, which represents the class.

Brown Goldstein would receive \$250,000 in attorneys' fees and expenses under terms of the settlement.

The lawsuit, filed in March, alleges Durham failed to pay employees their full, regular wages or overtime for required work, such as inspections conducted before and after a trip and time spent cleaning the vehicles. The suit was brought under the Federal Labor Standards Act, the Maryland Wage and Hour Law and Maryland Wage Payment and Collection Law.

Judge Richard D. Bennett has to give preliminary approval for the settlement before notice can go out to all of the class members.

A spokeswoman for Illinois-based Durham declined to comment on the litigation because the set-

VICKY ANTHONY ET AL. V. DURHAM SCHOOL SERVICES L.P., ET AL.

Court: U.S. District Court, Baltimore

Case No.: 1:13-cv-00757-RDB

Judge: Richard D. Bennett

Outcome: \$1.25 million settlement
(\$1 million to class, \$250,000 to attorneys)

Dates: **Event:** March 2010 to September 2013

Suit filed: March 12, 2013

Settlement order proposed: Feb. 3, 2014
(subject to court approval)

Plaintiffs' Attorney: Andrew D. Freeman, C. Christopher Brown, Brooke E. Lierman and Jessica Paulie Weber of Brown Goldstein Levy LLP in Baltimore

Defendants' Attorneys: Ellen Elizabeth Dew, Rachel B. Cowen, Terence P. Smith and Kimberly M. Mitchell of DLA Piper LLP in Baltimore

Counts: Violations of the Federal Labor Standards Act, the Maryland Wage and Hour Law and the Maryland Wage Payment and Collection Law.

tlement still needs to be approved by a judge.

Durham transports a

million students each day in 450 school districts across the U.S. and Canada.