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15 Attorneys for Defendants UNIVERSAL PROTECTION
16 SERVICE, LP, UNIVERSAL PROTECTION SERVICE,
17 LLC, ALLIED UNIVERSAL SECURITY SERVICES, and
18 ALLIED UNIVERSAL SECURITY SERVICES, LLC

19 *[Additional counsel listed on next page]*

20 **UNITED STATES DISTRICT COURT**
21 **NORTHERN DISTRICT OF CALIFORNIA**

22 PABLO COTZOMI, on behalf of himself, all
23 others similarly situated,

24 Plaintiff,

25 v.

26 POINT 2 POINT GLOBAL SECURITY, INC.,
27 a California corporation; UNIVERSAL
28 PROTECTION SERVICE, LP, a California
corporation; UNIVERSAL PROTECTION
SERVICE, LLC, a Delaware corporation;
ALLIED UNIVERSAL SECURITY
SERVICES, a Pennsylvania corporation;
ALLIED UNIVERSAL SECURITY
SERVICES, LLC, a Pennsylvania corporation;
and DOES 1 through 50, inclusive,

Defendants.

CASE NO.:

**DEFENDANT ALLIED UNIVERSAL
SECURITY SERVICES, LLC'S NOTICE OF
REMOVAL (FEDERAL QUESTION
JURISDICTION)**

*[Removed from Alameda Superior Court, Civil
Case No. RG20080769]*

DATE: January 13, 2021

State Action Filed: November 6, 2020

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NOTICE OF REMOVAL

TO THE CLERK OF THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA:

PLEASE TAKE NOTICE that Defendant ALLIED UNIVERSAL SECURITY SERVICES, LLC, (“Defendant”) hereby removes the above-entitled action from the Superior Court of the State of California, County of Alameda, to this Court pursuant to 28 U.S.C. §§ 1331, 1441, and 1446. In support thereof, Defendant states as follows:

1. Defendants POINT 2 POINT GLOBAL SECURITY, INC., UNIVERSAL PROTECTION SERVICE, LP, UNIVERSAL PROTECTION SERVICE, LLC, and ALLIED UNIVERSAL SECURITY SERVICES consent, and thus all other defendants who have been served with the Summons and Complaint consent, to the removal of the state court action and this Notice of Removal. Accordingly, the rule of unanimity is satisfied.

2. On November 6, 2020, Plaintiff Pablo Cotzomi (“Plaintiff”) filed an action against Defendant in the Superior Court of the State of California for the County of Alameda, as Civil Case No. RG20080769, *PABLO COTZOMI, on behalf of himself, all others similarly situated v. POINT 2 POINT GLOBAL SECURITY, INC., a California corporation; UNIVERSAL PROTECTION SERVICE, LP, a California corporation; UNIVERSAL PROTECTION SERVICE, LLC, a Delaware corporation; ALLIED UNIVERSAL SECURITY SERVICES, a Pennsylvania corporation; ALLIED UNIVERSAL SECURITY SERVICES, LLC, a Pennsylvania corporation; and DOES 1 through 50, inclusive*. Plaintiff completed substituted service on Defendant on December 26, 2020.

3. The Complaint asserts two causes of action: an alleged failure to provide a proper disclosure in violation of the Fair Credit Reporting Act (“FCRA”), 15 U.S.C. § 1681b(b)(2)(A) and an alleged failure to give a proper summary of rights in violation of the FCRA 15 U.S.C. §§ 1681d(a)(1) and 1681g(c). The Complaint alleges, *inter alia*, that “Defendants routinely acquire criminal, consumer, and investigative consumer and/or consumer credit reports (referred to collectively as “background reports”) to conduct background checks on Plaintiff and other prospective, current and former employees and use information from background reports in connection with their hiring process without providing proper disclosures and obtaining proper authorization in compliance

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1 with the law.” Compl. ¶ 2. Pursuant to 28 U.S.C. § 1446(a), a true and correct copy of the Complaint,
2 along with a copy of all process, pleadings, and orders served upon Defendant are attached hereto as
3 **Exhibit A.**

4 4. Federal district courts have “original jurisdiction of all civil actions arising under the
5 Constitution, laws, or treaties of the United States.” 28 U.S.C. § 1331. Under 28 U.S.C. § 1441(a),
6 any civil action over which the district courts of the United States have original jurisdiction may be
7 removed from state court to federal court. This Court has original jurisdiction over this action pursuant
8 to 28 U.S.C. § 1331 because Plaintiff has raised claims under federal law – specifically, the federal
9 FCRA.

10 5. Venue lies in the United States District Court for the Northern District of California
11 because Plaintiff filed the Action in this judicial district, and the Action remains pending in this
12 judicial district. *See* 28 U.S.C. § 1441(a).

13 6. Defendant’s Notice of Removal is timely because Plaintiff completed substituted
14 service on Defendant on December 26, 2020, and Defendant filed this Notice of Removal within thirty
15 days of that date. *See* 28 U.S.C. § 1446(b).

16 7. Pursuant to 28 U.S.C. § 1446(d), a copy of this Notice of Removal is being served upon
17 Plaintiff’s counsel, and a copy will be filed with the Clerk of the Superior Court for the State of
18 California, County of Alameda.

19 8. Nothing in this Notice shall be interpreted as a waiver or relinquishment of Defendant’s
20 right to assert any defense, including, without limitation, by way of a motion to dismiss, motion to
21 compel arbitration, or any pre-answer motion under Fed. R. Civ. P. 12.

22 **WHEREFORE** Defendant hereby removes this Action from the Superior Court of the State
23 of California, County of Alameda, to this Court, pursuant to 28 U.S.C. §§ 1331, 1441, and 1446.

24 DATED: January 13, 2021

HUNTON ANDREWS KURTH LLP

25 By: /s/ Matthew Bobb

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Attorneys for Defendants UNIVERSAL PROTECTION SERVICE, LP, UNIVERSAL PROTECTION SERVICE, LLC, ALLIED UNIVERSAL SECURITY SERVICES, and ALLIED UNIVERSAL SECURITY SERVICES, LLC

EXHIBIT A



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
 David Keledjian (SBN 309135)
 315 South Beverly Drive, Suite 315
 Beverly Hills, California 90212

TELEPHONE NO.: (310) 888-7771 FAX NO. (Optional): (310) 888-0109
 ATTORNEY FOR (Name): PABLO COTZOMI

22809113
 FOR COURT USE

FILED
ALAMEDA COUNTY

NOV 06 2020
 CLERK OF THE SUPERIOR COURT
 By *[Signature]* Deputy

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA
 STREET ADDRESS: 1225 Fallon Street
 MAILING ADDRESS:
 CITY AND ZIP CODE: Oakland, CA 94612
 BRANCH NAME: Rene C. Davidson Courthouse

CASE NAME:
 COTZOMI v. POINT 2 POINT GLOBAL SECURITY, INC., et al.

