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JUDGE DENIES SUMMARY JUDGMENT IN WAGE AND HOUR CLASS ACTION FOR TRUCK DRIVERS

Los Angeles, CA: Today, Los Angeles Superior Court Judge Edward A. Ferns denied a motion for summary judgment filed by Selland Auto Transport and S&S Logistics, Inc. in a wage and hour class action lawsuit brought by truck drivers who missed meal and rest periods and were forced to have illegal deductions taken from their paychecks by these employers. Christopher Moore, the class representative for the truck drivers, asserts that he and the prospective class is owed wages for missed meal and rest breaks and illegal deductions from his compensation spanning five years. Defendants Selland and S&S asserts that Moore and the other truck drivers were not employees but independent contractors. As a result, they owed no obligation to these drivers.

In a 4 page decision, Judge Ferns disagreed, denying the summary judgment motion as to these two defendants. "Obviously we are very pleased with the Court's decision," said Anthony Luti of The Luti Law Firm, Moore's attorney and co-counsel with Babak "Bob" Semnar of Semnar and Khashayar, "the court recognized that just calling a person an independent contractor does not give you the right to violate the protections of the California Labor Code and hide under the title of 'independent contractor.' California's laws were designed to protect employees from situations just like this." "The war is not over," said Semanar, our clients look forward to their day in court and the resolution of this matter." Trial has been set for April 7, 2008.

Both Mr. Luti (323.960.2600) and Mr. Semnar (858.688.6598) are available for comment on this matter. A copy of the court's order can be provided upon request.

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