

THIS IS AN IMPORTANT COURT APPROVED NOTICE. READ CAREFULLY.

Leslie Suarez, et al. v. Integrated Security Services, Inc., et al.,
San Francisco County Superior Court
Case Nos. CGC-21-596612; and CGC-22-597580

**If you worked for Integrated Security Services, Inc., as a non-exempt employee in California
at any time from May 8, 2017 through January 15, 2023,
a settlement of a class action lawsuit may affect your rights.**

This is a court-authorized notice. It is not a solicitation from a lawyer.

- A proposed global settlement (the “Settlement”) has been reached in a class action lawsuit entitled *Leslie Suarez, et al. v. Integrated Security Services, Inc., et al.*, San Francisco County Superior Court, Case No. CGC-21-596612 and representative Private Attorneys’ General Act (“PAGA”) lawsuit entitled *Leslie Suarez, et al. v. Integrated Security Services, Inc., et al.*, San Francisco County Superior Court, Case No. CGC-22-597580 (collectively, the “Lawsuits”). The purpose of this Notice of Class Action Settlement (“Notice”) is to briefly describe the Lawsuits, and to inform you of your rights and options in connection with the Lawsuits and the proposed settlement.
- The Court has preliminarily approved a class action settlement (the “Settlement”) with Defendant Integrated Security Services, Inc. (“ISS”), which will affect all individuals who worked for ISS as non-exempt employees in California at any time between May 8, 2017, through January 15, 2023 (the “Class”).
- The Settlement also resolves Plaintiff’s claim for PAGA penalties for Labor Code violations purportedly suffered between May 8, 2020, through January 15, 2023 (the “PAGA Period”).
- If the Court grants final approval of the Settlement, there may be money available to you.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT	
PARTICIPATE IN THE SETTLEMENT – <u>NO ACTION REQUIRED</u>	Stay in this Lawsuit. Receive a payment. Cannot pursue your own lawsuit. By doing nothing, you become part of the Class and will collect a Settlement award as detailed below. But you will not be able to bring your own lawsuit against ISS for wage and hour violations that relate to the claims brought in this Lawsuit.
OBJECT TO THE SETTLEMENT	Stay in this Lawsuit. Receive a payment. Object to the Class Settlement. Cannot pursue your own lawsuit. To object to the Class Settlement, you must write to the Settlement Administrator, by letter or by email, about why you do not like the Settlement. Alternatively, you may also orally object to the settlement at the Final Approval Hearing. You will remain a member of the Class, and if the Court approves the Settlement, you will be bound by the terms of the Settlement in the same way as Class Members who do not object.
ASK TO BE EXCLUDED	Opt-Out of the Class Settlement. Receive a smaller or no payment from the Settlement. Keep your right to pursue your own lawsuit for damages. If you ask to be excluded from the Class Settlement, you keep your right to sue ISS separately about the legal claims in this Lawsuits, except as to the claim for PAGA penalties. If you choose this option, you must exclude yourself, in writing, from the Class Settlement. As a result, you may receive no payment at all. At most, you will receive a very small payment for resolution of the PAGA claim if you were employed as a non-exempt employee in California during the PAGA Period.

- **Regardless of the option you choose, you will not be retaliated against for exercising your rights.** To object to the Class Settlement or to ask to be excluded, you must act before September 22, 2023.
- **Any questions?** Read on or contact the Settlement Administrator listed below at 1-888-250-6810.

BASIC INFORMATION

1. Why did I get this notice?

ISS's records show that you worked for ISS in California as a non-exempt employee at some point between May 8, 2017 and January 15, 2023.

The Court has determined only that there is sufficient evidence to suggest that the proposed settlement might be fair, adequate, and reasonable. Any final determination of those issues will be made at the final hearing. You have legal rights and options that you may exercise as part of this settlement. Judge Ethan P. Schulman of the Superior Court of the State of California, County of San Francisco, is overseeing the Lawsuits.