CIVIL CASE COVER SHEET		Complex Case Designation	CASE NUMBER:
<input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000)	<input type="checkbox"/> Limited (Amount demanded is \$25,000)	<input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	<i>Rg20080169</i>
			JUDGE: DEPT.:

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

<p>Auto Tort</p> <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) <p>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</p> <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) <p>Non-PI/PD/WD (Other) Tort</p> <input type="checkbox"/> Business tort/unfair business practice (07) <input checked="" type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) <p>Employment</p> <input type="checkbox"/> Wrongful termination (36) <input checked="" type="checkbox"/> Other employment (15)	<p>Contract</p> <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) <p>Real Property</p> <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) <p>Unlawful Detainer</p> <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) <p>Judicial Review</p> <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	<p>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)</p> <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) <p>Enforcement of Judgment</p> <input type="checkbox"/> Enforcement of judgment (20) <p>Miscellaneous Civil Complaint</p> <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) <p>Miscellaneous Civil Petition</p> <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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2. This case is is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

a. Large number of separately represented parties d. Large number of witnesses
 b. Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve e. Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
 c. Substantial amount of documentary evidence f. Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply): a. monetary b. nonmonetary, declaratory or injunctive relief c. punitive

4. Number of causes of action (specify): Two (2)

5. This case is is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: November 5, 2020
 David Keledjian, Esq.

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

[Signature]

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

FILED BY FAX



22809114

SUM-100

**SUMMONS
(CITACION JUDICIAL)**

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)
FILED
ALAMEDA COUNTY
NOV 05 2020
CLERK OF THE SUPERIOR COURT
By *Jania P. Puerto*

**NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):**

POINT 2 POINT GLOBAL SECURITY, INC., a California corporation;

**YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

PABLO COTZOMI, on behalf of himself and all others similarly situated,

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. NOTE: The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. ¡AVISO! Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presente su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:

(El nombre y dirección de la corte es):

Rene C. Davidson Courthouse
1225 Fallon Street, Oakland, CA 94612

CASE NUMBER: (Número del Caso):

RO20080169

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is: (El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

David Keledjian of the Setareh Law Group, 315 South Beverly Drive, Ste 315, Beverly Hills, CA 90212 (310) 888-7711

DATE: November 5, 2020
(Fecha)

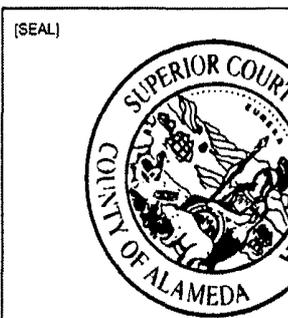
Chad Finke

Clerk, by
(Secretario)

Jania P. Puerto, Deputy
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010).)



NOTICE TO THE PERSON SERVED: You are served

- 1. as an individual defendant.
- 2. as the person sued under the fictitious name of (specify):
 on behalf of (specify):
- under: CCP 416.10 (corporation) CCP 416.60 (minor)
- CCP 416.20 (defunct corporation) CCP 416.70 (conservatee)
- CCP 416.40 (association or partnership) CCP 416.90 (authorized person)
- other (specify):
- 4. by personal delivery on (date)

SUM-200(A)

SHORT TITLE: COTZOMI v. PONT 2 POINT GLOBAL SECURITY, INC., et al.	CASE NUMBER:
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INSTRUCTIONS FOR USE

- This form may be used as an attachment to any summons if space does not permit the listing of all parties on the summons.
- If this attachment is used, insert the following statement in the plaintiff or defendant box on the summons: "Additional Parties Attachment form is attached."

List additional parties (Check only one box. Use a separate page for each type of party.):

Plaintiff
 Defendant
 Cross-Complainant
 Cross-Defendant

UNIVERSAL PROTECTION SERVICE, LP, a California corporation; UNIVERSAL PROTECTION SERVICE, LLC, a Delaware corporation; ALLIED UNIVERSAL SECURITY SERVICES, a Pennsylvania corporation; ALLIED UNIVERSAL SECURITY SERVICES, LLC, a Pennsylvania corporation; and DOES 1 through 50, inclusive,

ADDITIONAL PARTIES ATTACHMENT

Attachment to Summons

For your protection and privacy, please press the Clear This Form button after you have printed the form.

Print this form

Save this form

Clear this form



22809115

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 shaun@setarehlaw.com
 2 David Keledjian (SBN 309135)
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 3 SETAREH LAW GROUP
 315 S. Beverly Drive, Suite 315
 4 Beverly Hills, California 90212
 Telephone (310) 888-7771
 5 Facsimile (310) 888-0109

6 Attorneys for Plaintiff PABLO COTZOMI

FILED
ALAMEDA COUNTY
 NOV 06 2020
 CLERK OF THE SUPERIOR COURT
 By *[Signature]*

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
 9 FOR THE COUNTY OF ALAMEDA
 10 UNLIMITED JURISDICTION

11 PABLO COTZOMI, on behalf of himself and
12 all others similarly situated,

13 *Plaintiff,*

14 vs.

15 POINT 2 POINT GLOBAL SECURITY,
 INC., a California corporation; UNIVERSAL
 16 PROTECTION SERVICE, LP, a California
 corporation; UNIVERSAL PROTECTION
 17 SERVICE, LLC, a Delaware corporation;
 ALLIED UNIVERSAL SECURITY
 18 SERVICES, a Pennsylvania corporation;
 ALLIED UNIVERSAL SECURITY
 19 SERVICES, LLC, a Pennsylvania corporation;
 20 and DOES 1 through 50, inclusive,

21 *Defendants.*

Case No. *Rg20080169*

CLASS ACTION COMPLAINT FOR:

1. Violation of 15 U.S.C. §§ 1681b(b)(2)(A) (Fair Credit Reporting Act)
2. Violation of 15 U.S.C. §§ 1681d(a)(1) and 1681g(c) (Fair Credit Reporting Act).

JURY TRIAL DEMANDED

Filed By Fax

1 Plaintiff PABLO COTZOMI (“Plaintiff”), on behalf of himself, all others similarly situated,
2 and the general public, complain and allege as follows:

3 **INTRODUCTION**

4 1. Plaintiff brings this class action against Defendants POINT 2 POINT GLOBAL
5 SECURITY, INC., a California corporation; UNIVERSAL PROTECTION SERVICE, LP, a
6 California corporation; UNIVERSAL PROTECTION SERVICE, LLC, a Delaware corporation;
7 ALLIED UNIVERSAL SECURITY SERVICES, a Pennsylvania corporation; ALLIED
8 UNIVERSAL SECURITY SERVICES, LLC, a Pennsylvania corporation; and DOES 1 through 50,
9 inclusive, (collectively referred to as “Defendants”) for alleged violations of the Fair Credit Reporting
10 Act (“FCRA”) and similar California laws.

11 2. Plaintiff alleges that Defendants routinely acquire criminal, consumer, and
12 investigative consumer and/or consumer credit reports (referred to collectively as “background
13 reports”) to conduct background checks on Plaintiff and other prospective, current and former
14 employees and use information from background reports in connection with their hiring process
15 without providing proper disclosures and obtaining proper authorization in compliance with the law.

16 3. Plaintiff, individually and on behalf of all others similarly situated current, former and
17 prospective employees, seeks compensatory and punitive damages due to Defendants’ systematic and
18 willful violations of the FCRA (15 U.S.C. §§ 1681 *et seq.*).

19 **JURISDICTION AND VENUE**

20 4. This Court has subject matter jurisdiction to hear this case because the monetary
21 damages and restitution sought by Plaintiff from Defendants conduct exceeds the minimal jurisdiction
22 of the Superior Court of the State of California.

23 5. Venue is proper in the County of Alameda pursuant to Code of Civil Procedure
24 sections 395(a) and 395.5 in that liability arose this county because at least some of the transactions
25 that are the subject matter of this Complaint occurred therein and/or each defendant is found,
26 maintains offices, transacts business and/or has an agent therein.

27 6. Venue is proper in Alameda County because Defendants’ have at all times alleged
28 herein, conducted business in Alameda County, and throughout California. As such, venue is proper

1 in any county in California.

2 7. Plaintiff is informed and believes, and thereupon alleges that the individual claims of
3 the classes defined below are under the \$75,000 threshold for federal diversity jurisdiction and the
4 aggregate claim is under the \$5,000,000 threshold for federal jurisdiction under the Class Action
5 Fairness Act of 2005.

6 **PARTIES**

7 8. Plaintiff PABLO COTZOMI is, and at all relevant times mentioned herein, an
8 individual residing in the State of California.

9 9. Plaintiff is informed and believes, and thereupon alleges that Defendant POINT 2
10 POINT GLOBAL SECURITY, INC., is, and at all relevant times mentioned herein, a California
11 corporation doing business in the State of California.

12 10. Plaintiff is informed and believes, and thereupon alleges that Defendant UNIVERSAL
13 PROTECTION SERVICE, LP, is, and at all relevant times mentioned herein, a California corporation
14 doing business in the State of California.

