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7 Attorneys for Plaintiff(s),

8 CHRIS MARCUS CALKINS, and all others similarly situated

9 (Additional attorneys for Plaintiff(s) on following page)

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

11 **FOR THE COUNTY OF LOS ANGELES**

12 **(UNLIMITED JURISDICTION)**

13 CARISSA CALKINS, on behalf of herself, all
14 others similarly situated, the general public, and
15 as an “aggrieved employee” on behalf of other
16 “aggrieved employees” under the Labor Code
Private Attorneys General Act of 2004,

17 *Plaintiff(s),*

18 vs.

19 UNITED SECURITY SERVICES, INC., an
20 Illinois corporation; and DOES 1–50, inclusive,

21 *Defendant(s).*

Case No. 20STCV35391

**PLAINTIFF’S NOTICE OF MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Hearing Date: December 9, 2024

Hearing Time: 10:00 a.m.

Hearing Dept.: SSC-7, The Honorable
Lawrence P. Riff

Action filed: September 16, 2020

**Submitted Herewith Under Separate
Cover:**

1. Memorandum of Points and Authorities;
2. Declaration(s) of David Spivak, Walter L. Haines, and Chris Marcus Calkins; and
3. [Proposed] Order



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1 TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on December 9, 2024 at 10:00 a.m., or as soon thereafter
3 as the matter may be heard, in Department 7 of the Los Angeles County Superior Court, located
4 at Spring Street Courthouse, 312 N Spring St., Los Angeles, CA 90012, Plaintiff Chris Marcus
5 Calkins née Carissa Calkins (“Plaintiff”) will and hereby does move this Court for an order: (1)
6 granting class certification of the Settlement Class solely for settlement purposes pursuant to
7 California Code of Civil Procedure section 382; (2) preliminarily approving the Class Action and
8 PAGA Settlement and Class Notice (the “Settlement” or “Settlement Agreement”)¹ between
9 Plaintiff and Defendant United Security Services, Inc. (“Defendant”) (Plaintiff and Defendant are
10 referred to below collectively as the “Parties), (3) appointing David Spivak of The Spivak Law
11 Firm and Walter L. Haines of United Employees Law Group as Class Counsel; (5) appointing
12 Plaintiff as Class Representative (“Class Representative”); (6) approving the use of the proposed
13 notice procedures and related forms; (7) directing that notice be mailed to the proposed Class;
14 and (8) scheduling a hearing date for motion for final approval of class action settlement and
15 awards of attorneys’ fees and costs.

16 The “Class” consists of all of Defendant’s hourly, non-exempt California Security guard
17 employees during the Class Period. “Class Period” means the period from September 16, 2016 to
18 May 31, 2024. Settlement Agreement, §§ 1.5 and 1.12.

19 This Motion is made on the following grounds: (1) the Settlement Class meets all the
20 requirements for class certification for settlement purposes only under California Code of Civil
21 Procedure section 382; (2) Plaintiff and his counsel are adequate to represent the Settlement Class;
22 (3) the Settlement reflects a fair, adequate, and reasonable compromise of all disputed claims in
23 view of Defendant’s potential liability exposure as compared against the risks of continued
24 litigation; (4) the proposed notice procedures and related forms adequately apprise the Class
25 Member of their rights under the Settlement and fully comport with due process; and (5) in view
26 of the foregoing, notice should be disseminated to the Class Member and a hearing date for motion
27

28 ¹ The Settlement is attached as Exhibit 1 to the Declaration of David Spivak (“DS”), which is
submitted herewith under a separate cover.



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1 for final approval of class action settlement, and awards of attorneys' fees and costs should be
2 set.

3 The Motion is based on this Notice of Motion and Motion, the attached Memorandum of
4 Points and Authorities, the Declarations of David Spivak, Walter L. Haines, Chris Marcus
5 Calkins, and all papers and pleadings on file with the Court in this action, all matters judicially
6 noticeable, and on such oral and documentary evidence as may be presented in connection with
7 the hearing on the Motion.

8 Respectfully submitted,

9
10 THE SPIVAK LAW FIRM

11 Dated: October 29, 2024

12 By: 
13 DAVID G. SPIVAK
14 CAROLINE TAHMASSIAN,
15 Attorneys for Plaintiff, CHRIS
16 MARCUS CALKINS, and all others
17 similarly situated
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