

SUPERIOR COURT OF THE STATE OF CALIFORNIA SACRAMENTO COUNTY

James Gassy and Brian Mohamed v. Capital Express Lines Inc., a California Corporation; Gurdip Samra, a natural person; and Does 1-20, Case No. 34-2019-00247764

Important: This affects your legal rights. Read it carefully.

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

A court approved this notice. This is not an advertisement or solicitation.

TO: All piece rate drivers of Defendants who worked for Defendants in California from October 1, 2014, to January 1, 2019.

This Notice is to inform you of a proposed settlement of a class action lawsuit that is being litigated on behalf of all piece rate drivers of Defendants who worked for Defendants in California from October 1, 2014, to January 1, 2019, who did not previously opt out. Your rights may be affected by the legal proceedings in this action.

WHAT IS THIS CASE ABOUT

Plaintiffs James Gassy and Brian Mohamed (the “Plaintiffs”) filed a lawsuit against the Capital Express Lines., Inc. and Gurdip Samra (the “Defendants”) in which they represent all piece rate drivers of Defendants who worked for Defendants in California from October 1, 2014, to January 1, 2019. Plaintiffs claim that Defendants violated certain provisions of the California Labor Code and California Wage Order, as well as the Unfair Competition Law, by failing to pay legally required wages, provide meal and rest breaks, and provide adequate billing statements. Plaintiffs seek an order from the Court that Defendants’ actions are illegal and seek damages and injunctive relief from Defendants. Defendants dispute these allegations and maintains that its actions were legal and otherwise appropriate under the law.

You are receiving this Notice because you have been identified as a Class Member – that is, you have been identified as a piece rate driver of Defendants who worked for Defendants in California from October 1, 2014, to January 1, 2019.

The Court ruled, by Order of September 22, 2022, that the case may go forward on a class basis. The Court has not, however, rendered any opinion as to whether Plaintiffs or Defendants are correct about the legal claims in the case.

Your legal rights may be affected whether you act or do not act. Your options are summarized in this Notice.

WHAT ARE YOUR OPTIONS?

YOUR LEGAL RIGHTS AND OPTIONS IN THIS CLASS ACTION	
DO NOTHING	If you do nothing, you will receive a payment. If you do Nothing you will receive a portion of the \$487,500.00 settlement and be bound by the settlement.
OBJECT	If you object to the settlement, you must send a Notice of Objection within 45 days of when this notice was sent. The Notice of Objection mut be postmarked no later than May 16, 2024.

FREQUENTLY ASKED QUESTIONS AND ANSWERS

1. Why did I get this Notice?

The Court approved this Notice to inform you that the parties have proposed a settlement and provide you an opportunity to object to that settlement.

2. How do I get more information?

Additional information including the Settlement Agreement and Preliminary Approval Order of the Court are located at www.cptgroupcaseinfo.com/CapitalExpressLinesSettlement. The settlement agreement lists each class member and the proposed amount each would receive.

Questions? Contact The Settlement Administrator at 1-888-801-2101

If you have questions about this Notice or the class action, or if you did not receive this Notice in the mail and you believe that you are or may be a member of the Class, you should contact the Plaintiff's Counsel at one of the following addresses or by telephone.

Mark E. Burton Jr. (SBN 178400)
Thom E. Smith (SBN 203362)
AUDET & PARTNERS, LLP
711 Van Ness Avenue, Suite 500
San Francisco, CA 94102
Telephone: (415) 568-2555
Facsimile: (415) 568-2556
mburton@audetlaw.com
tsmith@audetlaw.com

Neither Defendants nor the Court will respond to any questions regarding this Notice or the lawsuit. Please do not contact Defendants or the Court.

3. How do I object to the settlement if I wish to do so?

If you are a member of the Class but object to the terms of the settlement, you must send a Notice of objection postmarked no later than May 16, 2024, to:

Gassy v. Capital Express Lines, Inc.
c/o CPT Group, Inc.
50 Corporate Park
Irvine, CA 92606
Fax: (949) 419-3446 / Tel.: 1-888-801-2101
Email: CapitalExpressLines@cptgroup.com
Website: www.cptgroupcaseinfo.com/CapitalExpressLinesSettlement

The objection must contain the name, address and telephone number of the Class Member to be valid. It must also contain the words "I object to the settlement in *Gassy v. Capital Express Lines, Inc., et al.*," and set forth the legal and factual basis for the objection. You also may appear at the final approval hearing which is currently set for June 28, 2024, at 9:00 am, but the Court may change that date. *To join by Zoom link: <https://saccourt-ca-gov.zoomgov.com/my/sscdept23>. To join by phone: (833) 568-8864 ID 16108301121.*

4. Who are the attorneys for the Class Members?

The Court has appointed the following attorneys as Class Counsel: Mark Burton and Thom Smith of Audet & Partners, LLP. Class Counsel can be reached as indicated in Section 2, above. If you have questions you can contact these attorneys who represent you as a class member.

Mark E. Burton Jr. (SBN 178400) mburton@audetlaw.com
Thom E. Smith (SBN 203362) tsmith@audetlaw.com
AUDET & PARTNERS, LLP
711 Van Ness Avenue, Suite 500
San Francisco, CA 94102
Telephone: (415) 568-2555

5. Where can I get further information?

If you have questions about this Notice, or if you did not receive this Notice in the mail and you believe that you are or may be a member of the Class, you should contact the Class Notice Administrator (contact information listed in Section 3), for more information or to request that a copy of this Notice be sent to you in the mail. If you wish to communicate directly with Class Counsel, you may contact them (contact information in Section 4, above). You may also seek advice and guidance from your own private attorney at your own expense, if you wish to do so.

The Defendants and Court will not respond to any questions regarding this Notice or the Lawsuit. Please do not contact the Defendants or the Court.