

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

GLORIA HUEY, individually, and on behalf of
other members of the general public similarly
situated,

Plaintiff (s)

vs.

DANA'S HOUSEKEEPING PERSONNEL
SERVICE, a California Limited Liability
Corporation, and DOES 1 to 100, Inclusive

Defendant (s).

Case No. : BC295680
Complaint Filed On: May 14, 2003
Assigned to: Hon. Robert L. Hess
Dept.: 24

CLASS ACTION

NOTICE OF PENDENCY OF CLASS ACTION, PROPOSED
SETTLEMENT AND HEARING DATE FOR COURT
APPROVAL

ATTENTION: ALL PERSONS WHO WERE REGISTERED WITH DANA'S HOUSEKEEPING PERSONNEL SERVICE AS HOUSEKEEPERS BETWEEN SEPTEMBER 1, 2001 AND APRIL 25, 2004:

THIS NOTICE REQUESTS THAT YOU SUBMIT A REQUEST FOR EXCLUSION ON OR BEFORE **JUNE 1, 2009**, IF YOU WISH TO BE EXCLUDED FROM THE SETTLEMENT CLASS. IF YOU WISH TO BE INCLUDED IN THE CLASS YOU MUST SUBMIT A CLAIM FORM BY **JUNE 1, 2009**. IF THE COURT APPROVES THE SETTLEMENT AND YOU HAVE SUBMITTED A TIMELY CLAIM FORM, YOU WILL RECEIVE A SETTLEMENT PAYMENT.

IF YOU SUBMIT A REQUEST FOR EXCLUSION WHICH IS NOT POSTMARKED BY JUNE 1, 2009, YOUR EXCLUSION WILL BE REJECTED AND YOU WILL BE BOUND BY THE RELEASE OF CLAIMS AND ALL OTHER SETTLEMENT TERMS. ADDITIONALLY, IF YOU SUBMIT A CALIM FORM WHICH IS NOT POSTMARKED BY JUNE 1, 2009, YOUR CLAIM WILL BE REJECTED AND YOU WILL NOT RECEIVE ANY PORTION OF THE SETTLEMENT FUND.

PLEASE READ THIS NOTICE CAREFULLY. THIS NOTICE RELATES TO A PROPOSED SETTLEMENT OF CLASS ACTION LITIGATION. IF YOU ARE A CLASS MEMBER, IT CONTAINS IMPORTANT INFORMATION AS TO YOUR RIGHTS.

Pursuant to the order of the Superior Court of the State of California for the County of Los Angeles, **YOU ARE HEREBY NOTIFIED AS FOLLOWS:** A settlement has been reached between the parties in the above-captioned lawsuit pending in the Superior Court of the State of California for Los Angeles County on behalf of all individuals who were registered as housekeepers with Dana's Housekeeping Personnel Service between September 1, 2001 and April 25, 2004. You have received this notice because records indicate that you were registered with Dana's Housekeeping within the applicable time period. This notice is to advise you how to participate in this settlement and how you can be excluded from this settlement.

I. BACKGROUND OF THE CASE

On May 14, 2003, Plaintiff Gloria Huey filed a Complaint against Dana's Housekeeping Personnel Service in the Superior Court for the County of Los Angeles, Case No. BC295680 alleging that Defendant violated certain provisions of California Civil Code §1812.5095 for Employment Agencies, and failed to provide Housekeepers with employee rights, including overtime, and wage statements. Specifically, the lawsuit alleges that Dana's Housekeeping at times referred to Housekeepers as "Independent Contractors", did not allow them to negotiate with Clientele, terminated

housekeeper/clientele relationships, and did not maintain a Surety Bond. Defendant Dana's Housekeeping denies any wrongdoing, and asserts that they properly followed all laws relating to Employment Agencies, and properly compensated the Housekeepers. The Court did not decide who was right. But both sides agreed to a dismissal from this action of the employee rights claims, including the claims for unpaid overtime compensation and that housekeepers failed to received proper written itemized statements of hours worked, wages and deductions. Both sides also agreed to a settlement of the Civil Code violation claims relating to references to Housekeepers as Independent Contractors to resolve the case. Housekeepers who believe that they might have an employee right claim, including overtime or a wage statement claim now have the option of filing an individual claim if they desire.

