

NOTICE OF PENDENCY OF LAWSUIT

TO: ALL PERSONS EMPLOYED BETWEEN DECEMBER 16, 2012 AND THE PRESENT BY DOALL COMPANY, AT ITS DGI SUPPLY LOCATIONS, ON AN HOURLY BASIS EITHER (1) AS CUSTOMER SERVICE REPRESENTATIVES, AT ANY OF ITS LOCATIONS, AND/OR (2) EMPLOYED WITHIN THE STATE OF WISCONSIN.

You are receiving this Notice because you are a current or former non-exempt employee of DoAll Company, at is DGI Supply locations, between December 16, 2012 and the present on an hourly basis with either (1) as customer service representatives, at any of its locations, and/or (2) employed within the state of Wisconsin.

PURPOSE OF NOTICE

This Notice is to inform you about a lawsuit in which you are potentially eligible to participate; how your rights under the Fair Labor Standards Act (“FLSA”) may be affected by this lawsuit; and how to join in this lawsuit, should you choose to do so. Please note that this Notice is only for the purpose of determining the identity of those persons who wish to join this action. This Notice does not mean that you have a valid claim or that you are entitled to any monetary recovery. Any such determination must still be made by the court.

DESCRIPTION OF THE LAWSUIT

A lawsuit has been brought by Sherri L. Stocks (“Plaintiff”) against DoAll Company doing business as DGI Supply (“Defendant”) in the United States District Court for the Eastern District of Wisconsin (Case No. 15-cv-1496). The lawsuit alleges that Defendant violated the Fair Labor Standards Act (FLSA) by failing to pay minimum wages and/or overtime compensation to its non-exempt hourly employees. The complaint alleges that Defendant maintains unlawful policies of not compensating hourly employees for all work performed and not compensating hourly employees for overtime by maintaining policies that, among other things, require supervisors to manually alter electronic timesheets of employees by reducing hours worked to reflect 8 hours per day and 40 hours per week and fail to pay employees for work exceeding 8 hours per day and 40 hours per week.

Defendant denies Plaintiff’s allegations that it violated the FLSA and contend that it properly compensated all non-exempt hourly employees for all compensable working time, including with regard to overtime.

The Court will ultimately decide the merits of this case, whether damages will be awarded and, if so, how much. Nothing in this notice should be viewed as an admission of wrongdoing by DoAll or DGI Supply.

WHO IS SENDING THE NOTICE

This Notice is authorized by the United States District Court for the Eastern District of Wisconsin. We are the lawyers representing Plaintiff and other individuals who timely consent to join this lawsuit. We are from The Previant Law Firm, S.C. We prepared and sent this Notice. Although the judge in this case allowed us to send this Notice, the judge has expressed no opinion about Plaintiff’s claims, Defendant’s defenses or whether the Plaintiff’s or any other similarly situated employees are entitled to recover any monies in this action.

YOUR RIGHT TO PARTICIPATE IN THIS SUIT

If you believe that Defendant has failed to properly compensate you for minimum wages and/or overtime

THIS NOTICE AND ITS CONTENTS HAVE BEEN AUTHORIZED BY THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF WISCONSIN, HONORABLE LYNN ADELMAN, DISTRICT JUDGE. THE COURT HAS TAKEN NO POSITION REGARDING THE MERITS OF THE PLAINTIFF’S CLAIMS OR THE DEFENDANT’S DEFENSES. PLEASE DO NOT CONTACT THE COURT FOR ANY REASON.

compensation , you have the right to participate in this lawsuit. To participate, you must sign, date, and mail the attached Consent Form to the address listed below, which is also printed on the enclosed envelope. It is entirely your own decision whether to participate in this lawsuit. You are not required to take any action unless you so desire, and you are not required to pay any money to participate.

RETALIATION PROHIBITED

The law prohibits anyone, including your employer, from discriminating or retaliating against you for taking part in this case or because you have exercised your rights under the Fair Labor Standards Act.