15 11. Plaintiff is informed and believes, and thereupon alleges that Defendant UNIVERSAL
16 PROTECTION SERVICE, LLC, is, and at all relevant times mentioned herein, a Delaware
17 corporation doing business in the State of California.

18 12. Plaintiff is informed and believes, and thereupon alleges that Defendant ALLIED
19 UNIVERSAL SECURITY SERVICES, is, and at all relevant times mentioned herein, a Pennsylvania
20 corporation doing business in the State of California.

21 13. Plaintiff is informed and believes, and thereupon alleges that Defendant ALLIED
22 UNIVERSAL SECURITY SERVICES, LLC, is, and at all relevant times mentioned herein, a
23 Pennsylvania corporation doing business in the State of California.

24 14. Plaintiff is ignorant of the true names and capacities of the defendants sued herein as
25 DOES 1 through 50, inclusive, and therefore sues these defendants by such fictitious names. Plaintiff
26 will amend this Complaint to allege the true names and capacities of the DOE defendants when
27 ascertained. Plaintiff is informed and believes, and thereupon alleges that each of the fictitiously
28 named defendants are responsible in some manner for the occurrences, acts and omissions alleged

1 herein and that Plaintiff's alleged damages were proximately caused by these defendants, and each of
2 them. Plaintiff will amend this complaint to allege both the true names and capacities of the DOE
3 defendants when ascertained.

4 15. Plaintiff is informed and believes, and thereupon alleges that, at all relevant times
5 mentioned herein, some or all of the defendants were the representatives, agents, employees, partners,
6 directors, associates, joint venturers, joint employers, principals or co-participants of some or all of
7 the other defendants, and in doing the things alleged herein, were acting within the course and scope
8 of such relationship and with the full knowledge, consent and ratification by such other defendants.

9 16. Plaintiff is informed and believes, and thereupon alleges that, at all relevant times
10 mentioned herein, some of the defendants pursued a common course of conduct, acted in concert and
11 conspired with one another, and aided and abetted one another to accomplish the occurrences, acts
12 and omissions alleged herein.

13 **CLASS ALLEGATIONS**

14 17. This action has been brought and may be maintained as a class action pursuant to Code
15 of Civil Procedure section 382 because there is a well-defined community of interest among the
16 persons who comprise the readily ascertainable classes defined below and because Plaintiff is
17 unaware of any difficulties likely to be encountered in managing this case as a class action.

18 18. Plaintiff seeks to represent a class defined as follows:

19 **FCRA Class:** All of Defendants' current, former and prospective applicants for employment
20 in the United States who applied for a job with Defendants at any time during the period for
21 which a background check was performed beginning five years prior to the filing of this action
22 and ending on the date that final judgment is entered in this action.

23 19. **Reservation of Rights:** Pursuant to Rule of Court 3.765(b), Plaintiff reserves the right
24 to amend or modify the class definitions with greater specificity, by further division into sub-classes
25 and/or by limitation to particular issues.

26 20. **Numerosity:** The class members are so numerous that the individual joinder of each
27 individual class member is impractical. While Plaintiff does not currently know the exact number of
28 class members, Plaintiff is informed and believes, and thereupon alleges that the actual number
exceeds the minimum required for numerosity under California law.

1 21. **Commonality and Predominance:** Common questions of law and fact exist as to all
2 class members and predominate over any questions which affect only individual class members.

3 These common questions include, but are not limited to:

4 A. Whether Defendants failed to comply with the requirements of 15 U.S.C. §
5 7001 §§ 1681b(b)(2)(A);

6 B. Whether Defendants willfully failed to provide the class with stand-alone
7 written disclosures before obtaining a credit or background report in
8 compliance with the statutory mandates; and

9 C. Whether Defendants willfully failed to comply with the FCRA;

10 22. **Typicality:** Plaintiff's claims are typical of the other class members' claims. Plaintiff
11 is informed and believes and thereupon alleges that Defendants have a policy or practice of failing to
12 comply with the FCRA, ICRAA and/or the CCRAA, as alleged in this Complaint.

13 23. **Adequacy of Class Representatives:** Plaintiff is an adequate class representatives in
14 that she has no interests that are adverse to, or otherwise conflict with, the interests of absent class
15 members and is dedicated to vigorously prosecuting this action on their behalf. Plaintiff will fairly
16 and adequately represent and protect the interests of the other class members.

17 24. **Adequacy of Class Counsel:** Plaintiff's counsel are adequate class counsel in that
18 they have no known conflicts of interest with Plaintiff or absent class members, are experienced in
19 wage and hour class action litigation, and are dedicated to vigorously prosecuting this action on behalf
20 of Plaintiff and absent class members.

21 25. **Superiority:** A class action is vastly superior to other available means for fair and
22 efficient adjudication of the class members' claims and would be beneficial to the parties and the
23 Court. Class action treatment will allow a number of similarly situated persons to simultaneously and
24 efficiently prosecute their common claims in a single forum without the unnecessary duplication of
25 effort and expense that numerous individual actions would entail. In addition, the monetary amounts
26 due to many individual class members are likely to be relatively small and would thus make it
27 difficult, if not impossible, for individual class members to both seek and obtain relief. Moreover, a
28 class action will serve an important public interest by permitting class members to effectively pursue

1 the recovery of monies owed to them. Further, a class action will prevent the potential for inconsistent
2 or contradictory judgments inherent in individual litigation.

3 **GENERAL ALLEGATIONS**

4 26. Plaintiff worked for Defendants during the relevant time period. When Plaintiff
5 applied for employment, Defendants performed a background investigation on Plaintiff. When
6 Plaintiff applied for employment with Defendant, Defendant provided him with a disclosure and
7 authorization form to perform background investigations.

8 27. Defendant did not provide legally compliant disclosure and authorization forms to
9 Plaintiff and the putative class as they contained extraneous and superfluous language, nor did the
10 disclosure and authorization forms properly and accurately provide a summary of rights and the law
11 under the FCRA.

12 **FIRST CAUSE OF ACTION**

13 **FAILURE TO PROVIDE PROPER DISCLOSURE IN VIOLATION OF THE FCRA**

14 **(15 U.S.C. §§ 1681b(b)(2)(A))**

15 **(Plaintiff and FCRA Class Against All Defendants)**

16 28. Plaintiff incorporates the preceding paragraphs of this Complaint as if fully alleged
17 herein.

18 29. Defendants are “persons” as defined by Section 1681a(b) of the FCRA.

19 30. Plaintiff and class members are “consumers” within the meaning of Section 1681a(c)
20 of the FCRA because they are “individuals.”

21 31. Section 1681a(d)(1) of the FCRA defines “consumer report” as:

22 “The term “consumer report” means any written, oral, or other communication of any
23 information by a consumer reporting agency bearing on a consumer’s credit
24 worthiness, credit standing, credit capacity, character, general reputation, personal
25 characteristics, or mode of living which is used or expected to be used or collected in
26 whole or in part for the purpose of serving as a factor in establishing the consumer’s
27 eligibility for—

26 (A) credit or insurance to be used primarily for personal, family, or household
27 purposes;

27 (B) employment purposes; or

28 (C) any other purpose authorized under section 1681b of this title.”

1
2 Accordingly, a credit and background report qualifies as a consumer report.

3 32. Section 1681a(e) of the FCRA defines “investigative consumer report” as:

4 “The term ‘investigative consumer report’ means a consumer report or portion thereof
5 in which information on a consumer’s character, general reputation, personal
6 characteristics, or mode of living is obtained through personal interviews with
7 neighbors, friends, or associates of the consumer reported on or with others with whom
8 he is acquainted or who may have knowledge concerning any such items off
9 information. However, such information shall not include specific factual information
10 on a consumer’s credit record obtained directly from a creditor of the consumer or
11 from a consumer reporting agency when such information was obtained directly from
12 a creditor of the consumer or from the consumer.”

