

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

Patterson v. Cooper Services, Inc. et al. – Case No. BC525387

NOTICE OF CLASS ACTION SETTLEMENT

If you were employed by Cooper Services, Inc. (“Cooper”) and/or S&S Tools & Supply, Inc. (“S&S”) as a non-exempt employee in the State of California at any time between October 23, 2009 to September 17, 2015, you are eligible to receive compensation from a class action settlement.

- A former employee of Cooper has filed a wage and hour class action on behalf of himself and all other similarly situated employees against Cooper and S&S. Cooper and S&S deny all allegations and contend that they have lawfully and fairly treated Class Members at all relevant times.
- In order to avoid the continuing expense of litigation, however, the parties have reached a settlement that the Court has preliminarily approved on the ground that the settlement is fair, reasonable, adequate, and in the best interests of the Class Members.

A court authorized this notice. This is not an advertisement.

This is not a lawsuit against you. You are not being sued.

However, your rights will be affected by this settlement.

YOUR LEGAL RIGHTS & OPTIONS IN THIS SETTLEMENT	
SUBMIT A CLAIM FORM	This is the <u>only</u> way to get your share of this settlement.
EXCLUDE YOURSELF	<u>Get no payment.</u> If you request exclusion from the settlement, you will not receive any money from the settlement and will not release any claims against Cooper or S&S. You may pursue your own remedies for the claims alleged in the action. However, you will have to hire your own attorney and file your own lawsuit.
DO NOTHING	<u>Get no payment.</u> Give up rights.

- Your options are explained in this notice. To receive your share of the settlement, you must submit the enclosed claim form postmarked on or before November 23, 2015.
- Any questions? Read the entire notice and if you still have questions, please call (888)613-5553.

PLEASE READ THIS NOTICE CAREFULLY.

Your rights will be affected by this settlement.

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Why should you read this notice?

This notice is to let you know there was a hearing on September 11, 2015, at 11:00 a.m. in the Superior Court of the State of California, County of Los Angeles. Judge Kenneth R. Freeman conditionally certified a class action for the purposes of settlement only, and ordered that you receive this notice. Further, the Court will hold a Final Fairness Hearing concerning the proposed settlement on January 12, 2016 at 3:00 p.m. This notice tells you about your rights to share in the settlement or to potentially exclude yourself (otherwise known as “opt out”) from the settlement. All information contained in this notice will also be available online at www.phoenixclassaction.com/pattersonvcooper.

What is this case about?

Plaintiff John Patterson (“Plaintiff”), a former employee, claims that Cooper and S&S violated state wage and hour laws and unfair competition laws by, among other things, as follows: failure to pay minimum wage and overtime; failure to provide compliant meal and/or rest periods; failure to pay wages timely upon termination; failure to reimburse business expenses and failure to provide compliant wage statements. Cooper and S&S absolutely deny all of these allegations, and assert that they have fully complied with all of their legal obligations.

What is the class action settlement?

The parties have reached a proposed settlement that the Court has preliminarily approved on the ground that the settlement is fair, reasonable, adequate, and in the best interests of the Class. If granted final approval by the Court, the settlement will affect all Class Members, entitling those who timely submit Claim Forms to receive payment.

How much is the settlement?

The Total Settlement Amount is \$435,000.00, which will cover settlement payments to all Class Members, attorneys' fees and costs, settlement administration fees, payment to the Labor Workforce and Development Agency, and the class representative service payment. The actual amount that you will receive will be based on the number of weeks you worked for Cooper and/or S&S between October 23, 2009 and September 17, 2015 ("Class Period"). The Net Settlement Amount will be divided by the total workweeks worked by all of the Class Members combined during the Class Period to determine a multiplier. A Class Member's payment will equal that Class Member's workweeks worked during the Class Period times the multiplier. For purposes of tax reporting, the Class Members' claims will be treated as 1/3rd percent wages, 1/3rd percent penalties and 1/3rd percent interest. Nothing in this Notice or the Settlement is intended to be tax advice. You should consult your tax advisor for any tax issues pertaining to this Settlement.

IN ORDER TO RECEIVE YOUR SHARE OF THE SETTLEMENT, YOU MUST SEND A SIGNED CLAIM FORM TO THE SETTLEMENT ADMINISTRATOR POSTMARKED AND/OR RECEIVED BY THE SETTLEMENT ADMINISTRATOR NO LATER THAN NOVEMBER 23, 2015.

IF YOU FAIL TO SUBMIT A CLAIM FORM BY NOVEMBER 23, 2015, YOU WILL BE DISQUALIFIED FROM SEEKING MONETARY RELIEF UNDER THE SETTLEMENT. THE CLAIM FORM IS ENCLOSED WITH THIS NOTICE.

How much will I receive from the settlement?

The business records of Cooper and/or S&S indicate that you worked as a non-exempt employee for a certain amount of weeks listed in the Claim Form between October 23, 2009 to September 17, 2015.

However, if you disagree with your workweeks stated in the Claim Form, please contact the claims administrator and provide the total number of weeks that you believe you worked for Cooper and/or S&S as a non-exempt employee between October 23, 2009 to September 17, 2015

If you dispute Cooper's and/or S&S's business records of the weeks you worked, you must submit documentation, such as pay records, etc., that you believe demonstrates that the dates of employment on the Claim Form are incorrect. Any such workweek dispute must be postmarked on or before November 23, 2015.

If you do not provide satisfactory supporting documentation of the workweeks that you believe you worked when you were employed by Cooper and/or S&S during the Class Period, any claim you submit will be based only on the workweeks stated by Cooper and/or S&S's records as listed in the Claim Form, unless Cooper and/or S&S specifically agree in writing in a particular case that their records are in error.

How will attorneys for the case be paid?