2. What is this lawsuit about?

In the Lawsuits, Plaintiff Leslie Suarez ("Plaintiff") claims that ISS: (1) failed to properly pay minimum wages for all hours worked; (2) failed to pay overtime properly; (3) failed to provide legally compliant meal periods; (4) failed to provide legally compliant rest periods; (5) failed to properly reimburse employees for necessary business expenses; (6) failed to provide accurate, itemized wage statements; (7) failed to pay wages at the legally required intervals ; and (8) committed unfair business practices by virtue of these alleged legal violations, and that these alleged violations entitled Plaintiff to recover civil penalties to be split 75% to the State of California and 25% to certain employees. Plaintiffs also claimed entitlement to restitution, interest, attorneys' fees, and costs. You can read Plaintiff's allegations as stated in the operative Complaints in the Lawsuits, which are available at <https://ilymgroup.com/IntegratedSecurity>.

Throughout the litigation, ISS has denied—and continues to deny—the factual and legal allegations in the case. ISS does not believe that it violated any law or regulation relating to how it paid employees, when it paid employees, how much it paid employees, or how wage statements displayed information. ISS denies any wrongdoing and asserts that its conduct at all times complied with the law. ISS further denies that it owes the monies claimed in the Lawsuits. However, ISS has voluntarily agreed to the terms of a negotiated settlement in order to avoid the burden and expense of continued litigation.

3. What is a class action and who is involved?

In a class action lawsuit such as this, a person called the "Class Representative" sues on behalf of other people who may have similar claims. The people together are a "Class" or "Class Members." The person who is the Class Representative is also called the plaintiff. The company sued is called the defendant. In class action litigation, one Court resolves the issues for everyone in the Class in one lawsuit, except for those people who choose to exclude themselves from the Class.

The Lawsuits also includes a PAGA claim where Plaintiff acts on behalf of the State to recover penalties for alleged Labor Code violations on behalf of PAGA Group Members (those non-exempt employees who were employed by Defendant at any point during the PAGA Period). In a PAGA action, where penalties are awarded (either by virtue of a settlement or following a court trial) the penalties are distributed to both the State and the aggrieved employees (PAGA Group Members), with 75% of the civil penalties distributed to the State and 25% of the civil penalties distributed to PAGA Group Members. This Settlement will resolve Plaintiff's claim for civil penalties arising from claims made by Plaintiff or his counsel in the Lawsuits during the period of May 8, 2020, to January 15, 2023 (the "PAGA Period"). As a result of the Settlement, PAGA Group Members will be barred from bringing another PAGA lawsuit on behalf of the State for the same penalties.

4. Why is this Lawsuit a class action?

For settlement purposes only, Plaintiff and ISS agreed that this case can proceed as a class action and to ask the Court to approve the settlement for the Class. The Court has not ruled on the merits of the case, including whether it would be appropriate to certify this case as class action based on the facts of the case. The decision to certify the Class for settlement purposes should not be viewed as a prediction or agreement that Plaintiffs or the Class would ultimately prevail on the merits of the action, on a class action basis or otherwise.

5. What are the terms of the proposed Settlement?

Subject to final Court approval, the major terms of the Settlement are as follows:

1. ISS has agreed to pay \$355,000.00 to settle the claims made in this lawsuit. This amount is also known as the "Gross Settlement Amount".
2. Plaintiff has agreed to release all of their claims in this lawsuit against ISS.

3. **Class Settlement Payments:** Plaintiff seeks the following deductions from the \$355,000.00 Gross Settlement Amount:
- Up to one-third (1/3) of the Gross Settlement Amount (currently equal to \$118,333.33) for Class Counsel's attorneys' fees.
 - Up to \$12,000.00 for reimbursement of Class Counsel's litigation costs.
 - An incentive award of up to \$5,000.00 to Plaintiff for filing the Lawsuits, performing work in connection with the Lawsuits, and undertaking the risks of filing the Lawsuits.
 - Up to \$5,850.00 to cover the costs of the Settlement Administrator.
 - Payment of \$12,000.00, for release of PAGA claims, 75 % of which will be paid to the State of California and 25% to be shared among Class Members who were employed during the PAGA Period, regardless of whether they opt-out.

