

NOTICE OF COLLECTIVE ACTION LAWSUIT

Monplaisir, et al. v. Integrated Tech Group, LLC and ITG Communications LLC

Case No. 3:19-cv-01484-WHA

United States District Court, Northern District of California

TO: All current and former non-exempt, hourly employees who have been employed in the positions of Technicians by Integrated Tech Group, LLC and ITG Communications LLC (“ITG”) throughout the United States during the time-period of March 21, 2016, through the present.

RE: Federal Fair Labor Standards Act (“FLSA”) lawsuit seeking alleged unpaid wages, including minimum wages and overtime compensation

★ ★ ★ ★

**PLEASE READ THIS NOTICE CAREFULLY.
THIS NOTICE COULD AFFECT YOUR LEGAL RIGHTS.**

The purpose of this Notice is to inform you of the existence of a collective action lawsuit in which the Court has conditionally determined that you are “similarly situated” to the named Plaintiffs, to advise you of how your rights may be affected by this suit, and to instruct you on the procedure for participating in this suit, should you choose to do so.

YOU HAVE NOT JOINED THE LAWSUIT UNTIL YOU SIGN AND RETURN THE “OPT-IN CONSENT FORM” TO THE NOTICE ADMINISTRATOR LISTED BELOW.

Please return your form as soon as possible, by January 9, 2020. Forms postmarked or returned after January 9, 2020 may not be accepted by the Court in this litigation, and you should contact Plaintiffs’ counsel regarding your claims.

WHAT IS THIS CASE ABOUT?

This lawsuit is brought on behalf of current and former non-exempt, employees employed by ITG as Technicians, during the time-period March 21, 2016, through the present, throughout the United States.

This lawsuit was filed against ITG on March 21, 2019, in the United States District Court for the Northern District of California.

This litigation alleges, among other things, that ITG’s current and former employees who worked as Technicians:

- 1) failed to receive payment for all hours worked, including, without limitation, for time spent working off-the-clock before and after scheduled shifts, and for time spent working during meal and rest breaks; and
- 2) failed to receive all piece-rate compensation to which they earned;
- 3) failed to receive all wages owed to them, including straight-time and overtime pay for all hours worked; and

- 4) that ITG failed to make, keep, and preserve required accurate records of all hours worked by the employees.

Plaintiffs seek to recover payment for all hours worked, including payment for unpaid straight time and overtime, and minimum wage violations, including interest thereon, statutory penalties and liquidated damages, reasonable attorneys' fees, and litigation costs on behalf of themselves and all similarly situated workers. The Court has conditionally certified this case in order to authorize notice of this lawsuit to be sent to all current and former employees who have been employed as a Technician in the United States during the time period of March 21, 2016 through the present.

ITG denies all allegations in this lawsuit. ITG contends that it has paid you and all of its technicians properly. ITG also contends that you are subject to a valid and enforceable arbitration agreement.

Although the United States District Court for the Northern District of California has authorized the sending of this Notice, the Court expresses no opinion regarding the merits of Plaintiffs' claims or ITG's defenses.

CAN I JOIN?

You can join this lawsuit if you are or were a non-exempt employee employed in the position of Technicians by Integrated Tech Group, LLC or ITG Communications LLC ("ITG") throughout the United States during the time-period of March 21, 2016, through the present.

HOW DO I JOIN?

You may join, or "opt in" to, this lawsuit by mailing your completed and signed "Opt-In Consent Form" to Plaintiffs' counsel at the following address:

ITG FLSA LITIGATION
c/o JND Legal Administration
PO Box 91300
Seattle, WA 98111

This form must be returned in sufficient time to have Plaintiffs' counsel file it with the federal court on or before January 9, 2020. If you fail to return the "Opt-In Consent Form" to Plaintiffs' counsel in time for it to be filed with the federal court on or before the above deadline, you may not be able to participate in these claims under the FLSA.

If you file an "Opt-In Consent Form," your continued right to participate in these FLSA claims may depend upon a later decision by the District Court that you and the named Plaintiffs are actually "similarly situated" in accordance with federal law.

WHAT ARE MY LEGAL RIGHTS AND OBLIGATIONS IF I JOIN?

If you choose to join this suit, you will be bound by the judgment or settlement, whether it is favorable or unfavorable as to claims made in this action under the FLSA. The right to recovery for any plaintiff is not guaranteed or certain, and depends on the adjudication of the claim. If the employees win, you may get additional compensation. If they lose, you will get nothing. Joining the lawsuit does not guarantee that you will receive any compensation.

The attorneys for the Plaintiffs are being paid on a contingency fee basis, which means that if there is no recovery, there will be no attorneys' fees owed to Plaintiffs' counsel. You are not under any obligation to pay attorneys' fees or costs by joining the lawsuit.

If you choose to join in the suit, you may be required, with the assistance of the Plaintiffs' lawyers, to respond to written questions, sit for depositions, and/or testify in court.

WHAT HAPPENS IF I DO NOT JOIN?

If you choose not to join this suit, you will not be affected by any judgment or settlement rendered in this case, whether favorable or unfavorable. If you choose not to join in this lawsuit, you are free to file your own lawsuit.

ARBITRATION AGREEMENT

ITG contends that some of its employees have signed arbitration agreements which could impact their ability to participate in this collective action. However, if you received this form of notice, then ITG does not contend that you are subject to a valid and enforceable arbitration agreement.

NO RETALIATION PERMITTED

Federal law prohibits ITG from discharging or in any other manner discriminating or retaliating against you because you have exercised your rights under the FLSA to join this action.

WHO REPRESENTS THE EMPLOYEES?

The law firms of Schneider Wallace Cottrell and Konecky Wotkyns LLP and Berger Montague will represent those who receive this notice and join the collective action. You may also consult with or retain an attorney of your choice. If you have any questions, you may contact the attorneys listed below:

Counsel for the Named Plaintiffs are:

Carolyn H. Cottrell
Ori Edelstein
Michelle S. Lim
SCHNEIDER WALLACE
COTTRELL KONECKY WOTKYNS LLP
2000 Powell Street, Suite 1400
Emeryville, California 94608
Telephone: (415) 421-7100
Facsimile: (415) 421-7105
Email: ccottrell@schneiderwallace.com
oedelstein@schneiderwallace.com
mlim@schneiderwallace.com

Sarah J. Schalman-Bergen
Krysten Connon
BERGER MONTAGUE PC
1818 Market Street, Suite 3600
Philadelphia, Pennsylvania 19103
Telephone: (215) 875-3033
Facsimile: (215) 875-4604
Email: sshalman-bergen@bm.net
kconnon@bm.net

****PLEASE NOTE****

There is a two (2) year deadline for filing overtime claims or three (3) years if the violation is determined to be willful. This deadline continues to run until you "opt-in" to this Collective Action. To ensure your claim is timely filed, return your "Opt-in Consent Form" as soon as possible if you wish to be included in this case.