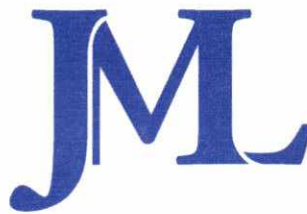


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June 1, 2016

U.S. Certified Mail

Labor & Workforce Development Agency
Attn: PAGA Administrator
1515 Clay Street, Ste. 801
Oakland, CA 94612
(510)-622-3273

Wal-Mart Stores, Inc.
Attn: Human Resource Department
702 S.W. 8th Street
Bentonville, AR 72716

RE: CARDONA v WALMART
Re: Notice of PAGA Claims

To Whom It May Concern:

This letter is intended to comply with the requirements of **California Labor Code § 2699.3(a)(1)**.

We represent Melissa Cardona ("Claimant"), and other similarly situated current and former employees who worked for Wal-Mart Stores, Inc. ("Respondent"). In this matter, Claimant was employed as a Direct Shipping and Receiving worker for Respondent, and was terminated on or about June 16, 2015. Below we set forth the facts and theories which we believe support our contention that Respondent has violated and continues to violate provisions of the California Labor Code.

Waiting Time Penalties

Labor Code Section 203 (a) provides that: "If an employer willfully fails to pay, without abatement or reduction, in accordance with Sections 201, 201.3, 201.5, 201.9, 202, and 205.5, any wages of an employee who is discharged or who quits, the wages of the employee shall continue as a penalty from the due date thereof at the same rate until paid or until an action therefor is commenced; but the wages shall not continue for more than 30 days."

Here, Respondent willfully failed to pay Claimant all wages owed to her on the date of her termination. Respondent did not pay Claimant with her final check until approximately June 18, 2015, two (2) days after her termination. Claimant is thus entitled to her daily wage for a period of two (2) days of pay.

Failure to Make Available the Contents of Claimant's Personnel File

Furthermore, Claimant has made requests for copies and/or inspection of the employee files yet Respondent has refused to comply with said requests. Specifically, a request was sent on July 2, 2015, and a response was never received.

California Labor Code § 226(b) provides that: "An employer that is required by this code or any regulation adopted pursuant to this code to keep the information required by subdivision (a) shall afford current and former employees the right to inspect or copy records pertaining to their employment, upon reasonable request to the employer. The employer may take reasonable steps to ensure the identity of a current or former employee. If the employer provides copies of the records, the actual cost of reproduction may be charged to the current or former employee."

California Labor Code § 226(c) provides that: "An employer who receives a written or oral request to inspect or copy records pursuant to subdivision (b) pertaining to a current or former employee shall comply with the request as soon as practicable, but no later than 21 calendar days from the date of the request. A violation of this subdivision is an infraction. Impossibility of performance, not caused by or a result of a violation of law, shall be an affirmative defense for an employer in any action alleging a violation of this subdivision. An employer may designate the person to whom a request under this subdivision will be made."

California Labor Code § 432 provides that: "If an employee or applicant signs any instrument relating to the obtaining or holding of employment, he shall be given a copy of the instrument upon request."

California Labor Code § 1198.5(b) provides that: "The employer shall make the contents of those personnel records available to the employee at reasonable intervals and at reasonable times. Except as provided in paragraph (3) of subdivision (c), the employer shall not be required to make those personnel records available at a time when the employee is actually required to render service to the employer."

Here, since Respondent has failed to respond to and comply with Claimant's requests for copies and/or inspection of records pertaining to employment including, but not limited to, wage statements and employee signed documents, Respondent violated various California Labor Code sections.

Based upon these facts, Claimant intends to pursue a claim in civil court based upon violations of **California Labor Code §§ 203, 226, 432, and 1198.5.**

Thank you for your professional courtesy and cooperation. If you have any questions of any nature whatsoever, please do not hesitate to contact the undersigned.

Very truly yours,



Lance M. Williams
Christina R. Manalo
Attorneys for Claimant

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