13 Accordingly, a credit and background report qualifies as an investigative consumer report.

14 33. Section 1681b(b)(2)(A) of the FCRA provides:

15 Conditions for furnishing and using consumer reports for employment purposes
16 Except as provided in subparagraph (B), a person may not procure a consumer report,
17 or cause a consumer report to be procured, for employment purposes with respect to
18 any consumer, unless—

- 19 (i) A *clear and conspicuous* disclosure has been made in writing to the consumer
20 at any time before the report is procured or caused to be procured, in a
21 document that *consists solely of the disclosure*, that a consumer report may be
22 obtained for employment purposes; and
23 (ii) The consumer has authorized in writing (which authorization may be made on
24 the document referred to in clause (i)) the procurement of the report by that
25 person. (Emphasis added.)

26 34. Section 1681b(b)(2)(A)(i) requires that a clear and conspicuous disclosure be made in
27 writing.

28 35. Because Defendants’ disclosures do not meet the requirement of 15 U.S.C. section
7001(c), the disclosures do not satisfy the written requirement.

36. Plaintiff alleges, upon information and belief, that in evaluating their and other class
members for employment, Defendants procured or caused to be procured credit and background
reports (i.e. a consumer report and/or investigative consumer report as defined by 15 U.S.C. section
1681a(d)(1)(B) and 15 U.S.C. section 1681a(e)).

37. The purported disclosures do not meet the requirements under the law because they
are embedded with extraneous information and are not clear and unambiguous disclosures in stand-
alone documents.

1 38. Under the FCRA, it is unlawful to procure or caused to be procured, a consumer report
2 or investigative consumer report for employment purposes unless the disclosure is made in a
3 document that consists solely of the disclosure and the consumer has authorized, in writing, the
4 procurement of the report. (15 U.S.C. § 1681b(b)(2)(A)(i)-(ii).) The inclusion of extraneous
5 information therefore violates section 1681b(b)(2)(A) of the FCRA.

6 39. Although the disclosure and authorization may be combined in a single document, the
7 Federal Trade Commission (“FTC”) has warned that the form should not include any extraneous
8 information or be part of another document. For example, in response to an inquiry as to whether the
9 disclosure may be set forth within an application for employment or whether it must be included in a
10 separate document, the FTC stated:

11 “The disclosure may not be part of an employment application because the language
12 [of 15 U.S.C. section 1681b(b)(2)(A) is] intended to ensure that it appears
13 conspicuously in a document not encumbered by any other information. The reason
14 for requiring that the disclosure be in a stand-alone document is to prevent consumers
15 from being distracted by other information side-by-side within the disclosure.”

16 40. The plain language of the statute also clearly indicates that the inclusion of a liability
17 release in a disclosure form violates the disclosure and authorization requirements of the FCRA,
18 because such a form would not consist “solely” of the disclosure. In fact, the FTC expressly warned
19 that the FCRA notice may not include extraneous information such as a release. In a 1998 opinion
20 letter, the FTC stated:

21 “[W]e note that your draft disclosure includes a waiver by the consumer of his or her
22 rights under the FCRA. The inclusion of such a waiver in a disclosure form will violate
23 section 604(b)(2)(A) of the FCRA, which requires that a disclosure consist ‘solely’ of
24 the disclosure that a consumer report may be obtained for employment purposes.”

25 41. In a report dated July 2011, the FTC reiterated that “the notice [under 15 U.S.C. section
26 1681b(b)(2)(A)] may not include extraneous or contradictory information, such as a request for a
27 consumer’s waiver of his or her rights under the FCRA.”

28 42. By including extraneous and unlawful information, Defendants willfully disregarded
the FTC’s regulatory guidance and violated section 1681b(b)(2)(A) of the FCRA. Additionally, the
inclusion of the extraneous provisions causes the disclosure to fail to be “clear and conspicuous” and
“clear and accurate” and therefore violates sections 1681b(b)(2)(A) and 1681d(a).

1 43. Defendants' conduct in violation of section 1681b(b)(2)(A) of the FCRA was and is
2 willful. Defendants acts in deliberate or reckless disregard of their obligations and the rights of
3 applicants and employees, including Plaintiff and class members. Defendants' willful conduct is
4 reflected by, among other things, the following facts:

- 5 A. Defendants are a large corporation with access to legal advice;
- 6 B. Defendants required a purported authorization to perform credit and
7 background checks in the process of employing the class members which,
8 although defective, evidences Defendants' awareness of and willful failure to
9 follow the governing laws concerning such authorizations;
- 10 C. The plain language of the statute unambiguously indicates that inclusion of
11 unlawful and extraneous information in a disclosure form violates the
12 disclosure and authorization requirements; and
- 13 D. The FTC's express statements, pre-dating Defendants' conduct, which state
14 that it is a violation of section 1681b(b)(2)(A) of the FCRA to include a liability
15 waiver in the disclosure form.

16 44. Based upon the facts likely to have evidentiary support after a reasonable opportunity
17 to further investigation and discovery, Plaintiff alleges that Defendants have a policy and practice of
18 procuring investigative and consumer reports or causing investigative consumer reports to be
19 procured for applicants and employees without informing them of their right to request a summary of
20 their rights under the FCRA at the same time as the disclosure explaining that an investigative
21 consumer report may be made. Pursuant to that policy and practice, Defendants procured
22 investigative consumer reports or caused investigative consumer reports to be procured for Plaintiff
23 and class members, as described above, without informing class members of their rights to request a
24 written summary of their rights under the FCRA.

25 45. Accordingly, Defendants willfully violated and continue to violate the FCRA,
26 including but not limited to, sections 1681b(b)(2)(A) and 1681d(a). Defendants' willful conduct is
27 reflected by, among other things, the facts set forth above.

28 46. As a result of Defendants' unlawful procurement of credit and background reports by

1 way of their inadequate disclosures and misinformation as set forth above, Plaintiff and class members
2 have been injured, including but not limited to, having their privacy and statutory rights invaded in
3 violation of the FCRA.

4 47. Plaintiff, on behalf of himself and all class members, seeks all available remedies
5 pursuant to 15 U.S.C. section 1681n, including statutory damages and/or actual damages, punitive
6 damages, injunctive and equitable relief and attorneys' fees and costs.

7 48. In the alternative to Plaintiff's allegation that these violations were willful, Plaintiff
8 alleges that the violations were negligent and seeks the appropriate remedy, if any, under 15 U.S.C.
9 section 1681o, including statutory damages and attorneys' fees and costs.

10 **SECOND CAUSE OF ACTION**

11 **FAILURE TO GIVE PROPER SUMMARY OF RIGHTS IN VIOLATION OF THE FCRA**

12 **(15 U.S.C. § 1681d(a)(1) and 1681g(c))**

13 **(Plaintiff and FCRA Class Against All Defendants)**

14 49. Plaintiff incorporates the preceding paragraphs of this Complaint as if fully alleged
15 herein.

16 50. Section 1681d(a) states:

17 (a) Disclosure of fact of preparation

18 A person may not procure or cause to be prepared an investigative consumer report on
any consumer unless—

19 (1) it is *clearly and accurately disclosed to the consumer* that an investigative
20 consumer report including information as to his character, general reputation,
personal characteristics, and mode of living, which are applicable, may be
21 made, and such disclosure

22 (A) is *made in a writing mailed, or otherwise delivered, to the consumer*, not
later than three days after the date on which the report was first requested,
23 and

24 (B) *includes a statement informing the consumer of his right to request the*
additional disclosures provided for under subsection (b) of this section and
25 *the written summary of the rights of the consumer prepared pursuant to*
section 1681g(c) of this title; and

26 (Emphasis added.)

27 51. Section 1681d(b) states:

28 (b) Disclosure on request of nature and scope of investigation

1 Any person who procures or causes to be prepared an investigative consumer report
2 on any consumer shall, upon written request made by the consumer within a reasonable
3 period of time after the receipt by him of the disclosure required by subsection (a)(1),
4 make a **complete and accurate disclosure of the nature and scope of the investigation
5 requested**. This disclosure shall be made in a writing mailed, or after the date on which
6 the request for such disclosure was received from the consumer or such report was
7 first requested, whichever is the later.
8 (Emphasis added.)

