

STATE OF MAINE  
KENNEBEC, ss.

SUPERIOR COURT  
CIVIL ACTION  
Docket No.: CV-2023-142

STATE OF MAINE and DIRECTOR,  
BUREAU OF LABOR STANDARDS,

Plaintiffs,

v.

MAINE RIDE DETAILING, LLC, d/b/a  
EAST COAST COATINGS and  
MOSTAFA ELFAHAM, in his personal  
capacity

Defendants

## JUDGMENT

This action was brought by the Attorney General in the name of the State and the Director of the Bureau of Labor Standards (“Bureau”), Maine Department of Labor (“MDOL”), (collectively “State”) against Defendants Maine Ride Detailing, LLC, d/b/a East Coast Coatings (“MRD”) and Mostafa Elfaham, the owner of MRD. The State alleges that Defendants violated multiple wage and hour statutes by failing to pay their employees in full, including for credit card tips paid to the business by customers. The Court previously entered Defendants’ defaults as a sanction for their failure to comply with discovery orders and, as a result, the allegations in the State’s complaint are admitted and deemed true. *See McAlister v. Slosberg*, 658 A.2d 658, 660 (Me. 1995).

A final hearing on remedies was held on July 22, 2025. The State appeared and was represented by the Office of the Attorney General. Defendants did not appear. The Court heard testimony from four witnesses called by the State, two of whom were former employees of MRD. The Court also admitted into evidence numerous exhibits documenting MRD’s receipt of credit card tips, payroll and time records, complaints from employees and MDOL’s investigation

of such complaints. Based on the evidence presented at the hearing and the admitted allegations of the Complaint, the Court makes the following findings of fact and conclusions of law:

1. The Court has jurisdiction over the subject matter of this action pursuant to 4 M.R.S.A. § 105 and 26 M.R.S.A. § 4. The Court has personal jurisdiction over the parties pursuant to 14 M.R.S.A. § 704-A.

2. Under Maine labor statutes, employers are obligated to make timely and full payment of wages, specifically payment of all wages earned, on regularly established pay dates at intervals of no more than 16 days. 26 M.R.S.A. § 621-A(1). Tips “received by a service employee become the property of the employee and may not be shared with the employer.” 26 M.R.S.A. § 664(2). Employers are obligated to pay credit card tips to the employee by the next regular pay date. *Id.* Thus, credit card tips are a form of wages and must be paid in full and in a timely manner pursuant to § 621-A.

3. Employers in Maine are prohibited from permitting employees to work without compensation. 26 M.R.S.A. § 629.

4. Employers are also obligated to keep true and accurate records and to furnish a wage statement to each employee that shows the employee’s “total earnings” during the pay period. 26 M.R.S.A. § 665(1). An employer who does not provide pay statements or does not include all wages in the total earnings, including credit card tips, has not provided a true and accurate wage statement. *Id.*

5. MRD and Elfaham have operated a car detailing business at various locations in Penobscot County, Maine, since at least January 1, 2020. At all relevant times, MRD and Elfaham were employers within the meaning of 26 M.R.S.A. §§ 621-A, 629, 664 and 665.

6. Defendants' employees since at least January 1, 2020, were service employees within the meaning of 26 M.R.S.A. § 663(8). While employees had various working titles, all employees received tips. EX 10.

7. Between January 1, 2020, and March 14, 2025, MRD and Elfaham received \$29,982.80 in credit card tips paid by customers. EX 9A; EX 12. MRD and Elfaham did not pay credit card tips to any employee at any time, in violation of 26 M.R.S.A §§ 621-A and 664(2).

8. Between January 1, 2020, and March 14, 2025, MRD and Elfaham failed to provide accurate pay statements to their employees, either by failing to provide pay statements at all or by providing pay statements that did not include credit card tips earned by the employees, in violation of 26 M.R.S.A. § 665.

9. MRD and Elfaham failed to pay [REDACTED] for his final two weeks of work, amounting to a total of \$952.20 in unpaid wages, and rendering him without compensation for two pay weeks, in violation of 26 M.R.S.A. § 629.

10. MRD and Elfaham failed to pay [REDACTED] for the three weeks that he worked for MRD and Elfaham, amounting to a total of \$1196.25 in unpaid wages, and rendering him without compensation for three pay weeks, in violation of 26 M.R.S.A. § 629.

11. MRD and Elfaham failed to pay [REDACTED] for his final three weeks of work, amounting to approximately \$2600 in unpaid wages, and rendering him without compensation for three pay weeks, in violation of 26 M.R.S.A. § 629.

