

STATE OF NORTH CAROLINA
COUNTY OF FORSTYH

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
26-CV - _____

**IN THE MATTER OF THE
INVESTIGATION OF:**

**ELEVATION PEDIATRIC THERAPY, LLC,
ANDREW DINKINS, REGISTERED AGENT
& CHIEF EXECUTIVE OFFICER,**

**MOTION TO COMPEL COMPLIANCE
WITH ADMINISTRATIVE
SUBPOENA FOR INVESTIGATION
PURSUANT TO THE
NORTH CAROLINA
WAGE AND HOUR ACT**

NOW COMES Petitioner North Carolina Department of Labor (NCDOL) to move this Court, pursuant to the North Carolina Wage and Hour Act, N.C. Gen. Stat. §§ 95-25 et. seq., to issue an Order to Compel Respondent, Elevation Pediatric Therapy, LLC (hereinafter “EPT”), Andrew Dinkins, Registered Agent and Chief Executive Officer (together “Respondents”) to produce documents as part of multiple NCDOL Wage and Hour Investigations, File Numbers 217028, 217616, 217617, 217745, 217878, 218029, 218116, 218236, 218241, 218333, 218357, 218358, 218394, 218765. In support of its motion, NCDOL respectfully shows the following:

1. The NCDOL Wage and Hour Bureau is responsible for the administration and enforcement of the North Carolina General Statutes Chapter 95, Article 2A, Wage and Hour Act.
2. EPT is a Winston-Salem based business that provides behavioral support and solutions for children, adolescents, and families with autism.
3. The Wage and Hour Bureau received fourteen complaints from former employees of EPT alleging violations of the Wage and Hour Act.
4. The employees held various positions, such as behavior technician, behavior therapist, human resources coordinator, human resources director, chief executive officer, and clinic director.
5. Specifically, the fourteen former employees alleged EPT failed to pay wages earned between the dates of March 2025 through March 2026, and/or failed to provide proper payroll

documentation. The cases were identified as follows:

No.	Identification Number	Complainant	Date Opened	Complaint Period	Amount Claimed
1	217028	Natalie L. Fitzgerald	11/25/2025	11/3/2025-11/7/2025	\$484.00
2	217616	Ayslinn Gomez	1/6/2025	12/5/2025-12/19/2025	\$1314.76
3	217617	Latwana McArthur	1/6/2026	12/1/2025-12/12/2025	\$1305.00
4	217745	Lindsey Hauser	1/14/2026	12/14/2025-12/28/2025	\$590.22
5	217878	Natalya Hammond	1/23/2026	12/29/2025-1/11/2026	\$367.03
6	218029	Taliah Thomas	1/28/2026	3/3/25-1/30/26	\$0 (RK)
7	218116	LaNavia Goins	2/5/2026	1/7/26-1/16/26	\$432.00
8	218236	Alexandria Fortes	2/11/2026	10/31/25-1/16/26	\$0.00
9	218241	Amaya Johnson	2/11/2026	1/12/26-1/25/26	\$1216.07
10	218333	Shakara Williams	2/18/2026	1/25/26-2/6/26	\$1670.00
11	218357	Vincent La Rochelle	2/20/2026	8/25/2025-2/13/2026	\$8910.00
12	218358	Cleo Ready	2/20/2026	11/21/2025-2/13/2026	\$17,980.45
13	218394	Jamestris Watson	2/24/2026	11/10/2025-11/14/2025	\$1250
14	218765	Angel Hendrix	3/17/2026	2/24/2025-2/28/2026	\$1195.15
				Total	\$36,714.68

6. The comprehensive total of all fourteen complainants' unpaid wages from March 2025 through March 2026 is approximately **\$36,714.68**.
7. The Wage and Hour Bureau, as part of its enforcement activities, conducted investigations of the complaints asserted against EPT, in accordance with N.C. Gen. Stat. §§ 95-25.15 and 95-25.16.
8. 13 NCAC 12.0602 (a) states, in relevant part, that:
 - (a) The Commissioner **shall afford the employer an opportunity** to bring to the Commissioner's attention any information pertinent to the possible violations under investigation and any computation of wages possibly due an employee. . .

13 NCAC 12.0602 (a)(emphasis added).

Initial Contact Packages

9. At each of the fourteen complaints, Mr. Dinkins was called and emailed Initial Contact letters and the Wage and Hour Bureau Jurisdictional and Youth Employment Questionnaires (hereinafter “Initial Contact Package”) notifying of the complaints and requesting production of the following documents:
1. Proof of Payment
 - Cancelled checks received from an institution insured by the United States government
 - Direct Deposit Detail (to support the wages were deposited into the complainant’s account) transmittals into an institution whose deposits are insured by the United States government
 - An institution selected by the employee, or
 - Any other method which verifies that all wages were paid.
 2. Documentation to support the following for the complaint period:
 - Paycheck Stubs (**Note: Paycheck stubs will not be accepted as verification of payment.**)
 - Gross wages paid each workweek
 - Hours of work each workweek
 - Overtime hours worked each workweek (if applicable)
 - Straight time earnings each workweek
 3. Written response to state the position of the employer as to whether the wages are owed or not.

(Exhibit 1)

10. With each request, Respondent was given a deadline to comply with the requests for production of documents.
- a. Each time, Respondent failed to comply by not providing wage documentation like pay stubs, time records, and failed to comply with answering questions like rate of pay or the specific dates of a pay period.
11. When conducting Wage and Hour Bureau investigation, “[t]he Commissioner [of Labor] or his authorized representative **shall have** power to administer oaths and examine witnesses, issue subpoenas, **compel the attendance of witnesses and the production of papers, books, accounts, records, payrolls, documents**, and take depositions and affidavits in any proceeding hereunder.” N.C. Gen. Stat. § 95-25.16(b) (2023) (emphasis added).

