

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Felipe Alvarez and Jerald Shroeder, on behalf of themselves and others similarly situated v. YRC, Inc.; YRC Worldwide, Inc., Yellow Roadway Corporation and DOES 1 to 100, Case No. CV-12-01374-TJH

NOTICE OF PENDENCY OF CLASS ACTION

A federal court Judge has authorized this Notice.

PLEASE READ THIS NOTICE CAREFULLY

To: All hourly employees employed by YRC, Inc.; YRC Worldwide, Inc., and/or Yellow Roadway Corporation (collectively referred to as “YRC”) at any time from December 14, 2007, to September 19, 2018. (collectively referred to as “Class Members”).

Why should I read this Notice?

This Notice explains that the Court has allowed, or "certified," certain claims in a class action lawsuit that may affect you. You have legal rights and options that you may exercise before the Court holds a trial. The trial is to decide whether the claims being made against YRC, on your behalf, are correct. This Notice was approved and ordered by the United States Central District Court Judge Terry Hatter, Jr. Your rights may be affected by a class action lawsuit pending in the United States District Court, Central District of California (the “Court”), Case No. cv-12-01374-TJH. This Notice is meant to provide you with basic information about the case and to advise you of your options to remain a part of the class action lawsuit or to “opt out” of the lawsuit by requesting exclusion from the Class in this lawsuit.

Why did I get this Notice?

Records indicate that you are or were employed by YRC as an hourly employee at any time from December 14, 2007, to September 19, 2018, and fall into one of the classes or subclasses listed below.

What are the claims in this class action lawsuit?

Plaintiffs Alvarez and Shroeder claim that: 1) YRC did not provide 2nd meal breaks when hourly employees worked more than 10 hours in a day; 2) YRC automatically deducted 30 minutes of pay from the hourly employees that did not work on a bell system, when they did not take a 30 minute meal break or took a meal break that was less than 30 minutes; 3) YRC did not provide its non-driver hourly employees with a meal break before the end of their 5th hour when they worked more than 5 hours in a day; 4) YRC did not provide its hourly driver employees with a meal break when they worked more than 5 hours; 5) YRC did not provide its hourly driver employees with a rest break when they worked more than 3.5 hours in a day; 6) YRC did not provide its hourly driver employees with all of their wages when they worked more than 5 hours in a day; 7) YRC did not provide 3rd rest breaks when hourly employees worked more than 10 hours in a day; 8) YRC did not provide accurate wage statements to its hourly employees; and 9) YRC did not provide timely final wages to the hourly employees that either a) worked more than 10 hours in a day, b) worked as a non-driver and worked any shifts more than 5 hours and whose time records show no meal break was taken before end of the 5th hour, c) worked as a driver and worked any shift more than 5 hours, and/or d) worked as a driver and worked any shift more than 3.5 hours. The lawsuit seeks to recover unpaid wages, premiums wages and penalties for above identified claims.

YRC denies the allegations in this case and denies that it owes the Class Members any wages or penalties that the lawsuit claims are owed to Class Members. YRC contends it provided all rest and meal periods as required under California law and the applicable collective bargaining agreements, paid all wages owed, and sufficiently itemized class members’ wage statements.

Questions? Call 1-(888) 373-2581 toll-free or visit www.cptgroup.com/AlvarezVYRC

The Court has not determined which side in this lawsuit is right. It has just ordered that the matter may proceed on a class wide basis as explained below. The Parties have not yet settled the case. There are no guarantees that the Parties will reach a settlement or that there will be money to be distributed. You will be notified if there is a settlement in this matter.

What is a class action and who is involved in this Lawsuit?

A class action is a lawsuit brought by one or more persons – called “Class Representatives” – on behalf of a specified group of persons, without requiring each person in the group to file an individual lawsuit. The specified group is called “the Class.” In a class action, the claims of everyone in the Class will be decided in one case.