The parties have entered into a Joint Stipulation of Settlement, which has been given preliminary approval by the Court. The Settlement Class consists of all housekeepers registered with Dana's Housekeeping between September 1, 2001 and April 25, 2004, and who do not exclude themselves from the Settlement as explained herein. If you are part of the Settlement Class, you can exclude yourself ("opt out") from the Settlement.

II. SUMMARY OF THE PROPOSED SETTLEMENT

A. Settlement Formula. The total Settlement Fund is \$60,000.00. Defendants will pay settlement awards, as described below, to each Class Member. **All settlement awards are subject to tax.** Each Class Member will receive this notice. After deduction of attorney's fees, costs, claims administration and service payments, the Settlement Fund will be divided based upon the number of Housekeepers who file a Claim by the Net Settlement Amount. Regardless of the Number of Claims made, Defendant Dana's Housekeeping will contribute the entire Settlement Amount of \$60,000.

B. Release. The Joint Stipulation of Settlement and Release between Plaintiff and Defendants contains a release which releases Defendants, its present and former parent companies, subsidiaries, related or affiliated companies, general partners, limited partners, shareholders, officers, directors, employees, agents, attorneys, insurers, successors and assigns, and any individual or entity which could be jointly liable with Defendants from all Civil Code §1812.5095, claims for attorneys' fees, penalties, liquidated damages, costs, expenses related to Claims from Violations of Civil Code §1812.5095, whether known or unknown from September 1, 2001 through April 25, 2004.

C. Service Payments for the Class Representative. The Class Representative, Gloria Huey has requested a service payment of Six Thousand Dollars (6,000.00), which is subject to Court approval. This payment is for her services as Class Representative.

D. Attorneys' Fees and Costs. In consideration for the Settlement and in exchange for the release by the Settlement Class, Defendants agree from the total settlement amount of to pay to Class Counsel, attorneys' fees in the amount of nineteen thousand eight hundred dollars (\$19,800.00) and costs in an amount of one thousand and fifty one and five cents (\$1051.05) to Daniel G. Emilio, and one thousand four hundred and fifteen and thirty cents (\$1415.30) to Michael A. Gould.. The Class Representative and Class Counsel support this settlement.

III. WHAT ARE YOUR RIGHTS AS A CLASS MEMBER?

A. Submit a Claim Form. You must submit a claim form by JUNE 1, 2009 in order to receive a settlement payment.

B. Excluding Yourself from the Settlement. Persons who do not wish to participate in the Settlement may exclude themselves ("opt out") by requesting an exclusion. The request for exclusion must include your name, address and Social Security number. It must be sent by standard U.S. Mail, or the equivalent, to:

Dana's Housekeeping Claims Administrator
c/o Emilio Law Group, a p.c.
12812 Valley View St., Suite 37
Garden Grove, CA 92845

The exclusion request must be postmarked no later than JUNE 1, 2009. If you submit an exclusion which is not postmarked by JUNE 1, 2009, your exclusion will be rejected and you will be bound by the Release and all other Settlement Terms. Do not use a postage meter as that may not result in a postmark appearing on the envelope containing exclusion.

Any person who files a complete and timely request for exclusion shall, upon receipt, no longer be a member of the Settlement Class, shall be barred from participating in any portion of the Settlement, and shall receive no benefits from the Settlement. Any such person, at their own expense, may pursue any claims he/she may have against Defendants.