Class Counsel will apply for attorney's fees of no more than \$149,999.99, which is 1/3 of the total settlement fund, and up to \$15,000 for litigation costs. Class Counsel will further apply for class representative enhancement fees to Class Representative John Patterson in the amount of \$7,500 to recognize his services to the class action and for assuming the risk of paying the litigation costs incurred by Class Counsel, Cooper and S&S in the event of an unsuccessful outcome at trial or on appeal. Additionally, the Court-appointed Settlement Administrator's costs associated with mailing and processing Class Member claims will be deducted from the settlement fund.

Why did Cooper and S&S join in the settlement?

Cooper and S&S have agreed to settle only as a compromise because they wish to finally, fully and completely resolve the dispute in the best interests of the Class. The parties agree that, in light of the risks and expenses associated with further litigation, this settlement is fair and appropriate under the circumstances. By agreeing to the terms of the settlement, Cooper and S&S do not admit any of the allegations in the case, that they have done anything wrong or that any Class Member has suffered any damage. Cooper and S&S deny all of the claims and allegations made in the lawsuit. As such, Cooper and S&S retain the right to defend themselves against any of the allegations involved in the lawsuit if for any reason the settlement is not approved by the Court. Please be advised that the Court has not ruled on the merits of Plaintiff's claims or the defenses of Cooper and S&S. The Court has only preliminarily approved this compromised settlement.

Why did I get this notice?

You received this notice because Cooper and/or S&S's business records indicate that you worked, or continue to work, for Cooper and/or S&S as a non-exempt employee in California between October 23, 2009 to September 17, 2015.

Who are the parties in this class action?

John Patterson is the named Plaintiff and Class Representative. Cooper and S&S are the Defendants.

Who are the attorneys representing the parties?

Attorneys for Plaintiffs

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Is there a trial date set for this class action?

Currently, there is no trial date. If the settlement fails, the parties may proceed to trial.

What are my rights in this matter?

If you wish to participate in the settlement and receive compensation, you must complete the Claim Form that is enclosed with this Notice to the Settlement Administrator whose address is listed on the form by November 23, 2015. The Settlement Administrator will process the Claim Form and your share of the settlement money will be distributed to you at a later date. **Only claims submitted on the Claim Form will be processed.**

In the event that you dispute the number of workweeks for which you are entitled to receive credit under the settlement, you must submit information and documents supporting your position to the Settlement Administrator by November 23, 2015.

If you want to be excluded from the settlement and not release claims against Cooper and S&S, you must request exclusion by sending the Settlement Administrator an Opt-Out Form post-marked no later than November 23, 2015. If you request exclusion, you will receive no money from the settlement. The judgment will bind all Class Members who do not timely and properly request exclusion.

If you wish to make an objection to the settlement, you must file a written statement stating your objection and the basis for your objection, along with any and all documents that support your objection, with the Claims Administrator at the address stated on the last page of this Notice, on or before November 23, 2015. Your objection must also state your full name and any other name you have used in the past, the last four digits of your social security number, date of birth, current address, telephone number and the dates of your employment in California with Cooper and/or S&S. You may not object to the settlement if you request exclusion from the settlement by returning the opt-out form.

The Fairness Hearing will be held on January 12, 2015 at 3:00 p.m. in Dept. 310 of the Superior Court of California, County of Los Angeles, Central Civil West Division located at 600 S. Commonwealth Avenue, Los Angeles, CA 90005.

What is the binding effect of the release of claims?

Upon approval of the Settlement at the Final Approval Hearing, each Class Member, except those who have validly excluded themselves, shall release and discharge Cooper, S&S and any of their former and present subsidiaries and affiliates and its or their officers, directors, employees, partners, shareholders and agents, and any other successors, assigns, or legal representatives (“Released Parties”), from any and all claims, known or unknown, contingent or accrued, that are alleged, arise from, touch or concern the allegations in the Complaint, and that were, or could have been pled based on the facts alleged in the operative Complaint, including but not limited to claims for unpaid overtime, failure to pay minimum wage, failure to provide meal or rest breaks or pay one hour’s wages in lieu thereof, failure to indemnify for all work related expenditures and losses, failure to pay wages upon termination of employment in a timely manner, failure to provide accurate itemized pay stubs, violations of failure to pay wages, violations of the Private Attorney General Act under California Labor Code section 2698, et seq., violations of Business and Professions Code Section 17000 and 17200 et seq. for Unfair Business Practices predicated on the aforementioned Labor Code violations, and all related statutory claims, the relevant Wage Orders issued by the Industrial Welfare Commission, and the Fair Labor Standards Act only as to those Class Members who submit a valid claim form, and all claims for attorneys’ fees and costs at the time of the Preliminary Approval Date. The release also includes all claims for remedies deriving from the allegations contained in the operative Complaint, including all claims for liquidated damages, restitution, disgorgement, conversion, unjust enrichment, penalties, interest, and attorneys’ fees and costs at the time of preliminary approval of the settlement by the Court, during the Covered Time Frame (“Released Claims”).

What if I need additional information?

For a more detailed statement of the matters involved in the Action and the Class Settlement, you may refer to the pleadings, the Joint Stipulation of Settlement of Class Action, and other papers filed in the Action, which may be inspected at the Office of the Court Clerk, Superior Court of the State of California for the County of Los Angeles, located at 600 South Commonwealth Avenue, Los Angeles, California 90005 between the Court's normal business hours. All inquiries by Class Members about the Class Settlement should be directed to:

**Phoenix Settlement Administrators
P.O. Box 27907
Santa Ana, Ca. 92799
Telephone (888)613-5553
E-mail: classmember@phoenixclassaction.com**

Refer to the Patterson v. Cooper Services, Inc. Class Action Settlement.

PLEASE DO NOT CALL THE COURT.