

SUPERIOR COURT FOR THE STATE OF WASHINGTON  
IN AND FOR KING COUNTY  
CASE NO. 17-2-27730-4 KNT

**If you have worked as a driver for Best Parking Lot Cleaning Inc. in Washington at any time since October 24, 2014, please carefully read this notice. It may affect your rights.**

*This is a court-ordered notice. This is not a solicitation from a lawyer.*

- A former driver employee, Kris Hardie, (“Plaintiff”) has sued Best Parking Lot Cleaning Inc. (“Defendant”) based on alleged violations of Washington state wage and hour laws.
- The Court has allowed, or “certified,” the lawsuit to proceed as a class action with respect to the claims asserted by Plaintiff on behalf of drivers employed in the State of Washington who worked for Defendant at any time since October 24, 2014.
- Defendant denies the allegations in the lawsuit.
- The Court has not decided whether Defendant did anything wrong. There is no money available at this time and no guarantee that there ever will be. However, your legal rights are affected, and you have a choice to make now:

<b>YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT</b>	
<b>DO NOTHING</b>	<p><b>Stay in this lawsuit. Await the outcome. Give up certain rights.</b></p> <p>By doing nothing, you will stay in this lawsuit and keep the possibility of getting money or benefits that may come from a trial or a settlement, if any. But, you give up any rights to seek relief from Defendant separately about the same legal claims in this lawsuit.</p>
<b>OR</b>	
<b>ASK TO BE EXCLUDED</b>	<p><b>Get out of this lawsuit. Get no benefits from it. Keep rights.</b></p> <p>If you ask to be excluded, you will not be part of this lawsuit and you will not share in any money or benefits that may be awarded later. But, you keep any rights to seek relief against Defendant separately about the same legal claims in this lawsuit.</p>

- Your options are explained in this notice. To ask to be excluded, you must act by **March 30, 2019**.
- Plaintiff and his lawyers must prove the claims against Defendant at a trial. A trial date has been scheduled for May 6, 2019. If money or benefits are obtained as a result of this lawsuit, you will be notified about how to receive a share.
- **Any questions? Read on and visit [www.rekhiwolk.com/class-actions/bestparkinglot](http://www.rekhiwolk.com/class-actions/bestparkinglot).**

**BASIC INFORMATION**

**1. Why did I get this notice?**

Defendant’s records show that you work or worked for Defendant as a driver after October 24, 2014 in the state of Washington.

This notice explains that the Court has allowed, or “certified,” a class action lawsuit that may affect you. You have legal rights and options that you may exercise before a trial or a settlement, if any.

The trial is to decide whether the claims being made against Defendant, on your behalf, are correct. Judge Monica Benton of the Superior Court of Washington in and for King County is overseeing this class action. The lawsuit is known as *Hardie v. Best Parking Lot Cleaning Inc.*, Case No. 17-2-27730-4 KNT.

## 2. What is a class action and who is involved?

In a class action lawsuit, one or more people called “Class Representatives” (in this case, Kris Hardie) sue on behalf of other people who have similar claims. The people and the Class Representatives together are called a “Class” or “Class Members.” The Class Members are also called the Plaintiffs. The company they sued (in this case Best Parking Lot Cleaning Inc.) is called the Defendant. One court resolves the issues for everyone in the Class—except for those people who choose to exclude themselves from the Class.

## 3. What is this lawsuit about?

The Class Representative claims Defendant has violated Washington laws by: (1) failing to provide rest and meal breaks, (2) failing to pay Class Members for missed rest and meal breaks, (3) failing to pay Class Members for overtime hours worked, (4) failing to pay Class Members at the proper rate for prevailing wage work, (5) failing to pay wages to Class Members that were owed to them upon termination, and (6) willfully refusing to pay wages owed to Class Members.

Defendant denies the above allegations.

More information about Washington state wage and hour laws and employee rights can be found at the website of the Washington State Department of Labor and Industries, [www.lni.wa.gov/WorkplaceRights/](http://www.lni.wa.gov/WorkplaceRights/).

## 4. Why is this lawsuit a class action?

The Court decided that this lawsuit can be a class action with respect to the claims asserted by the Class Representative because it meets the requirements of Washington State Superior Court Civil Rule 23, which governs class actions in Washington State Superior Court.

More information about why the Court is allowing this lawsuit to be a class action is in the Court’s Order Granting Plaintiffs’ Motion for Class Certification, which is available at [www.rekhiwolk.com/class-actions/bestparkinglot](http://www.rekhiwolk.com/class-actions/bestparkinglot).

### THE CLAIMS IN THE LAWSUIT

## 5. Has the Court decided who is right?

The Court has not decided whether Defendant or the Class Representative is correct with respect to the claims mentioned in Question 3, above. By establishing the Class and issuing this notice, the Court is not suggesting that the Class Representative will win or lose this case. The Class Representative must prove the claims at a trial.

## 6. What is the Class Representative asking for?

On behalf of himself and the Class Members, Plaintiff seeks money damages for the alleged unpaid wages and missed breaks, as well as exemplary damages, interest on the money damages, attorneys’ fees, and litigation costs.

## 7. Is there any money available now?

No money or benefits are available now because the Court has not yet decided whether Defendant did anything wrong, and the two sides have not decided to settle the case. There is no guarantee that money or benefits ever will be obtained. If they are, you will be notified about how to receive a share.

### WHO IS IN THE CLASS?

You need to decide whether you are affected by this lawsuit.