On September 19, 2018, the Court entered an order certifying this case as a class action as to the following classes and subclasses:

- i. **2nd Meal Class:** "All current and former hourly employees employed by Defendant at any time between December 14, 2007, through September 19, 2018 that worked any shift of over 10 work hours."
- ii. **Unpaid Wage Class:** All current and former hourly employees employed by Defendant at any time between December 14, 2007, through September 19, 2018, excluding employees during said time period that were subject to a bell system that worked any shift more than 5 hours and whose time records show no meal period was taken or less than a thirty-minute meal period was taken.
- iii. **Untimely Meal Class:** "All current and former hourly employees employed by Defendant as non-drivers at any time between December 14, 2007, through September 19, 2018 that worked any shift more than 5 hours and whose time records show the 1st meal period was taken after end of the fifth hour worked."
- iv. **Driver Meal Class:** "All current and former hourly drivers employed by Defendant at any time between December 14, 2007, through September 19, 2018 that worked any shift more than 5 hours."
- v. **Driver Rest Class:** "All current and former hourly drivers employed by Defendant at any time between December 14, 2007, through September 19, 2018 that worked any shift more than 3.5 hours."
- vi. **On-Call Driver Class:** "All current and former hourly drivers employed by Defendant at any time between December 14, 2007, through September 19, 2018 that worked any shift more than 5 hours"
- vii. **3rd Rest Class:** "All current and former hourly employees employed by Defendant at any time between December 14, 2007, through September 19, 2018 that worked any shift more than 10 hours."
- viii. **Wage Statement Class:** "All current and former hourly employees employed by Defendant at any time between December 14, 2010, and September 19, 2018."
- ix. **Final Wage Class:** "All former hourly employees employed by Defendant at any time between December 14, 2008 through September 19, 2018 who 1) worked more than 10 hours in a workday, 2) worked as non-driver and worked any shift more than 5 hours and whose time records show no 1st meal period was taken before end of fifth hour worked, 3) worked as a driver and worked any shift more than 5 hours, or 4) worked as a driver and worked any shift more than 3.5 hours."

This Notice explains how to participate in the case or remove yourself from it.

What does this class action lawsuit seek to recover?

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This lawsuit claims that YRC did not provide meal and rest periods consistent with California law and seeks to recover premium payments in the form of one hours' worth of pay at your regular hourly rate for each rest and meal break you were not provided in the manner California law requires, wages owed for time Plaintiffs claim you were under YRC's control, alleged unpaid wages and penalties for not paying all wages owed at the time of termination or sufficiently itemizing wage statements in the manner California law requires.

Why is this Lawsuit a class action?

The Court decided that this Lawsuit can be a class action and move towards a trial. In other words, the Court decided that certain claims in the Lawsuit may be resolved on a class-wide basis. The Court has not decided if the Lawsuit is right or wrong or if any party will prevail at trial.

What are my rights and options in regard to this class action lawsuit?

A. STAY IN THE CLASS. If you wish to remain a member of the Class and be represented by Class Counsel (listed on the following page) in this class action lawsuit, **you do not have to do anything**. You may direct any questions about the case to Class Counsel. If this Notice was sent to your current address and you want to be a member of the Class, **you do not have to do anything** to get future notices about the case. If it was forwarded by the postal service, or sent to you at an old address, you should immediately send a letter to Class Counsel with your former and current addresses.

The judgment, whether favorable or not, will bind all Class Members who do not request to be excluded from the Class.

B. OPT OUT OF THE CLASS. You have the right to "opt out" and exclude yourself from the Class and this class action lawsuit. The Court will exclude you if you make such a request by August 15, 2019. If you "opt out," you still have the right to pursue any claims you have with a lawyer of your choice at your own expense in a separate lawsuit or through the grievance procedure set forth in your applicable collective bargaining agreement. You will not lose any claims you have by requesting exclusion from the Class in this lawsuit. However, you will not be able to share in any money recovered in this class action.