If the Court approves the requested deductions, there will be approximately \$201,816.67 remaining, to be distributed to Settlement Class Members. The remaining funds will be referred to as the "Net Settlement Amount." Any amounts not requested or awarded by the Court will be included in the Net Settlement Amount. The Net Settlement Amount will be distributed to Class Members who do not request exclusion (the "Settlement Class Members") on a pro rata basis, less applicable taxes, according to the number of weeks they worked during the Class Period.

PAGA Settlement Payments. A portion of the Gross Settlement Amount in the amount of \$3,000.00, will be set aside for Class Members who worked for ISS in California at some point during the PAGA Period. If you are a member of the PAGA Group, you will receive a pro rata share of the PAGA Group Payment, regardless of whether you opt-out of the settlement. You will not be able to pursue any claim on behalf of the State for such penalties.

Settlement Payments Generally. If a settlement check remains uncashed after 180 days from issuance, the check will become void and a stop payment will be placed on the uncashed check and the amount will be held with the Controller of the State of California to be held under the Unclaimed Property Law.

Your estimated settlement payment is listed in Section 8 of this Notice. Applicable taxes will be withheld from your payment.

WHO IS IN THE CLASS?

6. Am I part of this Class?

The "Class" includes: All non-exempt employees who worked for ISS in California at any time between May 8, 2017, through January 15, 2023 (the "Class Period").

7. I'm still not sure if I am included.

If you still are not sure whether you are included in the Class, you can get free help by contacting ILYM Group, Inc., the "Settlement Administrator", at the designated phone number for this matter at 1-888-250-6810 or by calling or writing the lawyers representing the Class in this case ("Class Counsel"), at the phone number or address listed in Section 13.

8. What is my approximate Individual Settlement Payment?

According to payroll records maintained by ISS, the total number of weeks you worked in California for ISS during the Class Period is <<MERGED_ClassWW>>; the total number of you weeks in California for ISS during the PAGA Period is <<MERGED_PAGAWW>>.

Based on information provided above and anticipated court-approved deductions, your share of the Class Settlement is estimated to be \$<<MERGED_ClassAward>>, less applicable taxes and withholdings. Your share of the PAGA portion of the Settlement is estimated to be \$<<MERGED_PAGAAward>>.

You do not need to do anything further to receive your Individual Settlement Payment, other than to ensure that the Settlement Administrator has an accurate mailing address for you. It is important that you contact and inform the Settlement Administrator listed in Section 16, below, of any changes to your mailing address for timely payment.

Disputing Your Payment Amount

If you believe your total weeks worked during either the Class or PAGA Periods shown above are not correct, you may send a letter or email to the Settlement Administrator indicating what you believe is correct by no later than September 22, 2023. You should also send any documents or other information that supports your belief. The Settlement Administrator will attempt to resolve any dispute based on ISS's records and any information you provide. Once a final decision has been rendered with respect to any Class Member Workweek disputes, the Settlement Administrator shall inform Class Members of the final decision.

9. What rights am I releasing if I participate in the Settlement?

If the Court grants final approval of the Settlement and you do not opt out of the Settlement, you will be deemed to have released ISS, its officers, shareholders, directors, agents, clients, employees, attorneys, insurers, predecessors or successors ("Releasees") from any and all claims alleged, or that could have been alleged, in the Lawsuits during the Class Period, including but not limited to (1) failure to pay minimum wages under Labor Code §§ 1194, 1194.2, 1197 and Industrial Welfare Commission Wage ("IWC") Order 4, § 3-4; (2) failure to pay overtime wages under Labor Code §§ 510, 1194, 1198 and IWC Order 4, § 3; (3) failure to authorize or provide meal periods under Labor Code §§ 226.7 and 512 and IWC Order 4, § 11; (4) failure to authorize or permit rest periods under Labor Code §§ 226.7 and IWC Order 4, § 12; (5) failure to reimburse necessary business expenses under Labor Code §§ 2800 and 2802; (6) failure to furnish accurate itemized wage statement violations under Labor Code § 226 and IWC Order 4; (7) failure to pay weekly wages in violation of Labor Code § 201.3; (8) failure to pay wages upon separation of employment and within the required time in violation of Labor Code §§ 201-203;; and (9) violations of California Business and Professions Code §§17200, *et seq.*, based on the preceding claims ("Released Claims").

