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1 In accordance with Local Rule 3-13, Defendant Safelite Fulfillment, Inc., hereby provides  
2 notice of the following action, filed on October 5, 2010, which may involve a material part of the  
3 subject matter of the within action currently pending before this court.

4 (1) Joseph Perez v. Safelite Group, Inc., Case No. CV10-8653 RGK (FFMx) was initially  
5 filed in the Superior Court of California, County of Los Angeles, and was removed to the United  
6 States District Court for the Central District of California Western Division on November 12, 2010. It  
7 remains pending before Judge Klausner. A true and correct copy of the Perez complaint is attached  
8 hereto, as Exhibit 1. A true and correct copy of the Central District docket sheet in the Perez matter is  
9 attached as Exhibit 2.

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11 (2) In the Perez case, Plaintiff Perez filed a class action suit under California law against  
12 Safelite Group, Inc. alleging: (i) failure to pay wages and overtime; (ii) failure to provide meal breaks;  
13 (iii) failure to provide rest breaks; (iv) failure to reimburse business expenses; and (v) failure to  
14 provide accurate wage statements. (See Complaint, Dock. No. 1, attached as Exhibit 1). Plaintiff  
15 Perez sought certification of a class defined as, “All persons who are employed or have been  
16 employed, and who have worked as an Associates [*sic*] for Safelite in the State of California since four  
17 (4) years prior to the filing of this action.” See Complaint ¶25. During the process of moving to  
18 certify the class, Plaintiff Perez modified his class definition as, “All persons who are employed or  
19 have been employed, and who have worked one or more shifts as a ‘Mobile Pro’ for Safelite, Inc., in  
20 the State of California since October 4, 2006.” At that same time, Plaintiff Perez withdrew his claims  
21 for failure to provide meal and rest breaks and only sought class certification on his claims for: (i)  
22 failure to pay wages and overtime; (ii) failure to reimburse business expenses; and (iii) failure to  
23 provide accurate wage statements. Moreover, Plaintiff Perez shifted his theory of overtime violations  
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1 to misclassification of the Mobile Pros as exempt employees. See Plaintiff's Reply in Support of  
2 Class Certification at pp. 2-3 (Dock. No. 32).

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22 Dated: January 20, 2012

23 Respectfully submitted,

24 /s/ Kent J. Sprinkle

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