12. On the following dates, NCDOL emailed the Initial Contact Packages to Mr. Dinkins, Registered Agent and Chief Executive Officer for Respondent, requesting documents be produced within a certain period:

- a. November 26, 2025, on behalf of Natalie Fitzgerald;
- b. January 6, 2026, on behalf of Ayslinn Gomez and Latwana McArthur;
- c. January 14, 2026, on behalf of Lindsey Hauser;
- d. January 23, 2026, on behalf of Natalya Hammond;
- e. January 28, 2026, on behalf of Taliah Thomas;
- f. February 11, 2026, on behalf of Alexandria Fortes, and Amaya Johnson
- g. February 18, 2026, on behalf of Shakara Williams
- h. February 20, 2026, on behalf of Vincent La Rochelle
- i. February 24, 2026, on behalf of Jamestris Watson
- j. March 17, 2025, on behalf of Angel Hendrix.

13. Throughout the investigations, Petitioner and Respondent have kept in communication via phone and email.

- k. Yet, to date, documentation has not been provided to Petitioner.

Specific Requested Materials via Email

1. On January 27, 2026, Ms. Ruiz emailed Mr. Dinkins and Ms. Shakira Williams, the Human Resources Director (and a current complainant), and requested they provide specific answers and documents for five of the complainants. (*See Exhibit 2*).

- a. In the emails from Ms. Ruiz, some of the questions included complainants' rate of pay, date of payday or the business' workweek, and some of the requested documentation included time records over a specific period, a training policy which

discusses training deductions and the authorized signed notice from the complainant, or bank deposit receipts.

- b. The deadline to provide the documents was February 2, 2026.
 - i. Neither Respondent replied to the email.
2. On February 10, 2026, Ms. Ruiz emailed EPT and requested he provide specific answers and documents for two of the complainants. (*See Exhibit 2*).
 - a. In the email, Ms. Ruiz requested the paystubs for all wages paid for the pay period between March 3 and January 30, 2026 for Talliah Thomas, and for LaNavia Goins, time records for the claim period, what was her rate of pay, and when her payday was for the claimed period.
 - b. The deadline to provide the documents was February 12, 2026.
 - i. To date, no documentation has been provided.
3. On February 12, 2026, Ms. Ruiz emailed Mr. Dinkins and requested he provide specific answers and documents for each of the ten complainants. (*See Exhibit 3*).
 - a. In the emails with Ms. Ruiz, some of the questions included complainants' rate of pay, date of payday or the business' workweek, and some of the requested documentation included time records over a specific period, training policy that discusses deductions, or bank deposit receipts.
 - b. The deadline to provide the documents was February 16, 2026.
 - i. To date, no documentation has been provided to Petitioner.

Unanswered Administrative Subpoenas

4. On February 19, 2026, NCDOL issued the first administrative subpoena via restricted delivery certified mail, pursuant to N.C. Gen. Stat. § 95-25.16(b), for Andrew Dinkins and EPT to

- produce and provide the Wage and Hour Bureau with specific company documents and/or records regarding the ten complaining employee's hours and dates worked and the wages paid to the employees for the period of November 2025 through February 2026, and requested for 2023 and 2024 tax periods. (*see* Exhibit 4).
- a. The documentation was required to be produced no later than 5:00 pm on March 11, 2026.
 - b. The administrative subpoena was delivered to the front desk, reception area, or mail room at 11:59am on March 10, 26 at 8064 North Point Blvd., Ste 200, Winston Salem, NC 27106.
 - c. To date, Respondents have failed to comply with the subpoena.
 - d. Respondents did not timely file any objections to the subpoena.
5. The subpoenas notified EPT that **“failure to comply with this subpoena will subject you to legal action requiring compliance, and proceedings for contempt of court for failure to obey compliance orders”** under the Wage and Hour Act. *Id.* (emphasis added).
6. On March 23, 2026, NCDOL issued a second administrative subpoena via restricted delivery certified mail, pursuant to N.C. Gen. Stat. § 95-25.16(b), for Andrew Dinkins and EPT to produce and provide the Wage and Hour Bureau with company documents and/or records regarding all employees of Respondent's hours and dates worked from August 2025 through March 23, 2026 and the wages paid to the employees, and taxes for the 2024 and 2025 years. (*see* Exhibit 5).
- a. The documentation was required to be produced no later than 5:00 pm on April 10, 2026.
 - b. To date, Respondents have failed to comply with the subpoena.

- c. Respondents did not timely file any objections to the subpoena.
7. The subpoenas notified EPT that “**failure to comply with this subpoena will subject you to legal action requiring compliance, and proceedings for contempt of court for failure to obey compliance orders**” under the Wage and Hour Act. *Id.* (emphasis added).
 8. To date, Respondent has failed to comply with the required production of records.
 9. The North Carolina Department of Labor’s Wage and Hour Bureau continues to receive complaints regarding Defendants’ failure to pay employees their wages.

WHEREFORE, NCDOL respectfully requests that this court issue an order compelling Elevation Pediatric Therapy produce and provide the requested documentation related to the Wage and Hour Investigations, Files No. 217028, 217616, 217617, 217745, 217878, 218029, 218116, 218236, 218241, 218333, 218357, 218358, 218394, 218765 pursuant to N.C. Gen. Stat. § 95-25.16(b) within five days of the court’s order. If Elevation Pediatric Therapy fails to timely comply with this court’s order, then Petitioner request that the employer be held in civil contempt for failure to comply with the court’s order and administrative subpoena.

The NCDOL further requests that the court grant any other relief deemed appropriate.

This the 7th day of May, 2026.