Additionally, if you worked during the PAGA Period (May 8, 2020 through January 15, 2023) you are a PAGA Group Member and you will also release the right to bring a claim for civil penalties on behalf of the State (and other employees) based on the same facts or theories as the Released Claims, which arose during the PAGA Period, even if you have formally opted-out of being a Settlement Class Member. Settlement is also conditioned on the covenant of the PAGA Group members that they will not participate in or receive recovery or monies in connection with any further proceeding seeking penalties under Section 2699, which arose during the PAGA Period for claims based on the same facts or theories as the Released Claims facts which were or could have been alleged in the Lawsuits.

10. How do I object to the Settlement?

If you are a Class Member and would like to object to the Settlement, you must not submit a request for exclusion (*i.e.*, must not opt out). In order to object, you may mail, fax, or email a written objection to the Settlement Administrator at the address in Section 16 below. To be valid, your objection must: (1) state your full name, address, and telephone number and the last four digits of your Social Security Number; (2) state the grounds for the objection; (3) be signed by you; and (4) indicate whether you intend to appear at the Final Approval Hearing. You can also hire an attorney at your own expense to represent you in your objection. Your written objection to the Settlement Administrator must be postmarked on or before September 22, 2023. You may also appear in person at the Final Fairness and Approval Hearing to present any oral objections, even if you do not submit a timely written objection.

11. Why would I ask to be excluded?

You have the right to exclude yourself from the Class (and the Class Settlement). If you exclude yourself from the Class—sometimes called "opting-out" of the Class – you won't get any money or benefits from the Class Settlement. However, you may then be able to sue or continue to sue ISS for your own claims if permitted by law. If you exclude yourself, you will not be legally bound by the Court's ruling in this Class Action lawsuit. You will still be bound by the release of the PAGA lawsuit, as explained above. Whether or not you submit a Request for Exclusion, you will still receive a small PAGA Group Payment if you are determined to be a part of the PAGA Group.

12. How do I ask to be excluded from the Class?

If you are a Class Member and would like to exclude yourself from the Class ("opt-out"), you, or your authorized representative, need to submit a written statement requesting exclusion from the Class to the Settlement Administrator at the address in Section 16 below. The statement must be signed by you or your authorized representative and must be postmarked, faxed, or emailed on or before

September 22, 2023. To be valid, your request for exclusion must: (1) state your full name, address, and telephone number and the last four digits of your Social Security Number; (2) contain a clear statement that you are requesting to opt out of, or be excluded from, the Settlement in the matters of *Suarez. v. Integrated Security Services, Inc., et al*; and (3) be signed by you.

Any Class Member who requests to be excluded from the Class will not be entitled to any recovery under the Class Settlement and will not be bound by the Class Settlement or have any right to object, appeal, or comment on the Class Settlement. Class Members who fail to submit a valid and timely request for exclusion will be bound by all terms of the Class Settlement and any ruling from the Court to give final approval of the Class Settlement. But Class Members cannot opt out of releasing the claim PAGA penalties alleged in the PAGA Lawsuit, as that claim belongs to the State of California and Plaintiff has agreed to release that claim by acting as a proxy for the State.

THE LAWYERS REPRESENTING YOU

13. Who are the attorneys representing the Parties?

Lawyers for the Class

Samuel A. Wong (swong@aegislawfirm.com)
Kashif Haque (khaque@aegislawfirm.com)
Jessica L. Campbell (jcampbell@aegislawfirm.com)
Alexander G.L. Davies (adavies@aegislawfirm.com)
AEGIS LAW FIRM, PC
9811 Irvine Center Drive, Suite 100
Irvine, CA 92618
Tel: 949-379-6250

ISS' Lawyers

Sharon Ongerth Rossi (srossi@rjo.com)
Emily Wieser (ewieser@rjo.com)
ROGERS JOSEPH O'DONNELL
311 California Street, 10th Floor
San Francisco, California 94104
Telephone: 415.956.2828
Facsimile: 415.956.6457

The Court has preliminarily decided that Aegis Law Firm, PC, is qualified to represent you and all Class Members. The law firm's attorneys are experienced in handling similar cases against other employers. More information about this law firm, their practice, and their lawyers' experience is available at www.aegislawfirm.com.

