

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

PATRICIA VEERKAMP and )  
PATRICIA TINSLEY, individually )  
and on behalf of others similarly situated, )  
 ) CLASS ACTION  
Plaintiffs, ) CAUSE NO. 1:04-CV-0049-DFH/TAB  
 )  
v. )  
 )  
U.S. SECURITY ASSOCIATES, INC., )  
 )  
Defendant. )

**NOTICE OF LAWSUIT UNDER FAIR LABOR STANDARDS ACT**

To: Present and former security officers employed by U.S. Security Associates, Inc., who work or worked at any Indiana location from December 11, 2000 until the present,

Re: Fair Labor Standards Act Lawsuit Filed Against U.S. Security Associates, Inc.

**I. INTRODUCTION**

The purpose of this Notice is to inform you of the existence of a collective action lawsuit in which you may be similarly situated to the named Plaintiffs, to advise you of how your rights may be affected by this suit, and to instruct you on the procedure for participating in this lawsuit.

**II. DESCRIPTION OF THE LAWSUIT**

Plaintiffs claim that they and similarly situated employees, current or former security officers, are entitled to recover twice the amount of their actual lost wages and reasonable attorney fees and costs for unpaid minimum wage and overtime pay, because they claim the actions of U.S. Security Associates, Inc. (“USSA”) were willful under the Fair Labor Standards Act (“FLSA”). USSA disputes Plaintiffs’ claims. USSA asserts that Plaintiffs and similarly situated employees, current or former security officers, were timely and properly paid for all compensable hours worked including overtime, and denies that Plaintiffs are entitled to payment

for any unpaid minimum wages or overtime, attorneys' fees or costs in this lawsuit. The Court ordered notice of this lawsuit on April 6, 2005.

### III. WHO MAY JOIN THE LAWSUIT?

The named Plaintiffs seek to sue on behalf of themselves and also on behalf of other employees who are similarly situated with respect to the case. Specifically, Plaintiffs seek to sue on behalf of:

Present and former security officers employed by U.S. Security Associates, Inc., who work or worked at any Indiana location from December 11, 2000 until the present.

### IV. YOUR RIGHT TO PARTICIPATE IN THIS SUIT

If you were employed by U.S. Security Associates, Inc. at any time between December 11, 2000 and the present, you may join this suit by filling out, signing and mailing, faxing or e-mailing the attached "Notice of Consent to Become a Party Plaintiff" form to Plaintiffs' counsel at the following address:

U.S. Security Associates Class Action Litigation  
ATTN: Amy Ficklin DeBrotta  
PRICE WAICUKAUSKI RILEY & DeBROTA, LLC  
301 Massachusetts Avenue  
Indianapolis, Indiana 46204  
Fax No.: 317-633-8797  
E-Mail: [adebrotta@price-law.com](mailto:adebrotta@price-law.com)

The Consent Form **must be delivered no later than** [60 days from mailing]. If you fail to return the Consent Form to Plaintiffs' counsel by that date, you may not be able to recover unpaid overtime under the FLSA. That means you bear the risk of any non-delivery or delay in delivery of the Consent Form. The Consent Form is also available at class counsel's website: [www.price-law.com](http://www.price-law.com).

If you file a Consent Form, your continued right to participate in this suit may depend upon a later decision by the District Court that you and others are actually similarly situated in accordance with the FLSA.

## **V. EFFECT OF JOINING THE SUIT**

If you choose to join in the suit, you will be bound by the final decision in the case, whether it is favorable or unfavorable. While this suit is proceeding, you may be required to respond to requests for information or documents or other similar tasks.

The attorney for the Plaintiff class may be entitled to receive the payment of attorney fees and costs from the Defendant in this lawsuit should there be a recovery or judgment in Plaintiffs' favor. If there is no recovery or judgment in Plaintiffs' favor, you will not be responsible for any attorney fees. If there is a recovery, the attorney for the class will receive a part of any settlement obtained or money judgment entered in favor of all members of the class. By joining the lawsuit, you designate the class representative as your agent to make decisions on your behalf concerning the litigation and the method and manner of conducting this litigation. These decisions and agreements made and entered into by the class representative will be binding on you. If you desire, you may also retain a lawyer of your choice and have that lawyer enter an appearance in this case, at your own cost.

