

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

ALISHA MCCALLUM, individually and on behalf of  
all other persons similarly situated,

Plaintiffs,

- against -

WESTCHESTER AMBULETTE SERVICE, INC.,  
COUNTYWIDE TRANSPORTATION, INC., and any  
other affiliated entities that employed Plaintiff and  
members of the putative class, and WAYNE SOIFER,

Defendants.

Index No.: 159209/2018

**NOTICE OF CLASS ACTION LAWSUIT**

**TO:** All individuals presently or formerly employed by Westchester Ambulette Service, Inc. and/or Countywide Transportation, Inc. as drivers, bus drivers, ambulette drivers, matrons, and/or monitors at any time from October 4, 2012 to the present. The defined class shall not include any owners, corporate officers, or directors (hereinafter the “Class” or “Class Members”).

The purpose of this Notice is to advise you that a lawsuit has been filed against Westchester Ambulette Service, Inc., Countywide Transportation, Inc., and Wayne Soifer (“Defendants”) alleging claims under New York law and to advise you of the legal rights you may have with respect to this lawsuit.

Plaintiff Alisha McCallum filed a lawsuit in state court under New York law alleging that Defendants did not pay her and the other Class Members all wages they are owed due to Defendants’ policies and practices of (i) failing to pay them for all hours worked and instead paying them for only their scheduled shift time; (ii) failing to maintain accurate time records reflecting the hours they actually worked; (iii) failing to pay them minimum wages; (iv) failing to pay them overtime compensation for all hours worked after 40 in a workweek; (v) failing to provide proper show up pay when they were scheduled to work and sent home without being assigned a route; (vi) failing to provide extra pay for the cost of maintaining their required uniforms; and (vii) failing to provide spread of hours pay to Plaintiffs when they worked split shifts or more than 10 hours per day.

The Court has allowed this action to proceed as a class action lawsuit and has authorized publication of this Notice to advise you about the status of this lawsuit. The Court has not decided whether the claims in the lawsuit are valid or have any merit.

Defendants deny that the Class Members’ claims have any merit and have asserted various defenses against these claims. Defendants vigorously deny any wrongdoing or liability.

The foregoing description is general and does not purport to cover all of the parties' claims, contentions, denials and defenses in the action. For a more detailed statement of the matters involved in each action, you are referred to the pleadings and other papers filed in this action, all of which may be inspected at the Supreme Court of the State of New York, New York County Court House, 60 Centre Street, New York, New York, during normal business hours.

The law firm of Virginia & Ambinder, LLP has been appointed by the Court to represent you in this action. If you believe that you have a claim for unpaid wages for the work that you performed for Westchester Ambulette Service, Inc., Countywide Transportation, Inc., and/or Wayne Soifer, you may schedule an appointment to meet with a representative of Virginia & Ambinder, LLP.

Jack Newhouse, Esq. and Alanna Sakovits of Virginia & Ambinder, LLP, 40 Broad Street, 7th Floor, New York, New York 10004, are counsel to the class in this action (the "Class Counsel"). Further information about this Notice and answers to other questions concerning this lawsuit may be obtained by contacting Jack L. Newhouse, Esq., telephone number (212) 943-9080, facsimile number (212) 943-9082, [www.vandallp.com](http://www.vandallp.com) or by email at [jnewhouse@vandallp.com](mailto:jnewhouse@vandallp.com).

If you wish to participate in this action, it is suggested that you make an appointment to meet with a representative of Virginia & Ambinder, LLP. Please be prepared to provide approximate dates of employment, wages you were paid, and hours you worked each week. You have the right to consult with an attorney of your own choosing and to initiate your own action if you do not wish to participate in this class action lawsuit. If you wish to opt-out and be excluded from the Class, you must notify Class Counsel in writing by mail or facsimile sent to Jack L. Newhouse, Esq. of Virginia & Ambinder, LLP, 40 Broad Street, 7th Floor, New York, New York 10004. If you decide not to participate in this lawsuit, you may not be eligible to receive any benefits in the event that a settlement or judgment is obtained.

All communications and discussions with Virginia & Ambinder, LLP are confidential and will not be disclosed without your consent.

***You have a right to participate in this action even if you are an undocumented alien or if you were paid in cash.***

**PLEASE DO NOT CONTACT THE CLERK OF THE COURT  
WITH QUESTIONS INVOLVING THIS LAWSUIT.**