

25098

P · L · B · S · M · H

PERONA LANGER BECK SERBIN MENDOZA HARRISON

Consumer Litigation Attorneys

** MAJOR A. LANGER
RONALD BECK
* ELLEN R. SERBIN
† JOHN A. MENDOZA
TODD H. HARRISON
ALVIN CHANG
JONATHAN P. BRIAN
BRENNAN S. KAHN
ERIC N. SCHWARTZ
JERRY C. CHANG
SEAN C. VARGAS
CRAIG R. HOLIDAY
JENNIE H. KIM
CODY LUND
WILLIAM CARR
PATRICK M. HAWKINS
† MITCHELL P. BECK
JACOB J. LARSEN

** ALSO MEMBER NEW YORK BAR
* ALSO MEMBER ARIZONA BAR
† OF COUNSEL

JAMES T. PERONA
RETIRED

STEPHANIE GRANT
ADMINISTRATOR

Refer to File No. 160270

May 4, 2016

VIA CERTIFIED U.S. MAIL

California Labor & Workforce Development Agency
800 Capitol Mall, MIC-55
Sacramento, California 95814

Re: Kris Kenny v. Wal-Mart

Dear Madam/Sir:

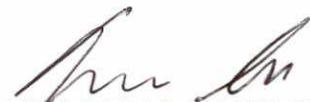
My firm has been retained by Mr. Kris Kenny concerning his wrongful termination action against Wal-Mart. I am writing this letter to the Labor & Workforce Development Agency ("LWDA") pursuant to the provisions of the California *Labor Code* § 2699 and 2699.3. The purpose of this letter is to find out whether LWDA intends to investigate my client's allegations of a violation of *Labor Code* §§ 1102.5 and 6310.

My client worked at Wal-Mart's store located at 1120 South Mt. Vernon Avenue, Colton, California 92324. Mr. Kenny claims that he was terminated in violation of California *Labor Code* § 1102.5 as a result failing and/or refusing to immediately submit to an unlawful drug test that amounted to an illegal invasion of his constitutional right to privacy. Instead, because Plaintiff had just been injured, he sought medical attention. Less than 24 hours after his workplace injury, Mr. Kenny was unlawfully terminated in retaliation.

My client is preparing to file a civil action concerning his wrongful termination claim, including a claim of wrongful termination in violation of the public policy set forth by *Labor Code* §§ 1102.5 et seq. & 6310. This letter is being sent to you as a inquiry into whether LWDA wishes to investigate my client's allegations as to a direct violation of *Labor Code* § 1102.5 and the potential resulting civil penalties specified by *Labor Code* §§ 1102.5, subdivision (f) and 2699(g)(1).

Thank you for your assistance and cooperation in this matter. Should you have any questions, please call me at (562) 426-6155.

Sincerely,



BRENNAN S. KAHN, ESQ.

BSK/jm

300 East San Antonio Drive • Long Beach, California 90807
562.426.6155 telephone • 562.490.9823 facsimile • www.plbsm.com

Long Beach • Phoenix • Tucson

P · L · B · S · M · H
PERONA LANGER BECK SERBIN MENDOZA HARRISON

300 E. San Antonio Drive
P.O. Box 7948
Long Beach, California 90807-0948

CERTIFIED MAIL®



7014 2870 0000 9180 3389

California Labor & Workforce Development Agency
800 Capitol Mall, MIC-55
Sacramento, California 95814

RECEIVED

MAY 20 2016

State of California
Labor & Workforce Development Agency

90807-094848



ZIP 90807
0411M12250299

neopost
05/04/2016
US POSTAGE \$006.46
FIRST-CLASS MAIL



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.