

NOTICE TO CURRENT AND FORMER NON-EXEMPT CALIFORNIA HOGARTH EMPLOYEES

January 11, 2024

THIS NOTICE RELATES TO YOUR PRIVACY RIGHTS

A proposed class action lawsuit asserting wage and hour claims has been filed by Michael Osborn (“Plaintiff”) against Hogarth California LLC, Hogarth Worldwide Inc., and Chris Norwood (“Defendants” or “Hogarth”). This is not a lawsuit against you, and you are not being sued. The lawsuit is entitled *Osborn v. Hogarth California, LLC, et al.*, and is pending in the San Francisco County Superior Court, Case No. CGC-22-598537 (the “Lawsuit”)

In the Lawsuit, Mr. Osborn alleges Defendants failed to pay California-based non-exempt (hourly) Hogarth employees wages for all hours worked, failed to pay overtime wages, failed to provide meal and rest breaks, failed to provide accurate itemized wage statements, failed to pay all wages due at termination, and failed to reimburse employees for necessary business expenses. For example, Plaintiff alleges Hogarth failed to keep track of all hours employees worked, including meal periods, and instead required employees to submit their hours worked in blocks of time. Plaintiff has brought these claims as a class action, as a representative action under the Unfair Competition Law, and as a representative action on behalf of the State of California under the Private Attorneys General Act. Plaintiff seeks to recover wages, penalties, and interest on behalf of other similarly situated workers for these alleged violations. **This is not a lawsuit against you and you are not being sued. Plaintiff is seeking to represent you and other workers as a class action to obtain recovery for these alleged violations.**

Defendants disagree with and deny all of the allegations in their entirety and maintain that they have complied with all applicable laws. Defendants believe Plaintiff’s claims are without merit.

The Court has not rendered any opinion about the merits of the case. The parties are prohibited by law from promising what the outcome of the Lawsuit will be, including any promise of monetary recovery.

As part of Plaintiff’s attorneys’ investigation, he has asked Defendants to provide your name, last-known address, telephone number, and email address to contact you about your experiences working for Hogarth and your potential claims. However, before any of your contact information is provided, this notice is being mailed to you so that you can decide whether you want to have your contact information provided to Plaintiff’s attorneys so that they may contact you.

WHAT ARE YOUR OPTIONS?

OPTION ONE: If you CONSENT to having your name and contact information released to the Plaintiff’s attorneys, then you do not need to do anything. If you do nothing, Defendants will be required to, and will, provide your name, home address, phone number, and email address to Plaintiff’s attorneys so that they may contact you. This contact information will only be used for the purposes of this Lawsuit.

OPTION TWO: If you do not want your name, address, phone number, and email address to be provided to Plaintiff’s attorneys, you must do one of the following within thirty (30) days: (1) reply to this email using the words: “DO NOT CONTACT”; (2) click the “DO NOT CONTACT” link below, or (3) check the “DO NOT CONTACT” box on the prepaid postcard (included with the physical copy of this notice that was sent to your last known address), and mail it back to Phoenix Settlement Administrators; P.O. Box 7208, Orange, CA 92863.

California law prohibits your employer from retaliating against you in any way for providing or refusing to provide information.

THIS IS NOT A COMMUNICATION FROM THE COURT.

**IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, YOU MAY CONTACT
PHOENIX SETTLEMENT ADMINISTRATORS AT (800) 523-5773.**

<u>Plaintiff’s Attorneys</u>	<u>Defendants’ Attorneys</u>
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