Respectfully Submitted,

JEFF JACKSON
Attorney General

Monique D. Nketah
Assistant Attorney General
N.C. State Bar No. 61999
N.C. Department of Justice
Post Office Box 629
Raleigh, NC 27602
Telephone No. (919) 716-6680
mnketah@ncdoj.gov

Counsel for Petitioner N.C. Department of Labor

Should the wages be received in our office prior to the complaint being transferred to an investigator for investigation, our office may consider this to be a reconciliation, and no further investigation may be required.

You will be notified of the results of a reconciliation and/or investigation along with any citations against your business, as appropriate.

If you have any questions or concerns regarding this matter, email us at dol.caseanalyst@labor.nc.gov.

Be advised that pursuant to North Carolina General Statutes §95-241, no person shall discriminate or take any retaliatory action against an employee because the employee in good faith files or threatens to file a claim or complaint under the Wage and Hour Act.

Sincerely,

North Carolina Department of Labor – Wage and Hour Bureau

cc: Attachments

NOTICE: Transmission of personal identifying information and other confidential information, including but not limited to social security numbers, bank account numbers, bank routing numbers and tax identification numbers is prohibited by North Carolina Security Standard 030203.



The information below is being requested in accordance with N.C.G.S §95-25.15. The information requested will be used to determine state or federal enforcement jurisdiction and for investigative/audit purposes. Please complete the form in its entirety and return with any additional documentation requested. By completing and returning this form, you certify that the information is true and correct to the best of your knowledge. You further understand that pursuant to N.C.G.S. 95-25.21, it is illegal for anyone to interfere unduly with, hinder, or delay the Commissioner or any authorized representative in the performance of official duties or refuse to give the Commissioner or representative any information for the enforcement of the Wage and Hour Act.

Business Information

Corporation/Business Name		Business Type: <input type="checkbox"/> Corp <input type="checkbox"/> Partnership	
DBA Name		<input type="checkbox"/> LLC <input type="checkbox"/> Sole Proprietor	
Mailing Address		City, State, Zip	
Business Contact Name/Job Title	Business Contact Job Title	Email Address	
Telephone Number	Cell Phone/Alternate Number	Fax Number	
Is the business still open? <input type="checkbox"/> Yes <input type="checkbox"/> No If no, what date did the business close?		Was there a change of ownership? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, indicate the date ownership changed.	

Annual Dollar Volume/Gross Sales of the Business

Please indicate the Annual Dollar Volume (Gross Sales) of the business for the past two years.

\$ 2023	\$ 2024	\$ 2025 Year to Date Sales
Indicate the form used to file yearly income taxes	Date of last tax filing	Does the business receive government funding? Select which apply. <input type="checkbox"/> State <input type="checkbox"/> Federal

Employee(s) Information

Please enter the number of employees for each of the items below.

Total Employees	Salaried Employees	Hourly Employees	Tipped Employees	Exempt from Overtime
Day of week workweek begins		Day of week workweek ends		Day of the week employees are paid.
How often are employees paid <input type="checkbox"/> Daily <input type="checkbox"/> Weekly <input type="checkbox"/> Bi-Weekly <input type="checkbox"/> Semi Monthly <input type="checkbox"/> Monthly <input type="checkbox"/> Other _____				
Please check any of the below benefits provided to the employee(s). <input type="checkbox"/> Bonus <input type="checkbox"/> Commissions <input type="checkbox"/> Paid Time Off (PTO) <input type="checkbox"/> Severance <input type="checkbox"/> Sick <input type="checkbox"/> Vacation				

Attach/provide all written policies related to these benefits.

Secretary of State Information

Is the business registered with the Secretary of State's Office? <input type="checkbox"/> Yes <input type="checkbox"/> No	Name and telephone number of the Registered Agent
Other State(s) business is registered with: Name(s) of Officer(s) and Job Title(s)	

Employer Bankruptcy Information

If you are filing or have filed for bankruptcy, please provide the following information.

Bankruptcy case number	Last four digits of social security number/Tax ID.	Please indicate the Chapter	Date of filing
Attorney Name		Attorney Telephone Number	



Complainant Information

Please provide the information regarding Natalie Fitzgerald.
Per NCGS 95-25.15, please provide payroll and time records for the complaint period in question.

Current Employee Former Employee Employment Agreement/Contract was signed by both parties

First Date of Employment	Last Date of Employment	Was separation <input type="checkbox"/> voluntary <input type="checkbox"/> involuntary
Complainant's Job Title	Type of Work Performed	Complainant's Rate of Pay
How often is the complainant paid.	Indicate the day of the week the complainant receives wages.	Select if job duties involve interstate commerce (credit card, emails, delivery, etc.) <input type="checkbox"/> Yes <input type="checkbox"/> No

Select method of payment.
 Check Cash Direct Deposit Mobile Payments Pay Card Other: _____

Please respond to the alleged complaint by answering the following questions. If additional space is needed, please use a blank sheet of paper.

Please explain if the complainant did or did not receive their paycheck for the complaint period in question.

Indicate how the complainant received the wages for the complaint period in question? **If all wages in question were provided to the complainant for the complaint period in question, verification of payment must be submitted.** Acceptable verification includes cancelled checks (front and back), verification of cash received, documentation from employer's banking institution to support direct deposit into the complainant's account only, verification of mobile payment or pay card or any other verification to support payment.
Paycheck stubs will not be accepted as verification of payment.

Check Cash Direct Deposit Mobile Payments Pay Card Other: _____

Indicate which of the following will be provided to support the wages were paid for the period in question.

Cancelled Check Direct Deposit Transmittal - Proof of Deposit Verification of Cash Received Other: _____

Are there any facts alleged by the complainant that are not true? Can you support your claim?