12. For 266 pay periods, MRD and Elfaham failed to pay their employees timely and in full, in violation of 26 M.R.S.A. § 621-A. EX 12.

13. For 266 pay periods, MRD and Elfaham failed to pay credit card tips to their employees which were the property of the employees, in violation of 26 M.R.S.A. § 664(2).

14. For 266 pay periods, MRD and Elfaham failed to provide accurate wage statements to their employees, in violation of 26 M.R.S.A. § 665.

15. For three employees, MRD and Elfaham permitted employees to work without compensation, in violation of 26 M.R.S.A. § 629.

16. Under Maine wage and hour law, for violations of sections 621-A and 629, an “employer is liable to the employee or employees for the amount of unpaid wages[.]. Upon a judgment being rendered in favor of any employee or employees, in any action brought to recover unpaid wages or health benefits under this subchapter, such judgment includes, in addition to the unpaid wages ... adjudged to be due, a reasonable rate of interest, costs of suit including a reasonable attorney's fee, and an additional amount equal to twice the amount of unpaid wages as liquidated damages.” 26 M.R.S.A. § 626-A. Such suits may be brought by the employees or, as in this case, by MDOL on behalf of employees. *Id.* “The Department of Labor is further authorized to supervise the payment of the judgment, collect the judgment on behalf of the employee or employees and collect fines incurred through violation of this subchapter. When the Department of Labor brings an action for unpaid wages or health benefits, this action and an action to collect a civil forfeiture may both be joined in the same proceeding.” *Id.*

17. MRD and Elfaham are liable to MDOL, on behalf of MRD and Elfaham’s employees, for unpaid wages for the following: \$29,982.20 for unpaid credit card tips; \$952.20 in unpaid wages due to [REDACTED]; \$1196.25 in unpaid wages due to [REDACTED]; and \$2600 in unpaid wages due to [REDACTED], for a total of \$34,730.65 in unpaid wages. In addition, MRD and Elfaham are liable to MDOL for \$69,461.30 in liquidated damages. Defendants are jointly and severally liable for the unpaid wages and liquidated damages.

18. MRD and Elfaham are also liable to MDOL for civil forfeitures for the following:

- a. 266 violations of 26 M.R.S.A. § 621-A;
  - b. 266 violations of 26 M.R.S.A. § 664(2);
  - c. 266 violations of 26 M.R.S.A. § 665; and
  - d. 3 violations of 26 M.R.S.A. § 629.
19. For the violations of sections 621-A and 629, the State is entitled to civil forfeiture in the amount of \$100 per violation. 26 M.R.S.A. § 626-A. The Court will impose a civil penalty of \$26,900, reduced by 33.3% for employer size, for a final penalty of \$17,942.30, for which Defendants are jointly and severally liable. 12-170 C.M.R. ch. 9, § III (2022)
20. For the violations of sections 664(2) and 665, the State is entitled to fines in the amount of \$50 per violation. 26 M.R.S.A. § 671. The Court will impose a civil penalty of \$26,600, reduced by 33.3% for employer size, for a final penalty of \$17,742.20, for which Defendants are jointly and severally liable. 12-170 C.M.R. ch. 9, § III (2022).

Accordingly, the Court hereby enters judgment in favor of the State and against Defendants and orders as follows:

- (i) Defendants shall pay to MDOL the amount of \$104,191.95 in unpaid wages and liquidated damages, to be distributed by MDOL to affected employees of MRD and Elfaham;
- (ii) Defendants shall pay to MDOL a civil penalty of \$35,684.50;
- (iii) Pre-judgment interest shall accrue on the amount of unpaid wages, liquidated damages and civil penalties at the rate of 7.23% per year from the date of the filing of the complaint to the date of entry of judgment;

(iv) Post-judgment interest shall accrue on the amount of restitution and civil penalties  
at the rate of 10.23% from the date of entry of judgment; and

The clerk is directed to enter this order on the docket by reference.

**SO ORDERED.**

Dated:

7/31/25

Daniel J. Mitchell  
Hon. Daniel Mitchell  
Justice, Superior Court

Entered on the docket 8/6/2025

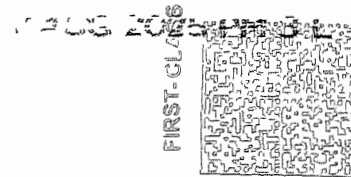
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