9 52. As previously alleged, because Defendants' disclosures do not meet the requirement
10 of Section 101(c)(1) of 15 U.S.C. section 7001, the disclosures do not satisfy the written requirement.

11 53. Moreover, even if Defendants' disclosures are deemed to satisfy Section 101(c)(1),
12 Defendants did not comply with Section 1681d(a)(1)(b) because the disclosures fail to inform the
13 consumer of the right to have the person who procured the report provide a complete and accurate
14 disclosure of the nature and scope of the investigation requested.

15 54. Section 1681g(c) further provides for summary of rights to obtain and dispute
16 information in consumer reports and to obtain credit scores:

17 (c) Summary of rights to obtain and dispute information in consumer reports and to
18 obtain credit scores

19 (1) Commission
20 Summary of rights required

21 (A) In general

22 The Commission shall prepare a model summary of the rights of consumers
23 under this subchapter.

24 (B) Content of summary

25 The summary of rights prepared under subparagraph (A) shall include a
26 description of—

- 27 (i) the right of a consumer to obtain a copy of a consumer report under
28 subsection (a) from each consumer reporting agency;
- (ii) the frequency and circumstances under which a consumer is entitled to
receive a consumer report without charge under section 1681j of this
title;
- (iii) the right of a consumer to dispute information in the file of the consumer
under section 1681i of this title;
- (iv) the right of a consumer to obtain a credit score from a consumer reporting
agency, and a description of how to obtain a credit score;
- (v) the method by which a consumer can contact, and obtain a consumer
report from, a consumer reporting agency without charge, as provided in
the regulations of the Bureau prescribed under section 211(c) of the Fair

1 and Accurate Credit Transactions Act of 2003; and

2 (vi) the method by which a consumer can contact, and obtain a consumer
3 report from, a consumer reporting agency described in section 1681a(w)
4 of this title, as provided in the regulations of the Bureau prescribed under
5 section 1681j(a)(1)(C) of this title.

6 55. Defendants did not comply with 1681g(c) because the disclosure included information
7 contrary to the FCRA. Defendants did not comply with 1681g(c)(B)(1) because the disclosures did
8 not state the right of a consumer to obtain a copy of a consumer report from each consumer reporting
9 agency.

10 56. Defendants did not comply with 1681g(c)(B)(2) because the disclosure did not state
11 the frequency and circumstances under which a consumer is entitled to receive a consumer report
12 without charge.

13 57. Defendants did not comply with 1681g(c)(B)(4) because the disclosure did not state
14 the right of a consumer to obtain a credit score from a consumer reporting agency and a description
15 of how to obtain a credit score.

16 58. Defendants did not comply with 1681g(c)(B)(5) because the disclosure did not state
17 the method by which a consumer can contact, and obtain a consumer report from, a consumer
18 reporting agency without charge.

19 59. Defendants did not comply with 1681g(c)(B)(6) because the disclosure did not state
20 the method by which a consumer can contact, and obtain a consumer report from, a consumer
21 reporting agency described in section 1681a(w) of this title, as provided in the regulations of the
22 Bureau prescribed under section 1681j(a)(1)(C) of this title.

23 60. As a result of Defendants' unlawful procurement of credit and background reports by
24 way of their inadequate disclosures and misinformation as set forth above, Plaintiff and class members
25 have been injured, including but not limited to, having their privacy and statutory rights invaded in
26 violation of the FCRA.

27 61. Plaintiff, on behalf of himself and all class members, seeks all available remedies
28 pursuant to 15 U.S.C. section 1681n, including statutory damages and/or actual damages, punitive
damages, injunctive and equitable relief and attorneys' fees and costs.

1 62. In the alternative to Plaintiff's allegation that these violations were willful, Plaintiff
2 alleges that the violations were negligent and seeks the appropriate remedy, if any, under 15 U.S.C.
3 section 1681o, including statutory damages and attorneys' fees and costs.

4 **PRAYER FOR RELIEF**

5 WHEREFORE, Plaintiff, on behalf of himself, all others similarly situated, and the general
6 public, prays for relief and judgment against Defendants as follows:

- 7 (1) An order that the action be certified as a class action;
8 (2) An order that Plaintiff be appointed class representative;
9 (3) An order that counsel for Plaintiff be appointed class counsel;
10 (4) Actual damages;
11 (5) Punitive damages;
12 (6) Restitution;
13 (7) Declaratory relief;
14 (8) Pre-judgment interest;
15 (9) Statutory penalties;
16 (10) Civil penalties;
17 (11) Costs of suit;
18 (12) Reasonable attorneys' fees; and
19 (13) Such other relief as the Court deems just and proper.

20 **DEMAND FOR JURY TRIAL**

21 Plaintiff, on behalf of himself, all other similarly situated, and the general public, hereby
22 demands a jury trial on all issues so triable.

23 Dated: November 5, 2020

SETAREH LAW GROUP

24
25 

26
27 Shaun Setareh
David Keledjian
Attorneys for Plaintiff
28 PABLO COTZOMI

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Shaun Setareh, 204514 Law Office of Shaun Setareh 315 South Beverly Drive , Suite 315 Beverly Hills, CA 90212 TELEPHONE NO.: (310)888-7771 ATTORNEY FOR (Name): Plaintiff	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Superior Court of California, Alameda County 1225 Fallon Street, #109 Oakland, CA 94612-4293	
PLAINTIFF/PETITIONER: Pablo Cotzomi, et al. DEFENDANT/RESPONDENT: Point 2 Point Global Security, Inc.. et al.	CASE NUMBER: RG20080769
PROOF OF SERVICE OF SUMMONS	Ref. No. or File No.: POINT 2 POINT FCRA

1. At the time of service I was a citizen of the United States, at least 18 years of age and not a party to this action. **BY FAX**

2. I served copies of: Complaint, Civil Case Cover Sheet, Summons

3. a. Party served: ALLIED UNIVERSAL SECURITY SERVICES, LLC, a Pennsylvania corporation

b. Person Served: - Person Authorized to Accept Service of Process

4. Address where the party was served: 1551 N. Tustin Ave Suite 650
Santa Ana, CA 92705

5. I served the party

- b. **by substituted service.** On (date): 12/14/2020 at (time): 1:37PM I left the documents listed in item 2 with or in the presence of: Gabriella Rojas - HR Admin - Person Authorized to Accept
 (1) (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 (4) A declaration of mailing is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

d. on behalf of:
ALLIED UNIVERSAL SECURITY SERVICES, LLC, a Pennsylvania corporation

under: Other: Business Organization Form Unknown

7. **Person who served papers**

- a. Name: Jason Karotkin
 b. Address: One Legal - P-000618-Sonoma
1400 North McDowell Blvd, Ste 300
Petaluma, CA 94954
 c. Telephone number: 415-491-0606
 d. The fee for service was: \$ 104.25
 e. I am:
 (3) registered California process server.
 (i) Employee or independent contractor.
 (ii) Registration No. PSC 5063
 (iii) County Orange

8. I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct.

Date: 12/15/2020

Jason Karotkin

(NAME OF PERSON WHO SERVED PAPERS)



(SIGNATURE)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): Shaun Setareh, 204514 Law Office of Shaun Setareh 315 South Beverly Drive Beverly Hills, CA 90212 ATTORNEY FOR (Name): Plaintiff	TELEPHONE NO.: (310)888-7771	FOR COURT USE ONLY	
Ref. No. or File No. POINT 2 POINT FCRA			
Insert name of court, judicial district or branch court, if any: Oakland Civil 1225 Fallon Street, #109 Oakland, CA 94612-4293			
PLAINTIFF: Pablo Cotzomi, et al.			
DEFENDANT: Point 2 Point Global Security, Inc., et al.			
PROOF OF SERVICE BY MAIL			CASE NUMBER: RG20080769

BY FAX

I am a citizen of the United States, over the age of 18 and not a party to the within action. My business address is 1400 N. McDowell Blvd, Petaluma, CA 94954.