If wages were withheld because funds were not available on pay day, please advise.

If a shortage was discovered, please provide the circumstances surrounding the shortage. Was it discovered on or before pay day?

Do you have a written sick, vacation, bonus and/or commission policy? Yes No **If yes, please attach/send all written policies related to these benefits.** Does the policy contain a forfeiture clause? Yes No

Were deductions made from the complainant's paycheck? If so, was written authorization obtained prior to the deduction of the wages? Please provide the factual details and your right to withhold the wages claimed. **If written authorization for deductions was obtained, please attach.**

Were criminal charges filed either through the police department or courts? Yes No If yes, please attach supporting documentation.

If criminal charges have been filed, has a court date been scheduled as a result of the filing? Yes No If yes, please indicate the court date.

Please provide the disposition if the outcome has been concluded.

§ 95-25.15. Investigations and inspection of records; notice of law.

(a) The Commissioner or his designated representative shall have the power and authority to enter any place of employment and gather such facts as are essential to determine whether the employer is covered by any provision of this Article. With respect to any provision of this Article under which the employer is covered, the Commissioner or the Commissioner's designated representative may inspect such places and such records, make transcriptions of all such records, question employees and investigate such facts, conditions, practices, or matters as are necessary to determine whether the employer has violated said provision of this Article.



Youth Employment Questionnaire

Please provide information below regarding youth employed at this establishment.

If you do not hire youths under the age of 18, please acknowledge here that youth(s) under 18 are not currently employed.

Please indicate the total number of youths **currently** employed at this establishment based upon the ages noted below.

Ages 16-17

Ages 14-15

Ages 13 and under

Were youth employment certificates obtained on the above listed youths? Yes No

If yes, please provide all youth employment certificates on record for all youths currently employed.

If no, please provide an explanation as to why a youth employment certificate was not obtained.

How are the youth's time records maintained?

Please provide the name, date of birth and age of the youth, beginning dates of employment, job titles, start and end time based upon the information noted above.

Please indicate the total number of **former** youths employed at this establishment for the past two years as of November 26, 2025.^a

Ages 16-17

Ages 14-15

Ages 13 and under

Were youth employment certificates obtained on the above listed youths? Yes No

If yes, please provide all youth employment certificates on record for all former youths employed.

If no, please provide an explanation as to why a youth employment certificate was not obtained.

How are the youth's time records maintained?

Please provide the name and age of the youth, beginning dates of employment, job titles, start and end time based upon the information noted above.

Additional Information

Does the establishment have an on-premise permit to serve alcohol? Yes No

Please indicate your hours of operation.



Industry/Occupations

Please select any of the below occupations where a youth is or has been employed within the past two years.

- Welding, brazing and torch cutting
- Any processes where quartz or any other form of silicon dioxide or asbestos silicate is present in powdered form.
- Any work involving exposure to lead or any of its compounds in any form.
- At any work involving exposure to benzene or any benzene compound that is volatile or can penetrate the skin.
- Occupations in canneries, seafood and poultry processing that involve cutting or slicing machines or freezing or packaging activities.
- Any work which involves the risk of falling a distance of 10 feet or more, including ladders and scaffolds.
- Any work as an electrician or electrician's helper.
- Any work in confined spaces.
- Occupations requiring the use of respirators.

Please select any of the below occupations where a youth is or has been employed within the past two years.

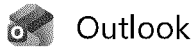
- Manufacturing and storing explosives.
- Motor-vehicle driving and outside helper
- Coal mining
- Logging and sawmilling
- Power-driven woodworking machines
- Exposure to radioactive substances
- Power-driven hoisting apparatus
- Power-driven metal-forming, punching and shearing machines
- Mining, other than coal mining
- Slaughtering, meat-packing processing or rendering
- Power-driven bakery machines
- Power-driven paper-products machines
- Manufacturing brick, tile and kindred products
- Power-driven circular saws, band saws and guillotine shears
- Wrecking, demolition and ship-breaking operations
- Roofing operations
- Excavation operations

Please provide any additional information not indicated above.

To obtain a youth employment certificate, please visit our website: www.labor.nc.gov

Would you be interested in a Wage and Hour Presentation about Wage and Hour requirements and/or Youth Employment?

- Yes No




NCDOL- Important Information Regarding Cases #217028

From Santana, Rigoberto C <cruz.santana@labor.nc.gov>

Date Wed 11/26/2025 10:30 AM

To adinkins@elevationpediatrictherapy.org <adinkins@elevationpediatrictherapy.org>

 1 attachment (167 KB)

Case ID #217028.pdf;

Dear Andrew Dinkins,

The North Carolina Department of Labor – Wage and Hour Bureau, has received a complaint against **Elevation Pediatric Therapy, LLC**. Please see the attached letter which explains the complaint in additional detail. As noted within the letter, a response is required by **December 3rd, 2025**.

If you have additional questions, please contact a representative in our call center at 800-625-2267, Monday through Friday, between 8am and 4:45pm.

Our office looks forward to working with you.

Cruz Santana
Case Analyst
N.C. Department of Labor
Wage and Hour Bureau
1101 Mail Service Center
Raleigh, NC 27699-1101
Ph: 800.625.2267
Fax:919-707-7999



Ruiz, Sofia

From: Ruiz, Sofia
Sent: Tuesday, February 10, 2026 12:07 PM
To: 'info@eptnc.org'
Subject: RE: NCDOL-Wage & Hour Bureau-217028, 217616, 217617, 217745 & 217878 (RECORDS REQUIRED)

Good afternoon,

I attempted to call Mr. Lisenby today at phone number ending in 3560 but was unable to leave a message. Our agency was advised that Mr. Dinkins and Ms. Williams are no longer at the business. Please advise who will be out main point of contact regarding the claims against the business.

