

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

KYLE JENSEN, an individual, for
himself and those similarly situated,

Plaintiff,

v.

SECORP INDUSTRIES, a Louisiana
partnership; and DOES 1 through 100,
inclusive,

Defendants.

Case No. 2:18-cv-02890-RGK-GJS

Assigned to Hon. R. Gary Klausner

CLASS ACTION

[PROPOSED] ORDER RE:

**STIPULATION REGARDING
MAILING OF NOTICE OF
PENDENCY OF CLASS ACTION**

Complaint Filed: February 20, 2018

(Removed from Ventura County
Superior Court, Case No. 56-2018-
00507974-CU-OE-VTA)

[PROPOSED] ORDER

Good cause appearing, IT IS HEREBY ORDERED that the Parties shall mail to the Class Members the Notice of Pendency of Action form as well as the Request for Exclusion form, both of which are attached hereto as Exhibits A and B, respectively.

Within 10 calendar days of this Order, Defendant shall provide to CPT Group, Inc., a list of full names and last-known addresses for all 31 of the Class Members.

Within 15 calendar days of Defendant producing the names and last-known addresses for the Class Members, CPT Group, Inc., will mail out the above-mentioned forms (Exhibits A and B) with a 45-day response deadline articulated for opting-out of the class.

IT SO ORDERED.

DATED: September 20, 2018



Hon. R. Gary Klausner
United States District Court Judge

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Exhibit A

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

KYLE JENSEN, an individual, for
himself and those similarly situated,

Plaintiff,

v.

SECORP INDUSTRIES, a Louisiana
partnership; and DOES 1 through 100,
inclusive,

Defendants.

Case No. 2:18-CV-02890-rgk-gjs

CLASS ACTION

**NOTICE OF PENDENCY OF
CLASS ACTION**

TO: All hourly and otherwise non-exempt employees of Secorp Industries, who,
at any time within four years from the date of filing of this lawsuit, worked on oil
platforms off the California coast for periods of 24 hours or more.

***THIS NOTICE MAY AFFECT YOUR LEGAL RIGHTS. PLEASE READ IT
CAREFULLY. PLEASE DO NOT CONTACT THE COURT OR THE COURT
CLERK REGARDING THIS ACTION.***

NOTICE OF PENDENCY OF CLASS ACTION

This Notice pertains to a class action lawsuit which is currently pending against Secorp Industries (hereinafter “Secorp”) in the United States District Court for the Central District of California regarding employees’ claims for recovery of overtime/doubletime premium wages, meal and rest period and other penalties and interest. This notice concerns claims made in the suit that are based upon California law. You may be a member of the class of workers for whom relief is being sought. This Notice is given to the class of “All hourly and otherwise non-exempt employees of Secorp Industries, who, at any time within four years from the date of filing of this lawsuit, worked on oil platforms off the California coast for periods of 24 hours or more” (hereinafter the “Class”).

On August 8, 2018, the Court determined that this lawsuit may be maintained as a class action. You may be a member of this class. You do not need to take any further action at this time if you wish to be included in this class action.

If you do not wish to be included, you may exclude yourself (“opt out”) by following the procedures described below. DO NOT CALL THE COURT. For more information about his lawsuit you may contact the Class Counsel listed below. The Court has not ruled on the merits of these claims and the decision to certify the class in this case should not be viewed as a prediction that Plaintiffs or the class will ultimately prevail on the merits of the action.

Why Should I Read This Notice?

The purpose of this Notice is to inform you that there is now pending in this Court a class action on behalf of certain employees who worked for Secorp between February 20, 2014 and the present day. Your rights may be affected by this class action. You should read this Notice to determine whether your rights are affected and to decide whether you wish to participate in the class action.

1 **What is a Class Action?**

2 A class action is a type of lawsuit in which one or a few named plaintiffs bring suit
3 on behalf of all of the members of a similarly situated group to recover damages for all
4 of the group without the necessity of each member filing an individual lawsuit or
5 appearing as an individual plaintiff. Class actions are used by the courts where the claims
6 raise basic issues of law or fact that are common, making it fair to bind all class members
7 to the orders and the judgment in the case, without the necessity of hearing essentially
8 the same claims over and over again. Use of a class action eliminates the necessity of
9 filing multiple suits and assures that all class members are bound by the results of the
10 lawsuit.

11 Because you may be a member of a class of plaintiffs whose rights may be affected
12 by this litigation, this Notice is being sent to you. This Notice is not to be understood as
13 an expression of any opinion by the Court as to the merits of any claims or defenses of
14 either side in this litigation but is sent for the sole purpose of informing you of the
15 pendency of this litigation so that you may make appropriate decisions as to what steps
16 you may wish to take in relation to this lawsuit.

