

January 10, 2020

Dear Current or Former Employee of ConAm Management Corporation:

This supplemental notice is being sent to you regarding the case, *Cuevas v. Conam Management Corp.* which you are entitled to join. Plaintiff Elizabeth Cuevas and Defendant ConAm Management Corporation (“ConAm”) have agreed to send you this notice to clarify an e-mail between ConAm’s legal department and ConAm management that may have been forwarded to you. Ms. Cuevas and her attorneys feel that the contents of this e-mail were not entirely accurate. Though ConAm disagrees, it has agreed to this supplemental notice, through which Ms. Cuevas’ attorneys can address certain statements in the e-mail.

1. ConAm may have referred to this case as a “class action lawsuit.” This is not a “class action,” but a “collective action.” ***What this means for you is that to participate, you must send in an opt-in form to Phoenix Settlement Administrators to participate.*** You can mail, email, or fax the opt-in form to the below:

By Mail

Cuevas v. Conam Management Corp.
c/o Phoenix Settlement Administrators
PO Box 7208 Orange, CA 92863
Phone: (800) 523-5773

By Fax

Fax: (949) 209-2503

By Email

Email: notice@phoenixclassaction.com

If you did not receive a copy of the opt-in form please contact the settlement administrator, Phoenix Settlement Administrators at (800) 523-5773. For your convenience, a copy of the opt-in form entitled, “Consent to Sue Under the Fair Labor Standards Act,” with a return envelope has been attached to this supplemental notice.

2. The e-mail referenced above stated that ConAm believes that it calculated the overtime rate and overtime adjustments correctly and paid overtime wages on time. To clarify, this is ConAm’s belief which Plaintiff opposes. There has been no determination or finding that ConAm has or has not violated the law. The purpose of this lawsuit is for Plaintiff, Ms. Cuevas, and her attorneys to seek a ruling, or a judgment finding that ConAm did violate the law in these respects, and for ConAm to explain why it did not violate the law.
3. The e-mail referenced above suggested that if you had questions for ConAm about this lawsuit, to contact ConAm’s HR Business Partner. You are not limited to talking to ConAm. You are entitled to speak to Ms. Cuevas’ attorneys, the claims administrator, or you can retain your own lawyer at your own expense. Ms. Cuevas’ attorneys are as follows:

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4. The e-mail referenced above stated that that there were no rulings at this stage regarding the merits of the case. While it is true that the Court has not ruled on the merits of the lawsuit, Ms. Cuevas’ lawyers wish to clarify that on October 21, 2019, Judge Curiel, issued an Order allowing this case to conditionally proceed as a collective action and ordered that you receive documents entitled “Notice of Opportunity to Join A Lawsuit To Recover Overtime Wages” and “Consent to Sue Under the Fair Labor Standards Act.” If you did not receive both these documents please contact the settlement administrator, Phoenix Settlement Administrators, at (800) 523-5773.