HOW AND WHEN TO JOIN THE SUIT

Enclosed you will find a Consent Form. If you choose to join this lawsuit, and thus participate in any recovery that may result from this lawsuit, it is extremely important that you read, sign, and return the Consent Form before December 23, 2016. The Consent Form is pre-addressed and postage-paid for your convenience. Should the enclosed form become lost or misplaced, please contact Plaintiff's lawyers listed at the bottom of this Notice.

The signed Consent Form must be postmarked by 60 days from date of mailing.

If you have any questions about filling out or sending in the Consent Form, you may contact Plaintiff's lawyers listed on the final page of this Notice.

EFFECT OF JOINING THIS LAWSUIT

If you choose to join this lawsuit, you will be engaged in a lawsuit against DoAll Company doing business as DGI Supply. You will be eligible for any recovery achieved by the Plaintiff and you will also be bound by the judgment, whether it is favorable or unfavorable. While this lawsuit is pending, individuals who join the lawsuit may be required to provide information or documents, appear for a deposition, testify at trial or otherwise participate in this action. If you join this lawsuit, your continued right to participate in the case may depend on a later decision by the Court whether you and Plaintiffs are actually "similarly situated" in accordance with federal law.

By joining this lawsuit, you designate the Plaintiff, as your agents to make decisions on your behalf concerning the litigation, the method and manner of conducting this litigation and to look out for the best interests of the class. The decisions and agreements made and entered into by the Plaintiff will be binding on you if you join this lawsuit, unless you choose to withdraw your consent. The representative Plaintiff in this lawsuit have entered into a contingency fee agreement with Plaintiff's lawyers, which means that if there is no recovery, there will be no attorney's fees or costs chargeable to you from Plaintiff's lawyers. If there is a recovery, Plaintiff's lawyers will be paid attorney's fees in an amount that is subject to the discretion of the court. If you join the lawsuit and do not prevail on your claim, court costs and expenses may possibly be assessed against the collective.

If you choose not to join this lawsuit, you will not be affected by any judgment or settlement of the Fair Labor Standards Act claims in this case, whether favorable or unfavorable to the collective. You will not be entitled to share any amounts recovered by the collective. You will be free to file your own lawsuit, if you wish to do so.

RIGHT TO CONSULT WITH US

If you want to talk with us about this lawsuit, please feel free to call, write or e-mail us from your personal (not work) email account during non-working time:

Atty. Nathan D. Eisenberg
THE PREVIANT LAW FIRM, S.C.
310 W. Wisconsin Ave. Suite 100MW
Milwaukee, WI 53203
Tel: **414-271-4500**
Fax: 414-271-6308
E-Mail: nde@previant.com

Further information about this Notice or the lawsuit may be obtained from plaintiffs' attorney at the addresses, telephone numbers, fax numbers, or e-mail addresses identified, or on the Internet at **<http://www.Previant.com/DGISupply>**

Please see the website for information and updates on the lawsuit.

Consent to Opt In and
Participate as a Non-Named Plaintiff in Suit for
Violations of Fair Labor Standards Act

I, _____, hereby opt-in and give my consent to participate in the lawsuit against DoAll Company doing business as DGI Supply (“Defendant”) as a non-named, representative, Party Plaintiff to this action Case No. 15-cv-1496 (E.D. Wisc.). I further agree to be bound by any settlement or judgment of the Court in this action. This written consent is intended to serve as my consent in writing to join in this lawsuit and become a party plaintiff as required by 29 U.S.C. § 216(b).

By joining, I represent that I am/was employed by the Defendant at any time on or after December 16, 2012.. During that time, I have performed compensable work which was not paid, including work in excess of forty (40) hours in individual work week, and I have not been paid all of the minimum and overtime wages owed to me pursuant to 29 U.S.C. §201 *et seq.*

I recognize I will not be a “Named Plaintiff” in this lawsuit and therefore designate the “Named Plaintiff as my agent to make decisions on my behalf concerning the litigation, including the method and manner of conducting this litigation, entering into settlement agreements, the entering of an agreement with Plaintiff’s Counsel concerning attorneys’ fees and costs, and all other matters pertaining to this lawsuit.

By signing and returning this consent to sue, I understand that I will be represented by The Previant Law Firm, s.c, unless I choose to hire my own attorney.

Full Legal Name: _____ Dated: _____

Signed: _____