

KRISTA BELLE AND DEVIN MAGGARD V. PHOENIX PROTECTIVE CORP. AND PPC SOLUTIONS, INC.
SUPERIOR COURT FOR THE STATE OF WASHINGTON IN AND FOR KING COUNTY
CASE NO. 20-2-02871-1 KNT

If you have worked as a security guard for Phoenix Protective Corporation or PPC Solutions in the State of Washington at any time since January 31, 2017, please carefully read this notice. It may affect your rights.

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

Following is a summary of the lawsuit and your rights.

«IMbJullBarcodeEncoded»

«FirstName» «LastName» «BusinessName»

«Address1» «Address2»

«City», «State» «Zip»-«ZipDPC3»

SIMID «SIMID»
«41121» «12121»

- Two former security guard employees, Krista Belle and Devin Maggard, (“Plaintiffs”) have sued Phoenix Protective Corporation and PPC Solutions (“Phoenix” or “Defendants”) based on alleged violations of Washington state wage and hour laws. In particular, Plaintiffs allege that Phoenix failed to pay minimum wages to security guards for all hours worked including attending mandatory orientation and training programs, failed to provide for and pay for missed meal and rest breaks, failed to provide mandatory safe and sick time and indicate such time on security guards’ paystubs, and made unlawful deductions from security guards’ pay.
- Phoenix Protective Corporation and PPC Solutions deny all of the claims and allegations in the lawsuit, and assert that they have complied with all applicable state and local wage and hour laws.
- The Court has “certified” the lawsuit to proceed as a class action with respect to the claims asserted by Plaintiffs on behalf of security guards employed in the State of Washington who worked for Defendants at any time since January 31, 2017.
- The Court has not decided whether Plaintiffs’ claims have any merit, or whether Defendants 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:

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT	
DO NOTHING	Stay in this lawsuit. Await the outcome. Give up certain rights. By doing nothing, you will stay in this lawsuit as a member of the class and you will be bound by the outcome of the lawsuit, whether that result is favorable or unfavorable. If you choose to do nothing in response to this notice and stay in the lawsuit, you give up any rights to seek relief from Defendants separately about the same legal claims in this lawsuit.
OR	

ASK TO OPT OUT (BE EXCLUDED) FROM THE LAWSUIT	Not be bound by the outcome of the lawsuit. Keep rights. If you ask to opt out (be excluded) from the lawsuit, you will not be part of this class action lawsuit and you will not be bound by the outcome of the lawsuit (whether favorable or unfavorable). You will retain any rights you may have to seek relief against Defendants separately about the same legal claims in this lawsuit.
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Your options are explained in this notice. To ask to opt out of the lawsuit (be excluded), you must act by **November 3, 2023**.

- Plaintiffs and their lawyers must prove the claims against Defendants at a trial. A trial date has been scheduled for November 6, 2023. If Plaintiffs prevail in the lawsuit, you will be notified about how to receive your share of any recovery.
- **Any questions? Read this notice and visit <https://www.rekhiwolk.com/class-actions/phoenix/>**

BASIC INFORMATION

1. Why did I get this notice?

Defendants' records show that you work or worked for Defendants as a security guard in the State of Washington after January 31, 2017.

This notice explains that the Court has allowed, or "certified," the lawsuit to proceed as a class action 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 Defendants by Plaintiffs (both individually and on behalf of the class) are correct. The Superior Court of Washington for King County is overseeing this class action. The case is currently assigned to Judge David J. Whedbee. The lawsuit is known as *Belle, et al. v. PPC Solutions Inc., et al.* Case No. 20-2-02871-1 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, Plaintiffs Krista Belle and Devin Maggard) sue on behalf of other people who may have similar claims. The people and the Class Representatives together are called a "Class" or "Class Members." The persons or companies that have been sued (in this case Phoenix Protective Corporation and PPC Solutions) are called the Defendants. One court resolves the issues for everyone in the Class—except for those people who choose to exclude themselves from the Class by opting out as provided for in this Notice.

3. What is this lawsuit about?

The Class Representatives claim Defendants have violated Washington wage and hour laws and regulations by: (1) failing to pay minimum wages to security guards for all hours worked including time spent in orientation and training, (2) failing to provide adequate rest breaks to security guards, (3) failing to provide adequate meal breaks to security guards, (4) making unlawful deductions from security guards' pay, (5) failing to provide security guards with mandatory paid safe and sick time and statements showing how much time had accrued, and (6) willfully refusing to pay wages owed to security guards.

Phoenix Protective Corporation and PPC Solutions deny all of the above claims and allegations. Defendants maintain that all security guards were paid the wages required by state and local laws, that security guards had adequate and compliant rest and meal break time, that all deductions from security guards' pay were proper, and that security guards were provided all required safe and sick time.

Plaintiffs' Complaint in this lawsuit is available at <https://www.rekhiwolk.com/class-actions/phoenix/>.

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 Representatives because it meets the requirements of Washington State Superior Court Civil Rule 23, which governs class actions in Washington State Superior Court. In determining that the lawsuit may proceed as a class action, the Court *did not* rule on the merits of Plaintiffs' claims or determine that Defendants have violated the law.

