

# WENZELFENTONCABASSA<sup>P.A.</sup>

## Employee Rights Attorneys

### Class Action Lawsuit Against Trulieve Summary:

In April of 2019, Logan Lyttle applied to work at Trulieve. However, Trulieve refused to hire him based on information it obtained from his background check. During the hiring process Trulieve also failed to provide Mr. Lyttle with key documents required by law under the Fair Credit Reporting Act. So, our firm and another law firm filed a class action lawsuit on Mr. Lyttle's behalf. In the lawsuit we alleged Trulieve violated Mr. Lyttle's rights under the Fair Credit Reporting Act by failing to provide Mr. Lyttle with pre-adverse notice, including a copy of his consumer report, before taking an adverse employment action against him. This requirement is found at 15 U.S.C. § 1681b(b)(3)(A)(i)-(ii). The Parties explored a resolution at an early mediation. No settlement was reached at the first mediation. After initial settlement talks ended, the litigation between Mr. Lyttle and Trulieve became increasingly contentious. On August 13, 2021, the Court ruled in Plaintiff's favor on the issue of certification and certified, over Trulieve's opposition, a class of "Trulieve applicants and employees in the United States against whom adverse employment action was taken, based, in whole or in part, on information contained in a consumer report obtained within two years preceding the filing of this action through the date of final judgment, who were not provided notice, a copy of their report or summary of rights pursuant to § 1681b(b)(3)(A)." After the Court certified the class and with Defendant's summary judgment motions and Rule 23(f) petitions fully briefed and pending [Dkt. 98, 103], the Parties jointly moved to stay the action pending a second mediation. The second mediation proved more fruitful than the first – the Parties were able to settle the action on a class basis. Trulieve did not admitted to any wrongdoing under the FCRA but agreed to pay \$60,500 to resolve the claims.