As of today, our agency has not received a response regarding the claims filed against the business. Additionally, we received two more claims against the business. Please see below for documents needed regarding the new claims. Please provide the requested information and documents for 7 claims **by February 12, 2026.**

Case 218029-Talliah Thomas: The complainant is claiming that she is not aware how much was deducted from her paycheck as not paystub was provided.

1. Please provide the paystubs for all wages paid for the pay period between March 3 and January 30, 2026.

Case 218116-LaNavia Gons- The complainant is claiming wages of \$432 for the pay period between January 7 and January 16, 2026.

1. Please provide the complainant time records for the claim period.
2. What was the complainant's rate of pay?
3. When was payday for the claimed period?

Sofia Ruiz

Wage and Hour Investigator
1101 Mail Service Center
Raleigh, NC 27699-1101
Phone: 919-707-7982
Email: sofia.ruiz@labor.nc.gov



From: Ruiz, Sofia
Sent: Tuesday, January 27, 2026 2:46 PM

**Petitioner's
Exhibit 2**

To: 'info@eptnc.org' <info@eptnc.org>

Subject: NCDOL-Wage & Hour Bureau-217028, 217616, 217617, 217745 & 217878 (RECORDS REQUIRED)

Dear Andrew Dinkins and Shakira Williams,

Our agency had received multiple claims against **Elevation Pediatric Therapy, LLC, dba Elevation Pediatric Therapy.**

We have attempted to reach you both via email and phone regarding the claims on November 26, December 4, December 8, 2025, January 6, January 14, and January 23, 2026. However, we're either advised that documents will be provided soon, or that the employer is not in the office. Please see below for records needed regarding each case. Please provide the documents and information being requested by **February 2, 2026. Due to the amount of claims receives and for previous history with our bureau, failure to comply may result in further legal action and/or on-site visit of the business to gather the documents needed.**

Case 217028-Natalie Fitzgerald: The complainant is claiming wages of \$484 for 32 hours at a rate of \$15 per hour and 2 hours at a rate of \$17 per hour, for the pay period between November 3 and November 7, 2025.

- Please provide the time records for the claim period.
- The training policy reflecting the deductions made of \$400 for training and the authorized signed notice from the complainant.
- A copy of the paystub for the claim period.
- The complainant stated she was provided a contract, was she considered an employee of the business? if not, please explain why she not considered one.

Case 217616-Ayslinn Gomez: The complainant is claiming \$1,314.76 for hours worked between December 5 and December 19, 2025. Ms. Gomez stated that the initial payment issued her had insufficient funds.

- Please provide time records to claim period.
- Please advise why she was not paid on the correct pay schedule.
- If payment was issued, please provide a copy of the bank deposit transmittal reflecting that payment was issued and successful.

Case 217617-Latwana McArthur: The complainant is claiming \$1,305 for hours worked between December 1 and December 12, 2025.

- Please provide time record for the claim period.
- Please advise the complainant's rate of pay.
- When is payday and the business' workweek?

Case 217745-Lindsey Hauser: The complainant is claiming \$590.22 for hours worked between December 14 and December 28, 2025.

- Please provide time records for the claim period.
- Please advise the complainant's rate of pay.

- When is payday and the business' workweek?

Case 217878-Natalya Hammond: The complainant is claiming \$367.03 for hours worked between December 29 and January 11, 2025. Ms. Hammond stated that the payment issued on January 16, 2026, was returned to the employer, causing insufficient funds in her bank account. She had reached out to the employer but has not received a response.

- Please provide time records of the claim period.
- Please advise the complainant's rate of pay?
- When is payday and the business's workweek?
- If payment was issued, if payment was issued, please provide a copy of the bank deposit transmittal reflecting that payment was issued and successful.

Sincerely,

Sofia Ruiz

Wage and Hour Investigator

1101 Mail Service Center

Raleigh, NC 27699-1101

Phone: 919-707-7982

Email: sofia.ruiz@labor.nc.gov



NOTICE: Email correspondence to and from this sender may be subject to the North Carolina Public Records Law and may be disclosed to third parties. In addition, e-mail correspondence to and from this sender is not encrypted. Therefore, transmitting via e-mail personal identifying information and other confidential information including, but not limited to, social security numbers, employer taxpayer identification numbers, checking account numbers, savings account numbers, credit card numbers, debit card numbers, and any other numbers or information that can be used to access a person's financial resources is discouraged.

1101 Mail Service Center, Raleigh, NC 27699-1101 | Phone: 919-707-7982 | For more information please visit www.labor.nc.gov

Ruiz, Sofia

From: Ruiz, Sofia
Sent: Thursday, February 12, 2026 1:55 PM
To: 'adinkins@elevationpediatrictherapy.org'
Cc: info@eptnc.org
Subject: NCDOL-Wage & Hour Bureau-217028, 217616, 217617, 217745, 217878, 218029, 218116, 218236, 218241 (RECORDS REQUIRED)

Dear Andrew Dinkins,

I was advised that you had called our agency yesterday. Please be advised that our agency has attempted to contact you on November 26, December 4, Decembers, 2025, January6, January 14, January 23, January 27, and February10, 2026. However, we have not received a response from you or anyone at the business.

Please see below for documents needed regarding all seven (9) claims filed against the business. Please provide the requested information and documents no later than **February 16, 2026**.

Case 217028-Natalie Fitzgerald: The complainant is claiming wages of \$484 for 32 hours at a rate of \$15 per hour and 2 hours at a rate of \$17 per hour, for the pay period between November 3 and November 7, 2025.