## 8. Am I part of this Class?

A Superior Court Judge decided that the following individuals are Class Members: All employees who have worked as non-exempt drivers for Defendant in Washington any time after October 24, 2014.

Excluded from the Class are Defendant, any entity in which Defendant has a controlling interest or which has a controlling interest in Defendant, Defendant’s current and former CEO(s), CFO(s), and Executive Director(s), and Defendant’s legal

representatives, assignees, and successors. Also excluded from the Class are the Judge to whom the case is assigned and any member of the Judge's immediate family.

## **YOUR RIGHTS AND OPTIONS**

You must decide whether to stay in the Class or ask to be excluded, and you need to decide this now.

### **9. What happens if I do nothing at all?**

If you worked as a driver employee in the state of Washington for Defendant at any time after October 24, 2014, you are automatically included in the lawsuit. In other words, if you do nothing, then you stay in the Class.

If you are a Class Member, you don't have to do anything now if you want to stay in this lawsuit and keep the possibility of getting money or benefits from this lawsuit. If the Class Representative obtains money or benefits, either as a result of the trial or any settlement (that may or may not be reached), all Class members will be notified about how to obtain a share.

Keep in mind that if you do nothing now, regardless of whether Plaintiff wins or loses at the trial, you will not be able to sue Defendant as part of any other lawsuit about the same claims that are the subject of this lawsuit. You will also be bound by all the orders the Court issues and judgments the Court makes in this lawsuit.

### **10. What happens if I ask to be excluded?**

You may ask to be excluded from the lawsuit for any reason. You must ask to be excluded if you do not want to be part of this lawsuit against Defendant.

If you want to make your own claim against Defendant for Washington wage and hour violations from October 24, 2014, through the date of final judgment in this lawsuit instead of being part of this class action, you need to ask to be excluded from the Class.

If you exclude yourself from the Class—which also means to remove yourself from the Class and is sometimes called “opting out” of the Class—you won't get any money or benefits from this lawsuit even if the Class Representative obtains them as a result of the trial or from any settlement (that may or may not be reached) between Defendant and Plaintiff. If you do wish to exclude yourself from the Class so that you can file your own claim against Defendant, you should be aware that your claim(s), if any, may be subject to a statute of limitations (time limit).

### **11. How do I ask the Court to exclude me from the Class?**

To ask to be excluded, you must send a Notice to the Administrator using the contact information set forth below. The Notice should include the case name, the date, a short note that says you desire to be excluded, and signed by you. Any Notice sent by mail must be received by the Administrator by March 30, 2019.

The Administrator's mailing address is:

Hardie v. Best Parking Lot Cleaning Inc.  
c/o CPT Group, Inc.  
50 Corporate Park  
Irvine, CA 92606

## **THE LAWYERS REPRESENTING YOU**

### **12. Do I have a lawyer in this case?**

The Court has decided that the Seattle, Washington law firm of Rekhi & Wolk, P.S. is qualified to represent you and all Class Members. Together the lawyers are called “Class Counsel.” They are experienced in handling similar cases against other employers. More information about Rekhi & Wolk, P.S., their practices, and their lawyers' experience is available at [www.rekhiwolk.com](http://www.rekhiwolk.com).

### **13. Should I get my own lawyer?**

If you remain in the Class, you do not need to hire your own lawyer because Class Counsel is working on your behalf. If you want your own lawyer, you will have to retain and potentially pay that lawyer.

**14. How will the lawyers be paid?**

If Class Counsel get money or benefits for the Class, they will ask the Court for fees and costs. You won't have to pay these fees and costs directly. If the Court grants Class Counsel's request, the fees and costs will be either deducted from any money obtained for the Class or paid separately by Defendant.

**THE TRIAL**

The Court has scheduled trial for May 6, 2019 to decide who is right in this case. This date is subject to change.

**15. How and when will the Court decide who is right?**

As long as the case is not resolved by a settlement or other decision, Class Counsel will have to prove Plaintiff's claims at a trial. During the trial, a jury or judge will hear all the evidence and decide who is right about the claims in the lawsuit. There is no guarantee that Plaintiff will win or that he will get any money for the Class.

**16. Do I have to come to the trial?**

Class Members generally do not need to attend the trial. Class Counsel will present the case for the Class, and Defendant will present its defenses. However, it is possible that additional testimony from Class Members may be requested, and you may be contacted later in the case. You or your own lawyer may come at your own expense.

**17. Will I get money after the trial?**

If the Class obtains money or benefits as a result of the trial or any settlement (that may or may not be reached), you will be notified about how to participate. We do not know how long this will take.

**GETTING MORE INFORMATION****18. Are more details available?**

Visit the website [www.rekhiwolk.com/class-actions/bestparkinglot](http://www.rekhiwolk.com/class-actions/bestparkinglot), where you will find the Court's Order Granting Plaintiff's Motion for Class Certification, Plaintiff's Second Amended Complaint, and Defendant's current Answer to the Complaint. You may also get more information by calling Class Counsel at 206-388-5887 or writing to:

Hardie v. Best Parking Lot Cleaning Inc.  
c/o CPT Group, Inc.  
50 Corporate Park  
Irvine, CA 92606

**Additional information is available at:**  
[www.rekhiwolk.com/class-actions/bestparkinglot](http://www.rekhiwolk.com/class-actions/bestparkinglot)

**The lawyers representing the Class are:**

REKHI & WOLK, P.S.  
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February 28, 2019