## **VI. LEGAL EFFECT OF NOT JOINING THIS SUIT**

If you choose not to join this lawsuit, you will not receive any compensation as a result of this lawsuit and you will not be affected by any judgment or settlement rendered in this case, whether favor or unfavorable to the class. If you choose not to join this lawsuit, you are free to file your own lawsuit, at your own cost.

## **VII. NO RETALIATION AGAINST YOU IS PERMITTED**

Federal law prohibits USSA from discharging you from employment or taking any other adverse employment action against you because you have exercised your legal right to join this lawsuit or because you have otherwise exercised your statutory rights under the FLSA.

## VIII. YOUR LEGAL REPRESENTATION IF YOU JOIN

If you choose to join the FLSA claims in this suit by returning the “Notice of Consent To Become A Party Plaintiff” form by \_\_\_\_\_, counsel for the class is:

Amy Ficklin DeBrota  
PRICE WAICUKAUSKI RILEY & DeBROTA, LLC  
301 Massachusetts Avenue  
Indianapolis, Indiana 46204  
(317) 633-8787  
(317) 633-8797 Fax  
E-Mail: [adebrot@price-law.com](mailto:adebrot@price-law.com)  
Website: [www.price-law.com](http://www.price-law.com)

## IX. INSPECTION OF PAPERS AND QUESTIONS

Should you wish to inspect or examine the papers and court documents that have been filed thus far, you may do so in person at the Clerk’s Office of the Federal District Court for the Southern District of Indiana, Indianapolis Division, 46 East Ohio Street, Room 105, Indianapolis, Indiana. The filings are also available at <https://pacer.psc.uscourts.gov>.

Further information about this Notice, the Amended Complaint, or the deadline for filing a Consent Form or other questions about this lawsuit may be obtained by writing, e-mailing, or telephoning Plaintiff’s counsel at the number and address stated above, or by visiting [www.price-law.com](http://www.price-law.com).

**This Notice and its Contents Have Been Authorized by the United States District Court for the Southern District of Indiana. The Court Has Taken No Position in this Case Regarding the Merits of Plaintiffs’ Claims or of Defendant’s Defenses. Other than to Review the Court File or this Case, Please Do Not Contact the Court or the Clerk of the Court Directly.**

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SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

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**NOTICE OF CONSENT TO BECOME A PARTY PLAINTIFF IN A COLLECTIVE  
ACTION UNDER THE FAIR LABOR STANDARDS ACT**

By my signature below: (1) I represent to the Court that I am an individual who was employed as a security officer by U.S. Security Associates, Inc., at some time between December 11, 2000 and the present, and (2) I hereby authorize the prosecution of this Fair Labor Standards action in my name and on my behalf by the above representative Plaintiffs and designate the class representatives as my agents to make decisions on my behalf concerning this litigation, the method and manner of conducting this litigation, and all other matters pertaining to this lawsuit.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip

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Telephone Number

1. Dates of employment by U.S. Security Associates, Inc.: \_\_\_\_\_
2. Did U.S. Security Associates, Inc. require you to report to work prior to the start of your shift? YES NO (Circle One)
3. If yes, indicate how early you had to report: \_\_\_\_\_.
4. Did U.S. Security Associates, Inc. pay you for your time when you arrived prior to the start of your shift? YES NO (Circle One)
5. Location where you worked for U.S. Security Associates, Inc.: \_\_\_\_\_  
\_\_\_\_\_.

I HEREBY CERTIFY UNDER THE PENALTY FOR PERJURY THAT THE FOREGOING INFORMATION IS ACCURATE AND TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

\_\_\_\_\_  
Signature

Dated: \_\_\_\_\_

**Mail To:**  
Amy Ficklin DeBrotta  
PRICE WAICUKAUSKI RILEY & DeBROTA, LLC  
301 Massachusetts Avenue  
Indianapolis, Indiana 46204  
(317) 633-8787  
(317) 633-8797 Fax  
E-Mail: [adebrotta@price-law.com](mailto:adebrotta@price-law.com)  
Website: [www.price-law.com](http://www.price-law.com)

To be effective, this notice must be received by Ms. DeBrotta by U.S. Mail, fax or e-mail no later than \_\_\_\_\_.