1. Please provide the time records for the claim period.
2. The training policy that talks about deductions being made of \$400 for training and the authorized signed notice from the complainant for the deductions made.
3. Was the complainant considered an employee of the business? If not, please advise why not.

Case 217616-Ayslenn Gomez: The complainant is claiming \$1,314.76 for hours worked between December 5 and December 19, 2025. Ms. Gomez stated that the initial payment issued her had insufficient funds. Therefore, she never received payment.

1. Please provide time records to claim period.
2. Please advise why she was not paid on the correct pay schedule.
3. If payment was issued, please provide a copy of the bank deposit transmittal reflecting that payment successful/cash out.

Case 217617-Latwana McArthur: The complainant is claiming \$1,305 for hours worked between December 1 and December 12, 2025.

1. Please provide time record for the claim period.
2. Please advise the complainant's rate of pay.
3. When is payday and the business' workweek?

Case 217745-Lindsey Hauser: The complainant is claiming \$590.22 for hours worked between December 14 and December 28, 2025.

1. Please provide time records for the claim period.
2. Please advise the complainant's rate of pay.
3. When is payday and the business' workweek?

**Petitioner's
Exhibit 3**

Case 217878-Natalya Hammond: The complainant is claiming \$367.03 for hours worked between December 29 and January 11, 2025. Ms. Hammond stated that the payment issued on January 16, 2026, was returned to the employer, causing insufficient funds in her bank account. She has reached out to the employer but has not received a response.

1. Please provide time records of the claim period.
2. Please advise the complainant's rate of pay?
3. When is payday and the business's workweek?
4. If payment was issued, please provide a copy of the bank deposit transmittal reflecting that payment successful/cash out.

Case 218029-Talliah Thomas: The complainant is claiming that she is not aware how much was deducted from her paycheck as no paystub were provided throughout her employment.

1. Please advised if an itemized list was provided to the employees to reflect the amount being paid and deducted.
2. If so, please provide the itemized list for the pay period between March 3 and January 30, 2026.

Case 218116-LaNavia Gons- The complainant is claiming wages of \$432 for the pay period between January 7 and January 16, 2026.

1. Please provide the complainant time records for the claim period.
2. What was the complainant's rate of pay?
3. When was payday for the claimed period?

Case 218236-Alexandria Forres: The complainant is claiming that she is not aware how much was deducted from her paycheck as no paystub was provided to her throughout her employment.

1. Please advised if an itemized list was provided to the employees to reflect the amount being paid and deducted.
2. If so, please provide the itemized list for the pay period between October 31 and January 16, 2026.

Case 218241-Amaya Johnson: The complainant is claiming wages of \$1,216.07 for the pay period between January 12, 2025, and January 25, 2026.

1. Please provide time records of the claim period.
2. Please advise the complainant's rate of pay?
3. When is payday and the business's workweek?

Sincerely,

Sofia Ruiz

Wage and Hour Investigator
1101 Mail Service Center
Raleigh, NC 27699-1101
Phone: 919-707-7982
Email: sofia.ruiz@labor.nc.gov



NOTICE: Email correspondence to and from this sender may be subject to the North Carolina Public Records Law and may be disclosed to third parties. In addition, e-mail correspondence to and from this sender is not encrypted. Therefore, transmitting via e-mail personal identifying information and other confidential information including, but not limited to, social security numbers, employer taxpayer identification numbers, checking account numbers, savings account numbers, credit card numbers, debit card numbers, and any other numbers or information that can be used to access a person's financial resources is discouraged.

1101 Mail Service Center, Raleigh, NC 27699-1101 | Phone: 919-707-7982 | For more information please visit www.labor.nc.gov

STATE OF NORTH CAROLINA
County of Forsyth

File # 217028, 217028, 217616, 217617, 217745, 217878,
218029, 218116, 218236, 218241, 218333

TO PRODUCE DOCUMENTS OR OBJECTS
NORTH CAROLINA DEPARTMENT OF LABOR
WAGE AND HOUR BUREAU

IN THE MATTER OF:

Investigation of Elevation Pediatric Therapy, LLC dba Elevation Pediatric Therapy and
Andrew Dinkins, Registered Agent

TO:

Andrew Dinkins, individually and
in his capacity as Registered Agent of
Elevation Pediatric Therapy, LLC dba Elevation Pediatric Therapy

Elevation Pediatric Therapy, LLC
8064 North Point Blvd Ste 200
Winston Salem, NC 27106

GREETINGS

YOU ARE HEREBY COMMANDED TO PRODUCE AND PROVIDE to the Wage and Hour Bureau, North Carolina Department of Labor on or before March 11, 2026 the following documents:

1. All documents and records showing the name, home address and telephone(s) numbers of all corporate officers, stockholders and owners of Elevation Pediatric Therapy, LLC dba Elevation Pediatric Therapy;
2. All documents and records showing the name, address, telephone number(s) and rates of pay for Natalie Fitzgerald, Ayslinn Gomez, Latwana McArthur, Lindsey Hauser, Natalya Hammond, Tallah Thomas, LaNavia Goins, Alexandria Fortes, Amaya Johnson, Shakara Williams while employed by Elevation Pediatric Therapy, LLC dba Elevation Pediatric Therapy, for the period from and including November 1, 2025, through February 10, 2026;
3. All documents and records showing the hours and dates worked and the wages paid to Natalie Fitzgerald, Ayslinn Gomez, Latwana McArthur, Lindsey Hauser, Natalya Hammond, Tallah Thomas, LaNavia Goins, Alexandria Fortes, Amaya Johnson, Shakara Williams, while employed by Elevation Pediatric Therapy, LLC dba Elevation Pediatric Therapy, for the period from and including November 1, 2025, through February 10, 2026;
4. All documents and records showing and explaining deductions made from wages paid to Natalie Fitzgerald, Ayslinn Gomez, Latwana McArthur, Lindsey Hauser, Natalya Hammond, Tallah Thomas, LaNavia Goins, Alexandria Fortes, Amaya Johnson, Shakara Williams while employed by Elevation Pediatric Therapy, LLC dba Elevation Pediatric Therapy, for the period from and including November 1, 2025, through February 10, 2026;
5. United States and North Carolina tax returns of Elevation Pediatric Therapy, LLC dba Elevation Pediatric Therapy, for the years 2023 and 2024. If originals are unavailable, you may produce exact copies showing both sides of the originals;

