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SETAREH LAW GROUP
9454 Wilshire Blvd., Suite 711
Beverly Hills, CA 90212
(310) 888-7771 ph • (310) 888-0109 fx
setarehlaw.com • terminationattorney.net

DEC 04 2013

State of California

Labor & Workforce Development Agency

December 2, 2013

SENT BY CERTIFIED MAIL

Marty Morgenstern, Secretary
California Labor & Workforce Development Agency
800 Capitol Mall, MIC-55
Sacramento, CA 95814

Wal-Mart Stores, Inc.
c/o CT Corporation System
818 W Seventh Street
Los Angeles, CA 90017

RE: *Kenneth Palmer*

To whom it may concern:

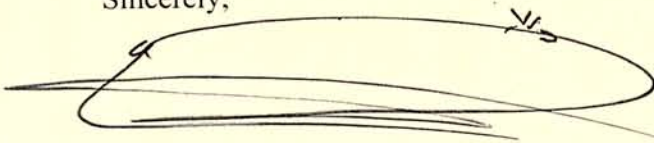
Pursuant to the Private Attorneys General Act of 2004, California Labor Code §§ 2698, *et seq.*, Manuel Guerra provides notice of violations of Labor Code Section §§ 226, 432 and 1198.5 by his former employer Walmart Stores, Inc.

On October 1, 2013, I requested in writing a copy of Kenneth Palmer's personnel file and payroll records on his behalf pursuant to California Labor Code §§ 226, 432 and 1198.5 (enclosed). Despite sending a follow-up request November 4, 2013 via certified mail, Walmart Stores, Inc. has ignored these requests for records.

We expect we will receive these records by December 9, 2013.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Shaun Setareh, Esq.
shaun@setarehlaw.com

Encl. *as stated*

cc: Kenneth Palmer

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November 4, 2013

SENT BY CERTIFIED FIRST CLASS MAIL

Walmart Stores, Inc.
Attn: Legal and/or HR
702 SW 8th Street
Bentonville, AR 72716-8611

RE: *Kenneth Palmer [SS No. 561-23-0542; DOB 05/16/1974]*

To whom it may concern in the Human Resources and /or Legal Dept.:

As you know, I represent Kenneth Palmer, a former employee of your company. On October 1, 2013, I requested that your company provide me with the following documents:

- (1) Any and all photographs and audio and video recordings of Mr. Palmer;
 - (2) her personnel file and employment records pursuant to California Labor Code § 1198.5;
 - (3) Any and all any agreements and other instruments relating to her obtainment or holding of employment with Wal-Mart Stores, Inc., pursuant to California Labor Code § 432 (including arbitration agreements);
 - (4) All documents (written or electronic) evidencing Mr. Palmer's work for Wal-Mart Stores, Inc., including, but not limited to, work schedules, time and attendance records, work assignments, records of hours worked, correspondence/communications with her manager(s), diaries, logs and calendars;
 - (5) All documents (written or electronic) related to Mr. Palmer's compensation and hours worked with Wal-Mart Stores, Inc., including, but not limited to, all wage statements, relevant tax records, paystubs and paychecks, employee handbooks, employee benefit information, and personnel policies and procedures;
 - (6) All personal and business e-mails (including auto archived messages, Sent folders, and Deleted folders) in which Mr. Palmer is mentioned;
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- (7) All personal and business e-mails (including auto archived messages, Sent folders, and Deleted folders) in which Mr. Palmer sent or received;
- (8) All personal and business cellular telephone and pager records and/or statements that reflect the times, dates, substance or numbers of outgoing and incoming calls, text messages or pages made during working hours during Mr. Palmer's employment with Wal-Mart Stores, Inc..
- (9) Any information stored on personal or business digital and electronic assistants, Blackberry devices, pagers, desktop computers, laptop computers and/or Intelligent Field Devices that reflect any access of the internet and/or the times, dates, substance or e-mail addresses of all outgoing and incoming messages or e-mail made during working hours during Mr. Palmer's employment with Wal-Mart Stores, Inc..
- (10) All documents (written or electronic) related to any collective bargaining agreement that governed Mr. Palmer's employment including, but not limited to, interpretations, guidelines, inquiries, responses to inquiries, and grievances; and
- (11) Any and all documents (written or electronic) of, constituting or relating to her position description, duties, transfers, reassignments, promotions, evaluations, discipline, counseling, benefits, discharge, resignation, lay off or retirement, and any other documents contemplated by California Labor Code Sections 226, 1174, 1175 and Title 29 Code of Federal Regulations Parts 516.5 and 516.6.

To date, I have not heard from you.

Please be advised that under the 2004 Labor Code Private Attorney General Act, Labor Code §§ 2698, *et seq.* (the PAGA), Mr. Palmer may seek penalties against your company for failure to provide signed personnel and payroll documents on request.

I hope to receive the requested documents within seven (7) days of the date of this letter.

Sincerely,



Shaun Setareh, Esq.
shaun@setarehlaw.com

Encl. as stated

cc: Kenneth Palmer

Vilshire Blvd., Suite 711
Beve:ly Hills, CA 90212

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State of California

Labor & Workforce Development

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Sacramento, CA 95814

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