C. Objection to Settlement. You can object to the terms of the Settlement before final approval. However, if the Court rejects your objection, you will still be bound by the terms of the Settlement unless you have submitted a valid and timely exclusion. To object, you must file a written objection and a notice of intention to appear at the Final Approval Hearing currently set for July 14, 2009, at 8:30am in Dept. 24, with the Clerk of the Superior Court of the State of California for the County of Los Angeles, 111 North Hill Street, Los Angeles, California 90012 and send copies to the following:

CLASS COUNSEL

Daniel G. Emilio
Emilio Law Group, APC
12812 Valley View Street, Suite 37
Garden Grove, CA 92845

DEFENDANT'S COUNSEL

Michael S. Magnuson, Esq.
Law Office of Michael S. Magnuson
13215 E. Penn St. Suite 205
Whittier, CA 90602

Any written objections must state each specific reason in support of your objection and any legal support for each objection. Your objection must also state your full name, address, date of birth, and dates of your employment by Defendant. To be valid and effective, any objections to approval of the Settlement must be filed with the Clerk of the court and delivered to each of the above-listed attorneys no later than JUNE 1, 2009. **DO NOT TELEPHONE THE COURT.**

If you choose to file an objection to the terms of this Settlement, you may enter an appearance in propria persona (meaning you choose to represent yourself) or through your own attorney. To do so, you must file an Entry of Appearance with the Clerk of the Los Angeles Superior Court, and deliver copies to each of the attorneys listed above. Such Entry of Appearance must be filed with the Court and delivered to the above attorneys no later than June 1, 2009. You will then continue as a Settlement Class Member either in propria persona or with representation by your attorney, and you will be solely responsible for the fees and costs of your own attorney.

IV. EFFECT OF THE SETTLEMENT

A. Released Rights and Claims. The Settlement is intended to settle all causes of action which relate to Defendant's alleged violation of California Civil Code §1812.5095 asserted in Huey v. Dana's Housekeeping, Los Angeles Superior Court Case Number BC295680 from September 1, 2001 through April 25, 2004. The release will extend to Defendant's general partners, limited partners, their present or former parent companies, subsidiaries, related or affiliated companies, shareholders, officers, directors, employees, agents, attorneys, insurers, and successors and assigns, and any individual entity which could be jointly liable with Defendants. If you were registered as a housekeeper with Dana's Housekeeping between September 1, 2001 and April 25 2004, and do not elect to exclude yourself from the Settlement Class, you will be deemed to have entered into this release and to have released the above-described claims. In addition, you will be barred from ever suing Defendant again with respect to the matters covered by this Settlement. If the settlement is not approved by the Court or does not become final for some other reason, the litigation will continue.

V. FINAL SETTLEMENT APPROVAL HEARING

The Court will hold a hearing in Dept. 24 of the Los Angeles Superior Court, 111 North Hill Street, Los Angeles,

California 90012 on July 14, 2009 at 8:30am, to determine whether the Settlement should be finally approved as fair, reasonable, and adequate. The Court also will be asked to approve Class Counsel's request for attorneys' fees and costs and the service payment to be paid to the Class Representative.

The hearing may be continued without further notice to the Settlement Class.
IT IS NOT NECESSARY FOR YOU TO APPEAR AT THIS HEARING.

VI. ADDITIONAL INFORMATION

The above is a summary of the basic terms of the Settlement. For the precise terms and conditions of the Settlement, you should consult the detailed "Joint Stipulation of Settlement" which is on file with the Clerk of the Court. The pleadings and other records in this litigation, including the Joint Stipulation of Settlement, may be examined at any time during regular business hours at the Office of the Clerk of the Los Angeles Superior Court, 111 North Hill Street, Los Angeles, California 90012.

PLEASE DO NOT TELEPHONE THE COURT OR THE OFFICE OF THE CLERK FOR INFORMATION REGARDING THIS SETTLEMENT OR THE CLAIM PROCESS!

BY ORDER OF THE SUPERIOR COURT