**Petitioner's
Exhibit 4**

6. All checks and receipts for wages paid to Natalie Fitzgerald, Ayslinn Gomez, Latwana McArthur, Lindsey Hauser, Natalya Hammond, Tallah Thomas, LaNavia Goins, Alexandria Fortes, Amaya Johnson, Shakara Williams while employed by Elevation Pediatric Therapy, LLC dba Elevation Pediatric Therapy, for the period from and including November 1, 2025, through February 10, 2026; if originals are unavailable, you may produce exact copies showing both sides of the originals;
7. All documents and records stating, documenting, describing and relating to Elevation Pediatric Therapy, LLC dba Elevation Pediatric Therapy, policies or practices regarding sick pay, vacation pay, holiday pay or bonuses;
8. All documents or records relating to persons under the age of 18 who were employed by Elevation Pediatric Therapy, LLC dba Elevation Pediatric Therapy, for the period from and including November 1, 2025, through February 10, 2026.
9. All documents or records showing the amount of tips received by Natalie Fitzgerald, Ayslinn Gomez, Latwana McArthur, Lindsey Hauser, Natalya Hammond, Tallah Thomas, LaNavia Goins, Alexandria Fortes, Amaya Johnson, Shakara Williams for the period from and including November 1, 2025, through February 10, 2026;
10. All documents and records showing the amount of service charges and/or mandatory gratuities received by Natalie Fitzgerald, Ayslinn Gomez, Latwana McArthur, Lindsey Hauser, Natalya Hammond, Tallah Thomas, LaNavia Goins, Alexandria Fortes, Amaya Johnson, Shakara Williams while employed by Elevation Pediatric Therapy, LLC dba Elevation Pediatric Therapy, for the period from and including November 1, 2025, through February 10, 2026.

You shall produce the records listed above via email, fax, or mail to Sofia Ruiz, Investigator, Wage and Hour Bureau, North Carolina Department of Labor at 1101 Mail Service Center, Raleigh, NC 27699 no later than 5:00 PM on March 11, 2026.

It may be necessary for the North Carolina Department of Labor to remove and retain the above listed documents for the purpose of copying, before the documents are returned to you.

This subpoena is issued pursuant to the authority granted in the N.C.G.S. §95-25.16 and upon the application of, Sofia Ruiz, Investigator.

Issued this 19 day of February, 2026.

BY: **Sofia Ruiz**

Sofia Ruiz
Investigator
1101 Mail Service Center
Raleigh, North Carolina 27699
Office: 919-707-7982
Fax: 888-733-9389
Email: Sofia.ruiz@labor.nc.gov

NOTICE

This subpoena is issued pursuant to the authority granted to the Commissioner of Labor and his representatives, pursuant to N.C.G.S. §95-25.16, which includes the authority to compel the attendance of witnesses, compel the production of documents, examine witnesses and issue subpoenas in aid of investigations under the North Carolina Wage and Hour Act. You should be advised that failure to comply with this subpoena will subject you to legal action requiring compliance, and proceedings for contempt of court for failure to obey compliance orders.

To inquire into the possibility of arranging a different time or place, the investigator can be contacted via phone (919-707-7982), fax (888-733-9389), and/or email (Sofia.ruiz@labor.nc.gov).

OFFICER'S RETURN

I certify that the above subpoena issued by the North Carolina Department of Labor to Elevation Pediatric Therapy, LLC dba Elevation Pediatric Therapy and Andrew Dinkins, Registered Agent (Defendant), to produce documents or objects was received on the ____ day of _____.

This subpoena was personally served on Defendant, Andrew Dinkins, Registered Agent, on the ____ day of _____, _____ at _____ am / pm at the following place: _____ by delivering a copy to him/her personally.

This subpoena was not served due to the following: _____

NOTE: If the named party cannot be personally served, this subpoena should be returned to the issuing party.

Officer

Please return to:
Sofia Ruiz
Investigator
1101 Mail Service Center
Raleigh, North Carolina 27699
Office: 919-707-7982
Fax: 888-733-9389
Email: Sofia.ruiz@labor.nc.gov

CERTIFIED MAIL



9589 0720 5270 1452 9383 82

Andrew Dinkins
Elevation Pediatric Therapy, LLC, DBA Elevation Pediatric Therapy
8064 North Point Blvd Ste 200
Winston Salem, NC 27106



RESTRICTED DELIVERY

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front, if space permits.

1. Article Addressed to:

Andrew Dinkins
 Elevation Pediatric Therapy, LLC, DBA Elevation Pediatric Therapy
 8064 North Point Blvd Ste 200 Winston Salem, NC 27106

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent Addressee
- B. Received by (Printed Name) Address
- C. Date of Delivery Yes No
- D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:



9590 9402 9104 4225 9388 10

2. Article Number (Transfer from service label)

9589 0710 5270 1452 9383 82

PS Form 3811, July 2020 PSN 7530-02-000-9053

217028 SR

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RESTRICTED DELIVERY

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Your item was delivered to the front desk, reception area, or mail room at 11:59 am on March 10, 2026 in WINSTON SALEM, NC 27106.