On 12/16/2020, after substituted service under section CCP 415.20(a) or 415.20(b) or FRCP 4(e)(2)(B) or FRCP 4(h)(1)(B) was made (if applicable), I mailed copies of the:

Complaint, Civil Case Cover Sheet, Summons

to the person to be served at the place where the copies were left by placing a true copy thereof enclosed in a sealed envelope, with First Class postage thereon fully prepaid, in the United States Mail at Petaluma, California, addressed as follows:

ALLIED UNIVERSAL SECURITY SERVICES, LLC, a Pennsylvania corporation

1551 N. Tustin Ave Suite 650
 Santa Ana, CA 92705

I am readily familiar with the firm's practice for collection and processing of documents for mailing. Under that practice, it would be deposited within the United States Postal Service, on that same day, with postage thereon fully prepaid, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.

Fee for Service: \$ 104.25

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct and that this declaration was executed on 12/16/2020 at Petaluma, California.

One Legal - P-000618-Sonoma
 1400 North McDowell Blvd, Ste 300
 Petaluma, CA 94954



Travis Carpenter

OL# 15585343

<http://apps.alameda.courts.ca.gov/domainweb>.

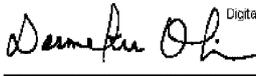
All motions in this matter to be heard prior to Complex Litigation Determination Hearing must be scheduled for hearing in Department 23.

If the information contained in this notice requires change or clarification, please contact the courtroom clerk for Department 23 by e-mail at Dept23@alameda.courts.ca.gov or by phone at (510) 267-6939.

TELEPHONIC COURT APPEARANCES at Case Management Conferences may be available by contacting CourtCall, an independent vendor, at least 3 business days prior to the scheduled conference. Parties can make arrangements by calling (888) 882-6878, or faxing a service request form to (888) 883-2946. This service is subject to charges by the vendor.

Dated: 12/08/2020

Chad Finke Executive Officer / Clerk of the Superior Court

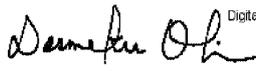
By  ^{Digital}

Deputy Clerk

CLERK'S CERTIFICATE OF MAILING

I certify that the following is true and correct: I am the clerk of the above-named court and not a party to this cause. I served this Notice by placing copies in envelopes addressed as shown hereon and then by sealing and placing them for collection, stamping or metering with prepaid postage, and mailing on the date stated below, in the United States mail at Alameda County, California, following standard court practices.

Executed on 12/09/2020.

By  ^{Digital}

Deputy Clerk



23098986

**FILED
ALAMEDA COUNTY**

DEC 02 2020

CLERK OF THE SUPERIOR COURT

By 

MICHELLE ESQUERRO, Deputy

CASE NUMBER:
RG20080769

Ref. No. or File No.:
POINT 2 POINT FCRA

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Shaun Setareh, 204514 Law Office of Shaun Setareh 315 South Beverly Drive, Suite 315 Beverly Hills, CA 90212 TELEPHONE NO.: (310)888-7771 ATTORNEY FOR (Name): Plaintiff	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Superior Court of California, Alameda County 1225 Fallon Street, #109 Oakland, CA 94612-4293	
PLAINTIFF/PETITIONER: Pablo Cotzomi, et al. DEFENDANT/RESPONDENT: Point 2 Point Global Security, Inc., et al.	
PROOF OF SERVICE OF SUMMONS	

1. At the time of service I was a citizen of the United States, at least 18 years of age and not a party to this action. **BY FAX**
 2. I served copies of:
 Complaint, Civil Case Cover Sheet, Summons

3. a. Party served: UNIVERSAL PROTECTION SERVICE, LP, a California corporation
 b. Person Served: CT Corp - Albert Demonte - Person Authorized to Accept Service of Process

4. Address where the party was served: 818 West Seventh Street, Suite 930
 Los Angeles, CA 90017

5. I served the party
 a. **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): 12/01/2020 (2) at (time): 1:25PM

6. The "Notice to the Person Served" (on the summons) was completed as follows:

d. on behalf of:

UNIVERSAL PROTECTION SERVICE, LP, a California corporation
 under: CCP 416.40 (association or partnership)

7. Person who served papers

a. Name: Jessica Brown
 b. Address: One Legal - P-000618-Sonoma
 1400 North McDowell Blvd, Ste 300
 Petaluma, CA 94954

c. Telephone number: 415-491-0606

d. The fee for service was: \$ 40.00

e I am:

- (3) registered California process server.
 - (i) Employee or independent contractor.
 - (ii) Registration No.: 2019217220
 - (iii) County: Los Angeles

8. I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct.

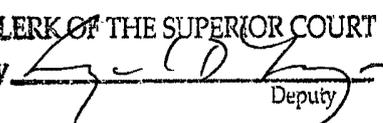
Date: 12/01/2020

Jessica Brown
 (NAME OF PERSON WHO SERVED PAPERS)

(SIGNATURE)



22810044

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): none , none Law Office of Shaun Setareh 315 South Beverly Drive , Suite 315 Beverly Hills, CA 90212 TELEPHONE NO.: (310)888-7771 ATTORNEY FOR (Name): Plaintiff	FOR COURT USE ONLY FILED ALAMEDA COUNTY DEC 07 2020 CLERK OF THE SUPERIOR COURT By  Deputy
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Superior Court of California, Alameda County 1225 Fallon Street, #109 Oakland, CA 94612-4293	CASE NUMBER: RG20080769
PLAINTIFF/PETITIONER: Pablo Cotzomi, et al. DEFENDANT/RESPONDENT: Point 2 Point Global Security. Inc.. et al.	Ref. No. or File No.: POINT 2 POINT FCRA
PROOF OF SERVICE OF SUMMONS	Ref. No. or File No.: POINT 2 POINT FCRA

BY FAX

1. At the time of service I was a citizen of the United States, at least 18 years of age and not a party to this action.
2. I served copies of: Complaint, Civil Case Cover Sheet, Summons
3. a. Party served: ALLIED UNIVERSAL SECURITY SERVICES, a Pennsylvania corporation
 - b. Person Served: - Person Authorized to Accept Service of Process
4. Address where the party was served: 1551 N. Tustin Ave Suite 650
Santa Ana, CA 92705
5. I served the party
 - b. **by substituted service.** On (date): 12/02/2020 at (time): 11:52AM I left the documents listed in item 2 with or in the presence of: Monica Chairez - Person Authorized to Accept
 - (1) (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 - (4) A declaration of mailing is attached.
6. The "Notice to the Person Served" (on the summons) was completed as follows:
 - d. on behalf of:
ALLIED UNIVERSAL SECURITY SERVICES, a Pennsylvania corporation

under: CCP 416.10 (corporation)
7. **Person who served papers**
 - a. Name: Maria J. Arellano
 - b. Address: One Legal - P-000618-Sonoma
1400 North McDowell Blvd, Ste 300
Petaluma, CA 94954
 - c. Telephone number: 415-491-0606
 - d. The fee for service was: \$ 104.25
 - e. I am:
 - (3) registered California process server.
 - (i) Employee or independent contractor.
 - (ii) Registration No. 2016069910
 - (iii) County Los Angeles
8. I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct.

Date: 12/04/2020

Maria J. Arellano

(NAME OF PERSON WHO SERVED PAPERS)

(SIGNATURE)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): none , none Law Office of Shaun Setareh 315 South Beverly Drive Beverly Hills, CA 90212 ATTORNEY FOR (Name): Plaintiff		TELEPHONE NO.: (310)888-7771	FOR COURT USE ONLY	
Insert name of court, judicial district or branch court, if any: Oakland Civil 1225 Fallon Street, #109 Oakland, CA 94612-4293		Ref. No. or File No. POINT 2 POINT FCRA		
PLAINTIFF: Pablo Cotzomi, et al.				
DEFENDANT: Point 2 Point Global Security, Inc., et al.				
PROOF OF SERVICE BY MAIL				CASE NUMBER: RG20080769

BY FAX

I am a citizen of the United States, over the age of 18 and not a party to the within action. My business address is 1400 N. McDowell Blvd, Petaluma, CA 94954.

