

**NOTICE OF COLLECTIVE ACTION**  
**THIS IS NOT A LAWSUIT AGAINST YOU. PLEASE READ THIS NOTICE CAREFULLY.**  
**YOUR LEGAL RIGHTS MAY BE AFFECTED.**

TO: All persons who were employed by the County of Los Angeles (the "County") from September 9, 2005 to May 12, 2009 ("Claims Period") as a 56-hour Fire Fighter who were assigned to a post-paramedic position, the Hazardous Materials Task Force, or an Urban Search and Rescue position for at least 30 consecutive calendar days during the Claims Period.

RE: Fair Labor Standards Act ("FLSA") Lawsuit Filed Against the County of Los Angeles

**1. INTRODUCTION**

The purpose of this Notice is to inform you of the existence of a collective action lawsuit in which you potentially are "similarly situated" to the named Plaintiffs, to advise you of how your rights may be affected by this lawsuit, and to instruct you on the procedure for participating in this lawsuit, if you so desire.

As described more fully below, if you are eligible and wish to participate in this collective action, you must timely complete and have postmarked or faxed the "Consent to Join" form attached to this Notice by not later than September 26, 2009.

**2. DESCRIPTION OF THE LAWSUIT**

On September 9, 2008, the named Plaintiffs filed a Complaint in the U.S. District Court for the Central District of California against the County on behalf of themselves and all other similarly situated Fire Fighters. Plaintiffs allege that the County failed to pay all overtime pay to which they were entitled under the FLSA. The named Plaintiffs are employed by the County in the classification of Fire Fighter (56 Hours). They claim the County does not properly calculate overtime compensation for them and similarly-situated others because it does not include all non-discretionary bonuses in the "regular rate" of pay.

The County has denied Plaintiffs' claims and alleges that it paid all overtime due to them (and similarly-situated others) pursuant to the FLSA.

**3. THE CURRENT STATE OF THIS LAWSUIT**

This lawsuit is in the early stages of litigation. The Plaintiffs and the County have stipulated to conditional certification as a collective action and that this Notice be sent to you to provide information about the case and give you an opportunity to join the case by submitting a "Consent to Join" form.

**4. PERSONS ELIGIBLE TO RECEIVE THIS NOTICE**

The U.S. District Court has ordered this FLSA Notice to be distributed to all 56-hour Fire Fighters employed by the County who were assigned to post paramedic positions, the Hazardous Materials Task Force, or Urban Search and Rescue positions for at least 30 consecutive calendar days during the Claims Period, which is September 9, 2005 to May 12, 2009.

**5. YOUR RIGHT TO PARTICIPATE IN THIS LAWSUIT**

If you want to participate in this lawsuit, you must take affirmative steps to indicate your intent to join the action. You must complete, sign and fax or mail a copy of the "Consent to Join" form, which is attached to this Notice, to CPT Group, Inc., who is the court-approved Notice Administrator. **If mailed, your signed "Consent to Join" form must be postmarked no later than September 26, 2009.**

**If faxed, your signed "Consent to Join" form must be successfully faxed no later than September 26, 2009.**

If your "Consent to Join" form is not postmarked, or successfully faxed, by the applicable deadline, you will not be allowed to participate in this lawsuit. Having a "Consent to Join" form filed does not guarantee that you will be able to participate in the trial of this lawsuit, because individual participation may depend upon a final ruling from the District Court that you and the named Plaintiffs are "similarly situated" under federal law. However, if you fail to return and have filed a "Consent to Join" form on or before the deadline, you cannot participate in any settlement or judgment for damages under the FLSA as part of this lawsuit.

If you send a "Consent to Join" form to the Notice Administrator and then move or change your address, please ADVISE the Notice Administrator and attorneys for the Fire Fighters of your new address.

**6. STATUTE OF LIMITATIONS**

The FLSA contains a limitations period of at least two years and potentially up to three years for the filing of a claim for unpaid overtime wages, after which the claim is forever barred for being filed too late. This deadline is known as the “statute of limitations.” In the event that you decide not to file a Consent to Join in this lawsuit, you should consult with your own attorney as to the statute of limitations which would apply to any claim you may have.

**7. EFFECT OF JOINING THIS SUIT**

If you file a “Consent to Join” form and the Court later permits your claims to proceed as part of the collective action, you will be bound by any judgment regarding the FLSA claims in the lawsuit, whether favorable or unfavorable to Plaintiffs. If you choose to join this collective action, you will be represented by the law firms currently representing the Plaintiffs. In the event Plaintiffs obtain a favorable result, class counsel may be paid either by the Defendant, or they may, either in addition to or instead of payment from Defendant, receive a percentage of any money judgment or settlement in favor of you, or others similarly situated, as agreed by contract and/or ordered by the Court.

As an alternative to joining this lawsuit, you may file your own lawsuit with any counsel of your choosing, or do nothing. If you return a Consent to Join form, you should be aware that important decisions concerning the prosecution of this case may be made on your behalf.

**8. NO LEGAL EFFECT IN NOT JOINING THIS LAWSUIT**

If you choose not to join this collective action, you will not be affected by any judgment, whether it is favorable or unfavorable to Plaintiffs and the collective class. If you choose not to file a Consent to Join form, you are free to file your own lawsuit. If you choose not to file a Consent to Join form, the statute of limitations will continue to run until such time as you file a lawsuit on your own behalf.

**9. NO RETALIATION PERMITTED**

Federal law prohibits the County or its agents from taking any action against you because you elect to join this action by filling out and returning the “Consent to Join” form, or otherwise exercising your rights under the FLSA.

**10. ADMINISTRATOR**

CPT Group, Inc.  
16630 Aston  
Irvine, CA 92606  
Telephone: (888)750-7915  
Facsimile: (949) 852-9340

**11. ATTORNEYS FOR THE FIRE FIGHTERS**

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**12. FURTHER INFORMATION**

For further information about this lawsuit, including any part of this notice, please contact Plaintiffs’ counsel at the following toll-free number: 1-877-788-5353 or email at attorneys@lacofirefighter.com.

**PLEASE DO NOT CONTACT THE COURT OR ANY COURT PERSONNEL FOR INFORMATION.**

**THIS NOTICE AND ITS CONTENTS HAVE BEEN AUTHORIZED BY THE UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA. THE COURT HAS TAKEN NO POSITION IN THIS CASE REGARDING THE MERITS OF PLAINTIFFS’ CLAIMS OR DEFENDANT’S DEFENSES.**