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WINSTON SALEM, NC 27106

March 10, 2026, 11:59 am

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Contact USPS Tracking support for further assistance.

FAQs

STATE OF NORTH CAROLINA
County of Forsyth

File # 217028

TO PRODUCE DOCUMENTS OR OBJECTS
NORTH CAROLINA DEPARTMENT OF LABOR
WAGE AND HOUR BUREAU

IN THE MATTER OF:

Investigation of Elevation Pediatric Therapy, LLC dba Elevation Pediatric Therapy and
Andrew Dinkins, President

TO:

Andrew Dinkins, individually and
in his capacity as President of
Elevation Pediatric Therapy, LLC dba Elevation Pediatric Therapy

Elevation Pediatric Therapy, LLC
1201 N Martin Luther King Jr Dr
Winston Salem, NC 27105

GREETINGS

YOU ARE HEREBY COMMANDED TO PRODUCE AND PROVIDE to the Wage and Hour Bureau, North Carolina Department of Labor on or before April 10, 2026, the following documents:

1. All documents and records showing the name, home address and telephone number(s) of all corporate officers, stockholders and owners of Elevation Pediatric Therapy, LLC dba Elevation Pediatric Therapy;
2. All documents and records showing the names, addresses, telephone numbers, and rates of pay for all persons employed by Elevation Pediatric Therapy, LLC dba Elevation Pediatric Therapy, for the period from and including August 2025, through March 23, 2026;
3. All documents and records showing the hours and dates worked and the wages paid to all persons who were employed by Elevation Pediatric Therapy, LLC dba Elevation Pediatric Therapy, for the period from and including August 2025, through March 23, 2026;
4. All documents and records showing and explaining deductions made from wages paid to all persons who were employed by Elevation Pediatric Therapy, LLC dba Elevation Pediatric Therapy, for the period from and including August 2025, through March 23, 2026;
5. United States and North Carolina tax returns of Elevation Pediatric Therapy, LLC dba Elevation Pediatric Therapy, for the years 2024 and 2025. If originals are unavailable, you may produce exact copies showing both sides of the originals;
6. All checks and receipts for wages paid to all persons who were employed by Elevation Pediatric Therapy, LLC dba Elevation Pediatric Therapy, for the period August 2025, through March 23, 2026; if originals are unavailable, you may produce exact copies showing both sides of the originals;

7. All documents and records stating, documenting, describing and relating to Elevation Pediatric Therapy, LLC dba Elevation Pediatric Therapy, policies or practices regarding sick pay, vacation pay, holiday pay or bonuses;
8. All documents or records relating to persons under the age of 18 who were employed by Elevation Pediatric Therapy, LLC dba Elevation Pediatric Therapy, from and including the period from August 2025, through March 23, 2026;
9. All documents or records showing the amount of tips received by all persons for the period from and including August 2025, through March 23, 2026;
10. All documents and records showing the amount of service charges and/or mandatory gratuities received by all persons who were employed by Elevation Pediatric Therapy, LLC dba Elevation Pediatric Therapy, for the period from and including August 2025, through March 23, 2026.

You shall produce the records listed above via email, fax, or mail to Sofia Ruiz, Investigator, Wage and Hour Bureau, North Carolina Department of Labor at 1101 Mail Service Center, Raleigh, NC 27699 no later than 5:00 PM on April 10, 2026.

It may be necessary for the North Carolina Department of Labor to remove and retain the above listed documents for the purpose of copying, before the documents are returned to you.

This subpoena is issued pursuant to the authority granted in the N.C.G.S. §95-25.16 and upon the application of, Sofia Ruiz, Investigator.

Issued this 23 day of March 2026.

BY: *Sofia Ruiz*
Sofia Ruiz
Investigator
1101 Mail Service Center
Raleigh, North Carolina 27699
Office: 919-707-7982
Fax: 888-733-9389
Email: Sofia.ruiz@labor.nc.gov

NOTICE

This subpoena is issued pursuant to the authority granted to the Commissioner of Labor and his representatives, pursuant to N.C.G.S. §95-25.16, which includes the authority to compel the attendance of witnesses, compel the production of documents, examine witnesses and issue subpoenas in aid of investigations under the North Carolina Wage and Hour Act. You should be advised that failure to comply with this subpoena will subject you to legal action requiring compliance, and proceedings for contempt of court for failure to obey compliance orders.

To inquire into the possibility of arranging a different time or place, the investigator can be contacted via phone (919-707-7982), fax (888-733-9389), and/or email (Sofia.ruiz@labor.nc.gov).

OFFICER'S RETURN

I certify that the above subpoena issued by the North Carolina Department of Labor to Elevation Pediatric Therapy, LLC dba Elevation Pediatric Therapy and Andrew Dinkins, President (Defendant), to produce documents or objects was received on the ____ day of _____.

This subpoena was personally served on Defendant, Andrew Dinkins, President, on the _____ day of _____, _____ at _____ am / pm at the following place: _____ by delivering a copy to him/her personally.

This subpoena was not served due to the following: _____

NOTE: If the named party cannot be personally served, this subpoena should be returned to the issuing party.

Officer

Please return to:
Sofia Ruiz
Investigator
1101 Mail Service Center
Raleigh, North Carolina 27699
Office: 919-707-7982
Fax: 888-733-9389
Email: Sofia.ruiz@labor.nc.gov

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Addressee Unknown

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GREENSBORO NC DISTRIBUTION CENTER

March 27, 2026, 7:55 am

Departed USPS Regional Facility

RALEIGH NC DISTRIBUTION CENTER

March 26, 2026, 9:31 pm

Arrived at USPS Regional Facility

RALEIGH NC DISTRIBUTION CENTER

March 26, 2026, 8:32 am

Feedback

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FAQs