



CANTOR LAW

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June 1, 2022

VIA ONLINE SUBMISSION, EMAIL, AND CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Labor & Workforce Development Agency

Attn: PAGA Administrator
455 Golden Gate Avenue, 9th Floor
San Francisco, CA 94102

CAL/OSHA Enforcement Branch

Region 4
800 Royal Oaks Drive, suite 105
Monrovia, CA 91016
DOSHREG4Monrovia@dir.ca.gov

United Parcel Service, Inc.

55 Glenlake Parkway, NE
Atlanta, GA 30328

Counsel for UPS, Inc.

SCHMOYER REINHARD LLP
Attn: Dylan Farmer
8000 IH 10 West, Suite 1600
San Antonio, TX 78230
dfarmer@sr-llp.com

Re: Labor Code § 2699 Penalties – *Shane Kisman and Jason Killinger v. UPS, Inc.* – Initial Notice Letter

Dear OSHA Enforcement Manager:

Please be advised that this office has been retained to represent Jason Killinger and Shane Kisman (herein “Plaintiffs”) with respect to their Labor Code claims, including multiple safety and wage violations. The attached draft Complaint outlines DEFENDANTS' various violations of California Labor Code Sections (including, but not limited to, Sections 201-203, 204, 206, 206.5, 216, 218.5, 218.6, 221, 225.5, 226, 226.3, 226.6, 226.7, 229, 233, 234, 256, 350, 351, 353, 356, 432, 450, 510, 511, 512, 515, 558, 558.1, 1174, 1174.5, 1175, 1182.11, 1182.12, 1185, 1194, 1194.2, 1195, 1197, 1197.1, 1197.5, 1198.5, 1199, 2751, 2802, 6300, 6301, 6311, 6400, 6401, 6402, 6403,

6401.7, 6404, 6406, 6423, 6424, 6425, 6426, 6427, 6428, 6429, 6430, 6431, 6432, 6433), violations of the applicable Wage Orders issued by the California Industrial Welfare Commission as Wage Order 5-2001, including, but not limited to, Sections 3, 4, 5, 7, 8, 9(A), 11, 12, 13 and 20 ("IWC Wage Order 5"), violations of the unlawful business practice provisions of [*California Business and Professions Code § 17000*](#), et seq. and [*§ 17200*](#), et seq., and violations of related common law.

Wherefore we request that you advise us, by certified mail within sixty (60) days of the postmark on this letter, whether you intend to proceed with these claims and perform an investigation, or whether Plaintiff should include them as a § 2699 claim in a filed Complaint. Your anticipated cooperation in this matter is greatly appreciated. Please contact our Santa Monica office to discuss how you would like to proceed.

Very truly yours,

CANTOR LAW


By: ZACHARY CANTOR, Esq.