14. How will the lawyers be paid?

As part of the Settlement with ISS, Class Counsel has requested one-third of the Gross Settlement Amount (currently equal to \$118,333.33) in attorneys' fees, plus costs not to exceed \$12,000, to be paid from the Gross Settlement Amount to compensate Class Counsel for their work on this matter. You will not have to pay Class Counsel's fees and costs from your Individual Settlement Payment.

15. How will Plaintiff be paid?

As part of the Settlement with ISS, Class Counsel has requested an enhancement payment of up to \$5,000.00 to be paid to Plaintiff for his effort in this matter during initial investigation, discovery, mediation and the like, while serving as Class Representative and taking on the burden and risks of litigation.

THE SETTLEMENT, APPROVAL, AND PAYMENT PROCESS

16. Who is handling the Settlement Administration process?

ILYM Group, Inc.
14771 Plaza Dr L,
Tustin, CA 92780
(888) 250-6810
[Fax Number]
[Email address]

17. When is the Final Approval Hearing and do I have to attend?

The Final Approval Hearing has been set for October 13, 2023, at 11:00 a.m. in Department 304 of the San Francisco County Superior Court for the State of California, located at 400 McAllister Street, San Francisco, CA 94102-4514. You do not need to attend the hearing to be a part of the Settlement. However, if you wish to object to the Settlement, you may appear at the hearing. Please note that the hearing may be continued without further notice to the Class. Make sure you check the Court's website before attempting to come to Court in person. You may be required to appear only by phone or video, depending on the current safety requirements due to the pandemic. Should the Court continue the final approval hearing, Class Counsel shall provide notice to all Class Members who submitted objections.

18. When will I get money after the hearing?

The Court will hold a hearing on October 13, 2023, to decide whether to approve the settlement. If the Court approves the settlement, then there may be appeals if anyone objects. It is always uncertain when these objections and appeals can be resolved, and resolving them can take time. If the Court approves the settlement and if you do not opt out, your individual payment set forth in Section 8 above is expected to be distributed after ISS makes payment to the Settlement Administrator. If there are no objections or appeals, ISS will transfer the settlement funds within 10 calendar days of approval, and the Administrator will then distribute the funds. If there are objections or appeals, the payment can be delayed by at least 65 days, or even over a year. To check on the progress of the settlement, contact the Settlement Administrator or Class Counsel at the phone number or address listed in Section 19.

GETTING MORE INFORMATION

19. Are more details available?

For more information, the pleadings and other records in this litigation, including copies of the Settlement Agreement, may be examined at any time during regular business hours at the office of the Clerk of the Superior Court of the State of California for San Francisco County, at the San Francisco Superior Court, located at 400 McAllister Street, San Francisco, CA 94102-4514. You can also view the case records online at the court's website: <https://webapps.sftc.org/captcha/captcha.dll?referrer=https://webapps.sftc.org/ci/CaseInfo.dll>. Select the Captcha option for "I'm not a robot", and the Civil Case Information Search Option should appear. Follow the instructions for submitting the Case Number(s): CGC-21-596612, or CGC-22-597580. Then click "search" to view the case record.

Any questions regarding this Class Notice or the Lawsuits may be directed to the Claims Administrator at the below address and telephone number. Alternatively, you may contact your own attorney, at your own expense, to advise you, or you may contact the Lawyers for the Class at the address, telephone number or email address set forth above in Paragraph 13. If your address changes, or is different from the address on the envelope enclosing this Notice, please promptly notify the Settlement Administrator.

Settlement Administrator:

ILYM Group, Inc.
P.O. Box 2031
Tustin, CA 92781
Telephone: (888) 250-6810
Fax: (888) 845-6185
Email: claims@ilymgroup.com

PLEASE DO NOT CALL OR WRITE TO THE COURT, OR TO ANY OF DEFENDANT'S MANAGERS, SUPERVISORS, OR DEFENDANT'S ATTORNEYS WITH QUESTIONS. ABOUT THIS NOTICE