

Guzman v. Gama Aviation Engineering, Inc., et al.
Santa Clara County Superior Court Case No. 22CV399013

This Notice relates to the settlement of a lawsuit filed by David Guzman (“Plaintiff”), a former employee of Defendant Gama Aviation Engineering, Inc. (“Defendant”) on June 9, 2022, in Santa Clara County Superior Court. Plaintiff brought the lawsuit as a representative action under California’s Labor Code Private Attorneys General Act of 2004 (Cal. Lab. Code §§ 2698, et seq.) (“PAGA”) on behalf of the State of California and all persons who were employed by Defendant as non-exempt hourly-paid employees within the State of California from April 5, 2021 through September 30, 2024. A PAGA action is an action for civil penalties in which the State of California (the LWDA) receives 75% of any net settlement, and 25% of the net settlement is distributed amongst alleged Aggrieved Employees.

The Lawsuit alleges Defendant violated the California Labor Code and Wage Orders for failure to: (a) pay overtime compensation, (b) pay minimum wages, (c) provide meal periods or pay meal premiums, (d) provide rest periods or pay rest premiums, (e) provide accurate and complete wage statements, (f) maintain accurate payroll records, (g) maintain accurate time records, (h) timely pay all wages during employment, (i) timely pay wages upon termination, (j) provide employees with written notice of information material to their employment, (k) provide employment records, (l) pay vested vacation pay at termination, (m) provide reporting time pay, (n) reimburse necessary business expenses, (o) provide reasonable working conditions, and (p) provide sick leave, during the PAGA Period. Defendant strongly denies these allegations and has vigorously defended itself in this Lawsuit. Defendant maintains that at all times it has complied with all applicable wage and hour laws.

The Court has made no determination on the merits of Plaintiff’s claims, but the Parties have decided to resolve the case through settlement, with the approval of the Court.

The Court has approved the Parties’ Settlement Agreement, entering judgment to resolve this case. Aggrieved Employees have released the Released Parties, which include Defendant and its related entities, Jet East, a Gama Aviation Company, and West Star Aviation, as well Defendant’s parents, subsidiaries, affiliated corporations and entities, predecessors or successors, current and former officers, directors, members, managers, employees, consultants, partners, shareholders, joint venturers, franchisors, franchisees, and agents, as well as any successors, assigns, or legal representatives/attorneys from the “Released Claims” for the PAGA Period. The Released Claims are defined as follows:

“Released Claims” or “Settled Claims” means all claims for PAGA civil penalties that were alleged, or reasonably could have been alleged, based on the same set of operative facts alleged in the Complaint and PAGA Notice, including for California Labor Code sections 201, 202, 203, 204, 210, 223, 225.5, 226(a), 226(c), 226.3, 226.7, 227.3, 246, 248.5, 510, 512(a), 558, 1174(d), 1174.5, 1182.12, 1194, 1197, 1197.1, 1198, 1198.5, 1199, 2699(a), (f), and (g), 2699.3(c), 2800, 2802, and 2810.5(a) and California Code of Regulations, Title 8, § 11040 and/or § 11090 (as applicable) subsections (4), (5)(A), (7), (9), (11), (12), and (15), and/or other provisions of law alleged to have been violated in the operative Complaint with respect to Aggrieved Employees. Aggrieved Employees, other than Plaintiff, will not be deemed to have released any individual wage and hour claims by virtue of this Settlement and with respect to Aggrieved Employees and Attorneys’ Fees and Costs permissible under PAGA which Plaintiff and/or the Aggrieved Employees had or may claim to have against the Released Parties (as defined in Paragraph 34). Aggrieved Employees, other than Plaintiff, will not be deemed to have released any private rights of action and/or individual wage and hour claims held by Aggrieved Employees for any alleged violations of the Labor Code or California Wage Orders by virtue of this Settlement.

Aggrieved Employees, other than Plaintiff, will not be deemed to have released any private rights of action and individual wage and hour claims held by Aggrieved Employees for any alleged violations of the Labor Code or California Wage Orders by virtue of this Settlement.

You have received this Notice because Defendant's records indicate that you may be one of the employees affected by the allegations made by Plaintiff and were a non-exempt (hourly) employee of Defendant at any time between April 5, 2021 through September 30, 2024.

The Court has authorized a third-party Settlement Administrator to send you this Notice, and they have agreed to keep your contact information confidential.

The enclosed check represents your portion of the Settlement payment, which is a pro-rata distribution based on the number of Pay Periods you worked during the applicable time period noted above. You may deposit or cash the check without any further obligation on your part and there is no need for you to contact the Settlement Administrator, the Parties, or the Court. The entirety of PAGA civil penalties paid to you is considered miscellaneous income and not subject to withholdings. The Settlement Administrator will provide an appropriate IRS Form 1099 to you.

If you have questions about this Notice, please contact the Settlement Administrator, Atticus Administration, or Plaintiff's counsel below:

Guzman v Gama Aviation Engineering Settlement
c/o Atticus Administration
PO Box 64053
St Paul, MN 55164
Email: gamaaviationengineeringsettlement@atticusadmin.com
Telephone: (800) 353-4516
Website: www.GamaAviationEngineeringSettlement.com

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THIS NOTICE IS NOT AN EXPRESSION OF ANY OPINION BY THE COURT AS TO THE MERITS OF THE CLAIMS OR DEFENSES BY EITHER SIDE IN THIS PROCEEDING.

PLEASE DO NOT CONTACT THE COURT REGARDING THIS CASE.