On 12/04/2020, after substituted service under section CCP 415.20(a) or 415.20(b) or FRCP 4(e)(2)(B) or FRCP 4(h)(1)(B) was made (if applicable), I mailed copies of the:

Complaint, Civil Case Cover Sheet, Summons

to the person to be served at the place where the copies were left by placing a true copy thereof enclosed in a sealed envelope, with First Class postage thereon fully prepaid, in the United States Mail at Petaluma, California, addressed as follows:

ALLIED UNIVERSAL SECURITY SERVICES, a Pennsylvania corporation

1551 N. Tustin Ave Suite 650
Santa Ana, CA 92705

I am readily familiar with the firm's practice for collection and processing of documents for mailing. Under that practice, it would be deposited within the United States Postal Service, on that same day, with postage thereon fully prepaid, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.

Fee for Service: \$ 104.25

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct and that this declaration was executed on 12/04/2020 at Petaluma, California.

One Legal - P-000618-Sonoma
1400 North McDowell Blvd, Ste 300
Petaluma, CA 94954



Travis Carpenter

OL# 15437768



22810042

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): , none Law Office of Shaun Setareh 315 South Beverly Drive , Suite 315 Beverly Hills, CA 90212 TELEPHONE NO.: (310)888-7771 ATTORNEY FOR (Name): Plaintiff	FOR COURT USE ONLY FILED ALAMEDA COUNTY DEC 07 2020
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Superior Court of California, Alameda County 1225 Fallon Street, #109 Oakland, CA 94612-4293	CLERK OF THE SUPERIOR COURT By  Deputy
PLAINTIFF/PETITIONER: Pablo Cotzomi, et al. DEFENDANT/RESPONDENT: Point 2 Point Global Security, Inc., et al.	CASE NUMBER: RG20080769
<p style="text-align: center;">PROOF OF SERVICE OF SUMMONS</p>	Ref. No. or File No.: POINT 2 POINT FCRA

1. At the time of service I was a citizen of the United States, at least 18 years of age and not a party to this action. **BY FAX**
 2. I served copies of:
 Complaint, Civil Case Cover Sheet, Summons

3. a. Party served: POINT 2 POINT GLOBAL SECURITY, INC., a California corporation
 b. Person Served: URS Agents Inc. - Jennifer Lee - Person Authorized to Accept Service of Process

4. Address where the party was served: 7801 Folsom Blvd #200
 Sacramento, CA 95826

5. I served the party

a. **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): 12/03/2020 (2) at (time): 11:34AM

6. The "Notice to the Person Served" (on the summons) was completed as follows:

d. on behalf of:

POINT 2 POINT GLOBAL SECURITY, INC., a California corporation
 under: CCP 416.10 (corporation)

7. **Person who served papers**

a. Name: Tyler Anthony DiMaria
 b. Address: One Legal - P-000618-Sonoma
 1400 North McDowell Blvd, Ste 300
 Petaluma, CA 94954

c. Telephone number: 415-491-0606

d. The fee for service was: \$ 200.00

e I am:

- (3) registered California process server.
 (i) Employee or independent contractor.
 (ii) Registration No.: 2006-06
 (iii) County: Sacramento

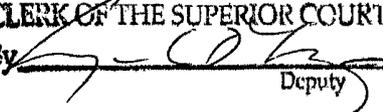
8. I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct.
 Date: 12/04/2020

Tyler Anthony DiMaria
 (NAME OF PERSON WHO SERVED PAPERS)


 (SIGNATURE)



22810086

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): none , none Law Office of Shaun Setareh 315 South Beverly Drive , Suite 315 Beverly Hills, CA 90212 TELEPHONE NO.: (310)888-7771 ATTORNEY FOR (Name): Plaintiff	FOR COURT USE ONLY FILED ALAMEDA COUNTY DEC 09 2020
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Superior Court of California, Alameda County 1225 Fallon Street, #109 Oakland, CA 94612-4293	CLERK OF THE SUPERIOR COURT By  Deputy
PLAINTIFF/PETITIONER: Pablo Cotzomi, et al. DEFENDANT/RESPONDENT: Point 2 Point Global Security, Inc., et al.	CASE NUMBER: RG20080769
<p style="text-align: center;">PROOF OF SERVICE OF SUMMONS</p>	Ref. No. or File No.: POINT 2 POINT FCRA

Filed By Fax

1. At the time of service I was a citizen of the United States, at least 18 years of age and not a party to this action.
2. I served copies of: **Complaint, Civil Case Cover Sheet, Summons**
3. a. Party served: **ALLIED UNIVERSAL SECURITY SERVICES, a Pennsylvania corporation**
 b. Person Served: **Natali Berelashbili - Person Authorized to Accept Service of Process**
4. Address where the party was served: **161 Washington Street
 Conshohocken, PA 19428**
5. I served the party
 a. **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): **12/03/2020** (2) at (time): **2:15PM**
6. The "Notice to the Person Served" (on the summons) was completed as follows:

d. on behalf of:

ALLIED UNIVERSAL SECURITY SERVICES, a Pennsylvania corporation
 under: CCP 416.10 (corporation)

7. **Person who served papers**
 - a. Name: **Gerard C. Menichini**
 - b. Address: **One Legal - P-000618-Sonoma
 1400 North McDowell Blvd, Ste 300
 Petaluma, CA 94954**
 - c. Telephone number: **415-491-0606**
 - d. The fee for service was: **\$ 200.00**
 - e I am:
 - (1) **Not a registered California process server.**

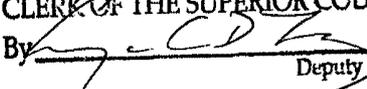
8. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.
 Date: **12/08/2020**

Gerard C. Menichini <small>(NAME OF PERSON WHO SERVED PAPERS)</small>	 <small>(SIGNATURE)</small>
<small>Form Adopted for Mandatory Use Judicial Council of California PCS-010 (Rev. Jan 1, 2007)</small>	<p>PROOF OF SERVICE OF SUMMONS</p>
	<small>Code of Civil Procedure, § 417.10</small> OL# 15437767



22810085

FOR COURT USE ONLY

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): none , none Law Office of Shaun Setareh 315 South Beverly Drive , Suite 315 Beverly Hills, CA 90212 TELEPHONE NO.: (310)888-7771 ATTORNEY FOR (Name): Plaintiff	FILED ALAMEDA COUNTY DEC 09 2020 CLERK OF THE SUPERIOR COURT By  Deputy
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Superior Court of California, Alameda County 1225 Fallon Street, #109 Oakland, CA 94612-4293	
PLAINTIFF/PETITIONER: Pablo Cotzomi, et al. DEFENDANT/RESPONDENT: Point 2 Point Global Security, Inc., et al.	CASE NUMBER: RG20080769
PROOF OF SERVICE OF SUMMONS	Ref. No. or File No.: POINT 2 POINT FCRA

Filed By Fax

1. At the time of service I was a citizen of the United States, at least 18 years of age and not a party to this action.
2. I served copies of: **Complaint, Civil Case Cover Sheet, Summons**

3. a. Party served: **UNIVERSAL PROTECTION SERVICE, LLC, a Delaware corporation**

b. Person Served: **Natali Berelashbili - Person Authorized to Accept Service of Process**

4. Address where the party was served: **161 Washington Street, Suite 600
Conshohocken, PA 19428**

5. I served the party

a. **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): **12/03/2020** (2) at (time): **2:15PM**

6. The "Notice to the Person Served" (on the summons) was completed as follows:

d. on behalf of:

**UNIVERSAL PROTECTION SERVICE, LLC, a Delaware corporation
under: CCP 416.10 (corporation)**

7. **Person who served papers**

a. Name: **Gerard C. Menichini**
 b. Address: **One Legal - P-000618-Sonoma
1400 North McDowell Blvd, Ste 300
Petaluma, CA 94954**

c. Telephone number: **415-491-0606**

d. The fee for service was: **\$ 40.00**

e I am:

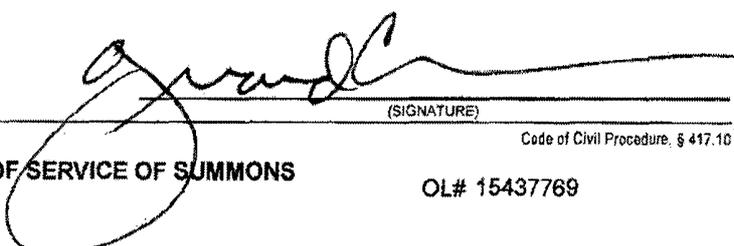
(1) **Not a registered California process server.**

8. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Date: **12/08/2020**

Gerard C. Menichini
(NAME OF PERSON WHO SERVED PAPERS)

(SIGNATURE)



CERTIFICATE OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to this action. My business address is 550 South Hope Street, Suite 2000, Los Angeles, California 90071-2627.

On January 13, 2021, I served the foregoing document(s) described as **DEFENDANT ALLIED UNIVERSAL SECURITY SERVICES, LLC'S NOTICE OF REMOVAL (FEDERAL QUESTION JURISDICTION)** on the interested parties in this action:

Shaun Setareh
David Keledjian
SETAREH LAW GROUP
315 South Beverly Drive, Suite 315
Beverly Hills, CA 90212
Telephone: (310) 888-7771
Facsimile: (310) 888-0109
Email: shaun@setarehlaw.com
david@setarehlaw.com

Scott Jang
Jackson Lewis P.C.
50 California Street, 9th Floor
San Francisco, CA 94111
Telephone: (415) 394-9400
Facsimile: (415) 394-9401
Email: scott.jang@jacksonlewis.com

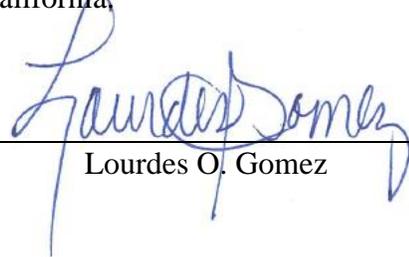
Attorneys for Plaintiff Pablo Cotzomi

Attorney for Defendant Point 2 Point Global Security, Inc.

- By FAX:** by causing a true copy thereof to be sent via facsimile to the attorney(s) of record at the telecopier number(s) so indicated above and that the transmission was reported as completed and without error.
- By MAIL:** by placing true and correct copy(ies) thereof in an envelope addressed to the attorney(s) of record, addressed as stated above.
- By PERSONAL SERVICE:** I delivered the envelope by hand on the addressee, addressed as stated above.
- By OVERNIGHT MAIL:** by overnight courier, I arranged for the above-referenced document(s) to be delivered to an authorized overnight courier service for delivery to the addressee(s) above, in an envelope or package designated by the overnight courier service with delivery fees paid or provided for.
- By ELECTRONIC MAIL:** by causing a true and correct copy thereof to be transmitted electronically to the attorney(s) of record at the e-mail address(es) indicated above.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on January 13, 2021, at Los Angeles, California,



Lourdes O. Gomez

Hunton Andrews Kurth LLP
550 South Hope Street, Suite 2000
Los Angeles, California 90071-2627

The JS-CAND 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved in its original form by the Judicial Conference of the United States in September 1974, is required for the Clerk of Court to initiate the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

PABLO COTZOMI

(b) County of Residence of First Listed Plaintiff Los Angeles (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Shaun Setareh and David Keledjian
Setareh Law Group, 315 South Beverly Drive, Suite 315
Beverly Hills, CA 90212; (310) 888-7771

DEFENDANTS

ALLIED UNIVERSAL SECURITY SERVICES, LLC

County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Matthew Bobb; Robert Quackenboss
Hunton Andrews Kurth, 550 S. Hope Street, Suite 2000
Los Angeles, CA 90071; (213) 532-2000

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
2 U.S. Government Defendant
3 Federal Question (U.S. Government Not a Party)
4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State
Citizen of Another State
Citizen or Subject of a Foreign Country
PTF DEF
1 1 Incorporated or Principal Place of Business In This State
2 2 Incorporated and Principal Place of Business In Another State
3 3 Foreign Nation
4 4
5 5
6 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Table with columns: CONTRACT, TORTS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Rows include various legal categories like Insurance, Personal Injury, Civil Rights, etc.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
2 Removed from State Court
3 Remanded from Appellate Court
4 Reinstated or Reopened
5 Transferred from Another District (specify)
6 Multidistrict Litigation-Transfer
8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

15 U.S.C. §§ 1681b(b)(2)(A), 1681d(a)(1), and 1681g(c).

Brief description of cause:

Failure to provide proper disclosure and failure to give proper summary of rights.

VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION DEMAND \$ UNDER RULE 23, Fed. R. Civ. P.

CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S), IF ANY (See instructions):

JUDGE

DOCKET NUMBER

IX. DIVISIONAL ASSIGNMENT (Civil Local Rule 3-2)

(Place an "X" in One Box Only) SAN FRANCISCO/OAKLAND SAN JOSE EUREKA-MCKINLEYVILLE

DATE 1/13/2021

SIGNATURE OF ATTORNEY OF RECORD

/s/ Matthew Bobb

CERTIFICATE OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to this action. My business address is 550 South Hope Street, Suite 2000, Los Angeles, California 90071-2627.

On January 13, 2021, I served the foregoing document(s) described as **CIVIL COVER SHEET** on the interested parties in this action:

Shaun Setareh
David Keledjian
SETAREH LAW GROUP
315 South Beverly Drive, Suite 315
Beverly Hills, CA 90212
Telephone: (310) 888-7771
Facsimile: (310) 888-0109
Email: shaun@setarehlaw.com
david@setarehlaw.com

Scott Jang
Jackson Lewis P.C.
50 California Street, 9th Floor
San Francisco, CA 94111
Telephone: (415) 394-9400
Facsimile: (415) 394-9401
Email: scott.jang@jacksonlewis.com

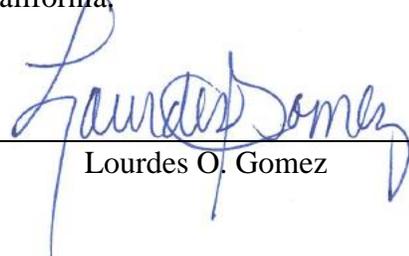
Attorneys for Plaintiff Pablo Cotzomi

Attorney for Defendant Point 2 Point Global Security, Inc.

- By FAX:** by causing a true copy thereof to be sent via facsimile to the attorney(s) of record at the telecopier number(s) so indicated above and that the transmission was reported as completed and without error.
- By MAIL:** by placing true and correct copy(ies) thereof in an envelope addressed to the attorney(s) of record, addressed as stated above.
- By PERSONAL SERVICE:** I delivered the envelope by hand on the addressee, addressed as stated above.
- By OVERNIGHT MAIL:** by overnight courier, I arranged for the above-referenced document(s) to be delivered to an authorized overnight courier service for delivery to the addressee(s) above, in an envelope or package designated by the overnight courier service with delivery fees paid or provided for.
- By ELECTRONIC MAIL:** by causing a true and correct copy thereof to be transmitted electronically to the attorney(s) of record at the e-mail address(es) indicated above.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on January 13, 2021, at Los Angeles, California,


Lourdes O. Gomez

Hunton Andrews Kurth LLP
550 South Hope Street, Suite 2000
Los Angeles, California 90071-2627

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ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Class Action Claims Security Companies Unlawfully Procured Employee Background Reports](#)