If you want to "opt out" and be excluded from the Class in this lawsuit, YOU MUST SEND YOUR REQUEST to the administrator at the address listed below. The request must include your name, address, employee number and/or last four digits of your social security number, telephone number, and signature, and state that you do NOT want to be a part of the Alvarez, et. al vs. YRC class action lawsuit. The request **MUST BE POSTMARKED BY AUGUST 15, 2019** and mailed to:

Felipe Alvarez and Jerald Shroeder v. YRC, Inc.; YRC Worldwide, Inc.;
Yellow Roadway Corporation Administrator
c/o CPT Group, Inc.
50 Corporate Park
Irvine, CA 92606

Who represents the Class Members?

The Court has approved Lavi & Ebrahimian, LLP and The Turley & Mara Law Firm, APLC, as Class Counsel, finding them competent and experienced in these types of cases and able to adequately represent the interests of the Class. If you wish to contact them you may do so at:

Lavi & Ebrahimian, LLP

Joseph Lavi, Esq. (jlavi@lelawfirm.com)

Questions? Call 1-(888) 373-2581 toll-free or visit www.cptgroup.com/AlvarezVYRC

Jordan D. Bello, Esq. (Jbello@lelawfirm.com)
8889 W. Olympic Blvd., Suite 200
Beverly Hills, CA 90211
Phone: (310) 432-0000/Fax: (310) 432-0001

The Turley & Mara Law Firm, APLC

William Turley, Esq. (bturley@turleylawfirm.com)
David Mara, Esq. (dmara@turleylawfirm.com)
Jill Vecchi, Esq. (jvecchi@turleylawfirm.com)
Matthew Crawford, Esq. (mcrawford@turleylawfirm.com)
7428 Trade Street
San Diego, CA 92121
Phone: (619) 234-2833/Fax: (619) 234-4048

In class actions, Class Counsel who recover money for the Class may get an award of reasonable attorneys' fees and costs. Class Members represented by Class Counsel are not required to pay any out-of-pocket fees or costs. If Class Counsel recovers money for the Class through a judgment or settlement, Class Counsel will ask the Court to award attorneys' fees and costs to be paid in addition to any money recovered for the Class or from the Class recovery. This request must be approved by the Court.

You do not have to but may retain your own lawyer to represent you, at your own expense, in this case and enter an appearance in this lawsuit through your lawyer, if you desire.

How do I get more information?

For more information, you may call the Administrator toll free at 1-888-373-2581, visit www.cptgroup.com/AlvarezVYRC, or contact Class Counsel. You can also contact Class Counsel to obtain any document filed in the case free of charge.

Alternatively, to view the case documents on Court's Public Access to Court Electronic Records (PACER) system, access the website <http://www.pacer.gov>. Once at this website, click on the "Login" tab in the upper right-hand corner of the webpage. Then click on the link which reads "Log in to PACER now." Then, click on the link "Need an Account?" and create an account. Once you have created an account, log into PACER and click the link "PACER Case Locator" under the heading "FIND A CASE" on the left-hand side of the webpage. Then, click on the button "Search the PACER Case Locator Now." On the next page, type the case number "cv-12-01374" into the box next to the words "Case Number." Then, click the "Search" button. You will be directed to a screen with case names. Find the case name "Alvarez et al. v. YRC, Inc. et al." and click on the case number associated with this case (cv-12-01374-TJH). Then, click on the link for "Docket Report." On the next page, click "Run Report." This will take you to the case information. If you scroll down on this page you will be able to access all of the documents filed in the case while it was pending in the Central District of California for a small fee.

PLEASE DO NOT DIRECT QUESTIONS ABOUT THIS CLASS ACTION LAWSUIT TO THE COURT

Dated: July 16, 2019

BY ORDER OF THE UNITED STATES DISTRICT
COURT, CENTRAL DISTRICT OF CALIFORNIA

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