More information about why the Court is allowing this lawsuit to be a class action can be found in the Court's Order Granting Plaintiffs' Motion for Class Certification, which is available at <https://www.rekhiwolk.com/class-actions/phoenix/>.

THE CLAIMS IN THE LAWSUIT

5. Has the Court decided who is right?

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

6. What are the Class Representatives asking for?

On behalf of themselves and the Class Members, the Class Representatives seek money damages for the alleged unpaid wages, missed breaks, and unlawful deductions as well as exemplary damages, interest on the money damages, attorneys' fees, and litigation costs. Defendants deny that Plaintiffs or the members of the Class are entitled to any damages or other recovery.

7. Is there any money available now?

No money or benefits are available now because the Court has not yet decided whether Defendants did anything wrong, and the two sides have not discussed or decided on any settlement of the case. There is no guarantee that any money or benefits will ever 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 current and former employees of PPC Solutions, Inc. and/or Phoenix Protective Corporation who worked as security guards at any time from January 31, 2017 through 90 days prior to trial while based or residing in the State of Washington.

Excluded from the Class are Defendants, any entity in which Defendants have a controlling interest or which has a controlling interest of Defendants, and Defendants' legal representatives, assignees and successors. Also excluded are the Judge to whom this 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 opt out (be excluded) from the lawsuit, and you need to decide this now.

9. What happens if I do nothing at all?

If you worked as a security guard employee in the state of Washington for Defendants at any time after January 31, 2017, you will automatically be 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 be bound by the outcome of the lawsuit (whether favorable or unfavorable). If the Class Representatives prevail in the lawsuit at trial, or the parties reach agreement on a settlement of the lawsuit, all Class Members will be notified about how to obtain their share of any recovery.

Keep in mind that if you do nothing now, regardless of whether Plaintiffs win or lose at the trial, you will not be able to sue Defendants 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 opt out of (be excluded from) the lawsuit?

If you do not want to participate in this lawsuit, you must ask to be excluded. Deciding whether to stay in or opt out of the lawsuit is a decision for you to make. No one may force you to stay in or exclude yourself from the lawsuit or retaliate against you based on your decision whether to stay in or opt out of the Class. You may ask to opt out of the lawsuit for any reason.

If you wish to retain any rights you may have against Defendants for the claims asserted in the lawsuit, and not be bound by the results of the lawsuit, you need to opt out from the lawsuit. If you choose to opt out of the lawsuit and retain your individual rights, you should be aware that those rights may be subject to a statute of limitations (time limit).

If you opt out from the lawsuit, you will not be bound by the outcome of the lawsuit—whether favorable or unfavorable to Plaintiffs or Defendants.

11. How do I ask the Court to opt out of the lawsuit and exclude me from the Class?

To ask to opt out of the lawsuit and be excluded from the Class, you must send a written request to the Notice Administrator using the contact information below.

The request must include:

1. The case name: *Belle, et al. v. PPC Solutions Inc., et al.* Case No. 20-2-02871-1 KNT,
2. The date,
3. A short note that says you desire to be excluded, and
4. Signature. The request must be signed by you.

Any written request sent by mail must be postmarked by **November 3, 2023.**

The Notice Administrator's mailing address is:

Belle, et al. v. PPC Solutions Inc., et al.
c/o Settlement Administrator
P.O. Box 26170
Santa Ana, CA 92799

12. Do I have a lawyer in this case?

The Court has decided that the Seattle, Washington law firm of Rekhi & Wolk, P.S. and Spokane, Washington law firm of Hayward Law PLLC are qualified to represent you and all Class Members. Together the lawyers are called “Class Counsel.” They have experience in handling similar cases against other employers. More information about Rekhi & Wolk, P.S., or Hayward Law PLLC is available at www.rekhiwolk.com or www.haywardlaw.net.

13. Should I get my own lawyer?

If you choose to stay in the lawsuit and 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 recover 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 Defendants.

THE TRIAL

The Court has scheduled a trial for November 6, 2023, 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 Plaintiffs’ 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 Plaintiffs will win or that they will get any money for the Class. If Plaintiffs lose, you will also be bound by that decision as related to any claims adjudicated against Defendants.

16. Do I have to come to the trial?

Class Members often do not need to attend the trial, although they are free to do so. Class Counsel will present the case for the Class, and Defendants will present its defenses. However, it is possible that you or any Class Members may be contacted later in the case to provide testimony or information. 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 any court decision, trial or 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. The Court has yet to rule on the merits of Plaintiffs’ claims and any such ruling—whether for or against the Plaintiffs—may be subject to appeal.

GETTING MORE INFORMATION

18. Are more details available?

You may visit the website www.rekhiwolk.com/class-actions/phoenix, where you will find the Court's Order Granting Plaintiffs' Motion for Class Certification, Plaintiffs' 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:

Belle, et al. v. PPC Solutions Inc., et al.
c/o Settlement Administrator
P.O. Box 26170
Santa Ana, CA 92799

Additional information is available at:

www.rekhiwolk.com/class-actions/phoenix

The lawyers representing the Class are:

Rekhi & Wolk, P.S.

By Internet: www.rekhiwolk.com
By Phone: 206-388-5887
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Hayward Law PLLC

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905 Riverside Ave., Suite 505
Spokane, Washington 99201

September 9, 2023