

# NOTICE OF COLLECTIVE ACTION LAWSUIT

*Jacqueline Kovacs v. G4S Secure Solutions (USA) Inc.*

United States District Court, District of Colorado Case No. 1:20-cv-03180

**You are receiving this notice because you are a potential member of the above-referenced collective action lawsuit. A federal district court has approved this settlement. Please read this notice carefully.**

Representative Plaintiff Jacqueline Kovacs filed this lawsuit against G4S Secure Solutions (USA) Inc. (“G4S”) on October 23, 2020. In the lawsuit, Representative Plaintiff alleged that G4S did not compensate hourly, non-exempt security guards for performing certain pre-shift work. In response to the lawsuit, G4S denies Representative Plaintiff’s allegations and denies that it did anything wrong.

On January 18, 2022, the Court conditionally certified this lawsuit as a collective action consisting of following class:

All former and current hourly, non-exempt security guard employees employed by Defendant in Colorado at any time in the three years prior to the date of conditional certification.

You are receiving this notice because Defendant identified you as someone who fits this definition.

## BASIC INFORMATION

### 1. Why did I get this notice?

The purpose of this notice is to inform you of the existence of a collective action lawsuit in which you are eligible to participate because you may be “similarly situated” to the Representative Plaintiff. This notice is also intended to advise you how your rights under the Fair Labor Standards Act (FLSA) may be affected by this lawsuit, and to instruct you on the procedure for participating in the lawsuit.

### 2. Description of the lawsuit.

A lawsuit has been brought by Representative Plaintiff Jacqueline Kovacs against Defendant G4S Secure Solutions (USA) Inc. in the United States District Court for the District of Colorado. Representative Plaintiff seeks to pursue this lawsuit on behalf of herself and all other current and former hourly employees of Defendant defined above.

Representative Plaintiff alleges that hourly security guards were not paid for performing pre-shift work when relieving another security guard. Representative Plaintiff is demanding payment for unpaid overtime, liquidated damages, attorneys’ fees and expenses.

Defendant denied and continues to deny Representative Plaintiff’s allegations and states that it has properly paid its employees consistent with its requirements under the Fair Labor Standards Act. Defendant has repeatedly asserted and continues to assert defenses to the lawsuit and has expressly denied and continues to deny any wrongdoing or legal liability arising out of any of the facts or conduct alleged by Representative Plaintiff.

The Court has not yet decided whether Representative Plaintiff is correct or whether Defendant is correct. The right to any recovery has not been established and is not guaranteed or certain.

### 3. Your right to participate in the lawsuit

You may join this lawsuit only if you meet the class definition above. You are not required to join this lawsuit. However, if you wish to join as a Plaintiff, you may do so by mailing your completed and signed “Consent to Become a Party Plaintiff” form in the self-addressed stamped envelope provided or by otherwise sending the “Consent to Become a Party Plaintiff” form to: G4S Secure Solutions Pay Case, P.O. Box 2006, Chanhassen, MN 5317-2006.

You can also email the “Consent to Become a Party Plaintiff” form in a PDF document to [g4sPayCase@noticeadministrator.com](mailto:g4sPayCase@noticeadministrator.com).

This form must be returned postmarked, faxed or emailed by **April 19, 2022**. If your signed “Consent to Become a Party Plaintiff” form is not postmarked, faxed or emailed by the **April 19, 2022** deadline, you will not be able to participate in the lawsuit, and you will not be eligible to participate in any recovery that may be obtained by the lawsuit.

If you file a “Consent to Become a Party Plaintiff” form, the Court will decide whether you are a proper party.

#### **4. No retaliation permitted by Defendant.**

If you join this lawsuit, federal law prohibits Defendant from retaliating against you as a result of your participation.

#### **5. Effect of joining the lawsuit.**

If you choose to join this lawsuit, you will be bound by the judgment, whether it is favorable or unfavorable. You will also be bound by, and will share in, any settlement that may be reached on behalf of the class. You give up the right to file a separate action for the claims made in this case.

If you join the lawsuit, you may be required to provide information about your employment with Defendant, answer written questions, produce documents, sit for deposition or testify in court. Further, if you join the lawsuit and the Court finds in favor of Representative Plaintiff, you may be entitled to a money recovery. However, if you join the lawsuit, and the court rules in favor of Defendant, you will be entitled no relief.

You will not be required to pay any of your legal fees unless Representative Plaintiff is successful in this action. Representative Plaintiff's attorneys are being paid on a contingency fee basis, which means that, if there is a recovery, the attorneys will receive a percentage of any recovery obtained on your behalf or may seek to obtain a Court Order under which they may receive a fee through a separate payment by Defendant.

By joining this lawsuit, you are allowing Nilges Draher LLC to represent your interest. In addition, you are agreeing that the Representative Plaintiff may make decisions on your behalf regarding this lawsuit, including the manner and method of conducting the suit. The decisions and agreements entered into by Representative Plaintiff will be binding on you if you join this lawsuit. Further, you will be bound by the judgment of the Court on all issues in this case, including the reasonableness of any settlement.

#### **6. Effect of not joining the lawsuit.**

If you choose not to join this lawsuit, 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 may file your own lawsuit.

#### **7. Your legal representation if you join.**

If you choose to join this lawsuit, your interests will be represented by:

**NILGES DRAHER LLC**  
Jeffrey J. Moyle  
Hans A. Nilges  
1360 E. 9th Street, Suite 808  
Cleveland, Ohio 44113  
Telephone: (330) 470-4428  
Email: [notice@ohlaborlaw.com](mailto:notice@ohlaborlaw.com)

#### **8. Further information.**

Further information about this Notice, the deadline for filing a "Consent to Become a Party Plaintiff" form, or questions concerning this lawsuit may be obtained by writing or calling Representative Plaintiffs' counsel at the number and address stated above.

**THIS NOTICE HAS BEEN AUTHORIZED BY UNITED STATES DISTRICT JUDGE REGINA M. RODRIGUEZ OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO. THE COURT HAS TAKEN NO POSITION REGARDING THE MERITS OF THIS LAWSUIT. PLEASE DO NOT CONTACT THE COURT REGARDING THIS NOTICE.**