

**TO BE PUBLISHED IN ENGLISH, RUSSIAN, SPANISH, POLISH AND CHINESE (if applicable)**

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU

NICOLE STANCIL, individually and on behalf of all other persons similarly situated who were employed by SOUTH SHORE HOME HEALTH, AN ADDUS HOME CARE COMPANY along with other entities affiliated or controlled by SOUTH SHORE HOME HEALTH, AN ADDUS HOME CARE COMPANY,

Plaintiffs,

v.

SOUTH SHORE HOME HEALTH, AN ADDUS HOME CARE COMPANY, and/or other entities affiliated or controlled by SOUTH SHORE HOME HEALTH, AN ADDUS HOME CARE COMPANY,

Defendant.

Index No.: 607829/2024

**NOTICE OF CLASS ACTION LAWSUIT**

**TO: All individuals who performed work on behalf of South Shore Home Health as home care aides in the State of New York from June 8, 2014 through the present (the “Class Period”). The class shall not include any individuals classified as home health attendants whose employment with South Shore Home Health continued after July 24, 2019.**

The purpose of this Notice is to advise you that a lawsuit has been filed against South Shore alleging claims under New York law and to advise you of the legal rights you may have with respect to this lawsuit.

**DESCRIPTION OF THE LAWSUIT**

Plaintiff Nicole Stancil who worked as a home care aide for South Shore, filed a lawsuit in state court under New York law alleging that South Shore did not pay her and the other Class Members wages and benefits they are owed due to Defendant’s policies and practices of (i) failing to pay them overtime compensation at the rate of one and one-half times their regular rate for all hours worked after 40 in a workweek; (ii) failing to pay them the proper wages and benefits pursuant to N.Y.C. Admin. Code § 6-109 (“Living Wage Law”) and New York Public Health Law § 3614-c (“Wage Parity Act”); and (iii) failing to maintain accurate time and pay records reflecting the hours they actually worked and the wages they were paid and at which pay rate.

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.

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South Shore denies that Plaintiffs' claims have any merit and has asserted various defenses against these claims. South Shore vigorously denies any wrongdoing or liability to Plaintiffs or any past or present employee of South Shore who may allege that he or she was underpaid.

**YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT**

A class has been certified for claims arising under New York law seeking wages. You may participate in this case as long as you were employed by South Shore in the State of New York as a home care aide at any time between June 8, 2014 and today. However, you are not included in the class if you worked as a home health attendant for South Shore Home Health after July 24, 2019. If you wish to be included in this lawsuit, or you do nothing in response to this Notice, you will be a member of the Class of persons whose rights will be determined by the lawsuit. As a Class member, you will waive your right to proceed individually and you will also waive any right you may have to liquidated damages, a penalty that the court may decide to impose if it finds that South Shore willfully violated the law. As a member of the Class, you will also be legally bound by any decision of the Court in this lawsuit. Regardless of whether Plaintiffs win or lose in this lawsuit, you will not be able to sue South Shore in a separate action for the claims alleged in this case.

You will be represented by the law firm Virginia & Ambinder, LLP, the attorneys designated by the Court to represent you ("Class Counsel"). If a settlement or judgment is reached at the conclusion of the case, Class Counsel will make an application to the Court for the recovery of their legal fees and costs, and the Court will have discretion in the amount to award Class Counsel. Their costs and fees will be paid out of any recovery that may be obtained in this lawsuit. You have a right to consult with an attorney about this matter. If you wish to be represented by other counsel, you may retain another attorney, but you may be responsible for paying that attorney.

If you do not wish to participate in this lawsuit, you must send a signed letter stating "I elect to exclude myself from the class in *Stancil, et al. v. South Shore Home Health, an Addus Home Care Company*, Index No. 607829/2024, pending in the Supreme Court of New York for Nassau County." You must also include your name, address, telephone number, and signature. Your request must be mailed by First Class U.S. mail to LaDonna Lusher, Esq. or Michele Moreno, Esq. of Virginia & Ambinder, LLP, located at 40 Broad Street, 7<sup>th</sup> Floor, New York, New York 10004, [www.vandallp.com](http://www.vandallp.com), [mmoreno@vandallp.com](mailto:mmoreno@vandallp.com). You must follow these procedures precisely in order to exclude yourself from this lawsuit. If you decide not to participate, you may not be eligible to receive any benefits in the event that recovery is obtained, but you will retain the right to sue South Shore separately and on your behalf for the claims asserted in the lawsuit.

You can obtain further information about Class Counsel by visiting Virginia & Ambinder, LLP's website [www.vandallp.com](http://www.vandallp.com) or contacting LaDonna Lusher, Esq. or Michele Moreno, Esq., 40 Broad Street, 7th Floor, New York, NY 10004, [mmoreno@vandallp.com](mailto:mmoreno@vandallp.com), telephone number (212) 943-9080, fax (212) 943-9082. If you require Russian translation, please ask for Albina Zakharkina. If you require Spanish translation, please ask for Leonor Coyle. If you require Polish translation, please ask for Iwona Ner.

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**You have a right to participate in this lawsuit even if you are an undocumented immigrant or you are still working for South Shore.**

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

**DO NOT CONTACT THE COURT OR THE CLERK'S OFFICE WITH QUESTIONS**