17 **Description of the Action**

18 The above-entitled action has been brought by Kyle Jensen, an employee of
19 Secorp. Mr. Jensen contends that he and his fellow employees, who worked on offshore
20 oil platforms off the California coast, were not paid wages for all work performed.
21 Specifically, he contends that Secorp failed to pay the Class for all hours they spent on
22 offshore oil platforms during their hitch, failed to provide off-duty meal and rest periods
23 under California law, and failed to provide accurate paycheck stubs as required by
24 California law. He seeks unpaid overtime/doubletime wages, meal and rest period
25 penalties, and interest thereon, plus certain statutory and civil penalties for the alleged
26 violations of California law.

1 SECORP asserts that Federal law rather than California law applies, that it has paid
2 for all regular and overtime hours worked consistent with its written employment
3 agreements, provided proper meal and rest breaks, provided accurate paystubs, and owes
4 no wages or penalties.

5 **Status of the Lawsuit and the Class**

6 On August 8, 2018, the Court ruled that this lawsuit may be maintained as a class
7 action on behalf of the Class.

8 **Information Regarding the Case**

9 This case is currently being litigated in the United States District Court for the
10 Central District of California as case number 2:18-CV-02890-RGK-GJS. DO NOT
11 CALL THE COURT. All pleadings and other documents filed in the Court are accessible
12 to the public at www.pacer.gov, a website hosted by the federal government (fees may
13 apply).

14 **Information Concerning Class Counsel**

15 The Class is represented by Michael A. Strauss and the attorneys at the law firm of
16 Strauss & Strauss, APC, 121 N. Fir Street, Suite F, Ventura, California 93001, Phone:
17 (805) 641-6600, Fax: (805) 641-6607, Email: mike@strausslawyers.com.

18 **NO RETALIATION**

19 No one may retaliate against you because of your decision to either remain in the
20 class or opt-out.

21 **Rights Regarding Exclusion from the Class**

22 If you are a member of the Class and would like to be included in this case, you do
23 not need to take any further action. You will be automatically included in this lawsuit.
24 Any member of the Class may exclude himself/herself from the Class (“opt-out”) by
25 signing and mailing the enclosed Request for Exclusion (“Opt-Out”) Form, which has
26 been provided with this Class Notice.

1 If you desire to exclude yourself, the Request for Exclusion (“Opt-Out”) Form
2 must be postmarked no later than [45 days out], 2018, and should be mailed to the Class
3 Administrator, CPT Group, Inc., at the following address: CPT Group, Inc., 50 Corporate
4 Park, Irvine, California 92606.

5 If you opt out of this case, you will have no right to recover any money under any
6 judgment or settlement in this lawsuit concerning any of its claims and will not be bound
7 by any such judgment or settlement. Any member of the class who does not timely
8 exercise the right to exclusion will be included in this class action lawsuit and will be
9 bound by any judgment in this lawsuit, favorable or unfavorable. A Class member may,
10 if the member so desires, enter an appearance in this lawsuit through an attorney other
11 than Class Counsel.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Exhibit B

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

KYLE JENSEN, an individual, for
himself and those similarly situated,

Plaintiff,

v.

SECORP INDUSTRIES, a Louisiana
partnership; and DOES 1 through 100,
inclusive,

Defendants.

Case No. 2:18-CV-02890-rgk-gjs

CLASS ACTION

**EXCLUSION FORM REGARDING
CLASS ACTION**

REQUEST FOR EXCLUSION

Please complete (and check the box provided below), sign and mail this Request
for Exclusion Form ***if you wish to be excluded*** from the Class Action described in the
Notice of Pendency of Class Action that accompanies this Form. If you do not fill out,

1 sign and send this form in, you will be included in the class. The deadline for mailing
2 this Request for Exclusion Form to the Claims Administrator is [45 days out], 2018, and
3 should be mailed to the following address:

4
5 CPT Group, Inc.
6 50 Corporate Park
7 Irvine, California 92606
8 Attention: **TBD**
9 Electronic Mail: **TBD**
10 Telephone: **TBD**
11

12 I wish to be excluded from the members of the class in the pending action:
13 *Jensen v. Secorp Industries*, Case No. 2:18-CV-02890-rgk-gjs.
14

15 Dated: _____

16 (Signature)

17
18 (Printed Name)

19
20 (Mailing Address)

21
22 (City, State, Zip Code)

23
24 (Telephone Number, Including Area Code)
25
26
27
28