

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

If you were employed by Johnson Controls Fire Protection, LP to conduct fire alarm or sprinkler system inspections in Washington, a class action lawsuit may affect your rights

A court authorized this notice. This is not a solicitation from a lawyer.

- A former employee of Johnson Controls Fire Protection, LP (“Johnson Controls”) has sued the company, alleging that it violated the Washington Prevailing Wage Act by failing to pay employees prevailing wages for conducting fire alarm and sprinkler system inspections at state and local government buildings in Washington. Johnson Controls denies the allegations in the lawsuit and denies that it did anything wrong.
- The Court has allowed the lawsuit to proceed as a class action on behalf of all persons who were employed by Johnson Controls or its corporate predecessors to conduct fire alarm or sprinkler system inspections in Washington State at any time since March 5, 2016.
- The Court has not determined whether Johnson Controls did anything wrong. There is no money available now, and no guarantee there will be. However, your legal rights are affected, and you have a choice to make now

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT

DO NOTHING

Stay in this lawsuit. Await the outcome. Give up certain rights.

By doing nothing, you keep the possibility of getting money or benefits that may come from a trial or a settlement. But you give up any rights to sue Johnson Controls separately about the same legal claims in this lawsuit.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT

ASK TO BE EXCLUDED

**Get out of this lawsuit. Get no benefits from it.
Keep rights.**

If you ask to be excluded and money or benefits are later awarded, you won't share in those. But you keep any rights to sue Johnson Controls separately about the same legal claims in this lawsuit.

- Your options are explained in this notice. To ask to be excluded, you must act before **December 28, 2020**.
- Lawyers must prove the claims against Johnson Controls at a trial. If money or benefits are obtained from Johnson Controls, you will be notified about how to receive your share.
- Any questions? Read on and visit <https://sgb-law.com/class-action-updates/johnson-controls-fire-protection-lp>.

1. What is this Notice about?

You are receiving this notice because you were employed by Johnson Controls or one of its corporate predecessors to conduct fire alarm or sprinkler system inspections at public buildings in Washington state at some time since March 5, 2016.

A lawsuit against Johnson Controls Fire Protection, LP has been certified as a class action by Judge Richard Jones of the U.S. District Court for the Western District of Washington. The lawsuit is known as *Martin v. Johnson Controls Fire Protection, LP*, No. 2:19-cv-00514-RAJ. This action asserts claims for backpay under Washington Prevailing Wage Act and associated state laws based on the allegations that Johnson Controls did not pay members of the certified class prevailing wages for conducting fire alarm and sprinkler system inspections at state and local government buildings. Johnson Controls denies the allegations in the lawsuit.

The purpose of this notice is to advise you that you have been identified as a potential member of the certified class. You have the choice as to whether or not you wish to participate in this lawsuit. If you **want** to participate in the lawsuit, you do not need to do anything further at this time. You will automatically be a part of the case and will receive more information in the future. If you **do not want** to participate in the lawsuit, you **must** send a Request to Be Excluded form (or similar document) by mail, email, fax or other method of delivery to Class Counsel at the locations identified below. The Request to Be Excluded must be in writing and delivered, transmitted, or postmarked on or before **December 28, 2020**. An example Request to Be Excluded form is attached to this Notice as Exhibit A.

2. What is this lawsuit about?

This lawsuit is about whether Class Members were entitled to be paid prevailing wages for conducting fire alarm and sprinkler system inspections at state and local government buildings in Washington and, if so, whether Johnson Controls violated the Washington Prevailing Wage Act and associated state laws by failing to pay Class Members prevailing wages for such work. Johnson Controls denies the allegations in the lawsuit.

3. What is a class action and who is involved?

In a class action lawsuit, one or more people called “Class Representatives” (in this case, Brian Martin) sue on behalf of other people who have similar claims. The people together are a “Class” or “Class Members.” The people who sued—and all the Class Members like them—are called the Plaintiffs. The company they sued (in this case Johnson Controls) is called the Defendant. One court resolves the issues for everyone in the Class—except for those people who choose to exclude themselves from the Class.

4. What are the Plaintiffs asking for?

The Plaintiffs are asking for money damages allowed under the Washington Prevailing Wage Act and associated state laws.

5. What does the Defendant say about this lawsuit?

Johnson Controls denies that it did anything wrong and says that Plaintiffs are not entitled to be paid prevailing wages for fire alarm and sprinkler system inspections at public buildings under Washington law.

6. Has the Court decided who is right?

The Court hasn't decided whether Johnson Controls or the Plaintiffs are correct. By establishing the Class and issuing this Notice, the Court is not suggesting that the Plaintiffs will win or lose this case. The Plaintiffs must prove their claims at a trial.

7. Is there any money available now?

No money or benefits are available now because the Court has not yet decided whether Johnson Controls did anything wrong, and the two sides have not settled the case. There is no guarantee that money or benefits ever will be obtained. If they are, you will be notified about how to receive a share.

8. Am I part of this Class?

Judge Jones has decided that the following people are potential members of the class:

All individuals employed by Johnson Controls to conduct fire alarm, sprinkler, and fire suppression system inspections in state and local government buildings in the State of Washington at any time between March 5, 2016 and the date of the Order granting class certification in this matter.

9. Who will represent the Class?

The Court has approved Brian Martin to serve as the Class Representative. The Court also decided that Adam Berger and Jamal Whitehead of the law firm Schroeter Goldmark & Bender are qualified to represent you and all Class Members as "Class Counsel." More information about this law firm and its lawyers' experience in handling similar cases is available at www.sgb-law.com.

10. What do I need to do to take part in the Class Action?

If you want to participate in the class action against Johnson Controls and you want to have the Class Representative and Class Counsel represent your interests, you are not required to do anything at this time.

11. What happens if I participate in the class action?

If you participate in the class action, you will be bound by any court decision in the case, whether favorable or unfavorable. This means that you will share in any recovery the class obtains through trial or settlement. This also means that you will lose any right to pursue similar claims for this time period if the court rules against the class. You will not be responsible to pay for costs or fees for Class Counsel, but these amounts may be taken out of any recovery in the case. If you choose to participate in the class action, you may also engage an attorney of your own choosing, but at your own expense. If you choose to be included in the class, Johnson Controls is not permitted to retaliate against you in any way because of your participation in this case.

12. Can I exclude myself from the Class Action?

Yes. If you do not want to be a member of the class in this lawsuit, you can opt out. If you want to be excluded, you must communicate your decision to opt out to Class Counsel by using the Request to Be Excluded form attached as **Exhibit A** to this Notice. The Request to Be Excluded Form is also available at <https://sgb-law.com/class-action-updates/johnson-controls-fire-protection-lp>. You may also prepare your own request to be excluded, but any request must be in writing

The Request to Be Excluded form must be postmarked or delivered to Class Counsel by mail, email, or fax at the following address:

Johnson Controls Class Action
Schroeter Goldmark & Bender
810 Third Avenue, Suite 500
Seattle, WA 98104
Phone: 206-622-8000
Fax: 206-682-2305
Email: Gil@sgb-law.com

13. What happens if I exclude myself from the class action?

If you exclude yourself from the class action, you will not be affected or bound by any rulings, judgment, or settlement in the case. You will retain your rights under the law and are free to pursue any possible claims on your own. This also means that you will not share in any recovery that might be paid to class members as a result of this lawsuit.

14. Can anyone retaliate against me for participating or excluding myself?

No one is permitted to retaliate against you in any way because you chose to participate in or exclude yourself from this class action.

15. How can I obtain more information?

DO NOT CONTACT THE COURT FOR INFORMATION.

Visit the website, <https://sgb-law.com/class-action-updates/johnson-controls-fire-protection-lp>, where you will find the Court's Order Certifying the Class, the Complaint that the Plaintiff filed to start the lawsuit, the Defendant's Answer to the Complaint, as well as an Exclusion Request form. You may also speak to one of the lawyers by using the contact information in paragraph 12 above.

You may also seek the advice of your own attorney at your own expense if you desire.

Finally, all pleadings and other records in this litigation may be examined and copied at any time during regular office hours at the Office of the Clerk, U.S. District Court, 700 Stewart Street, Suite 2310, Seattle, WA 98101.