

NOTICE OF CLASS ACTION LAWSUIT

This notice is given pursuant to Rule 23 of the Federal Rules of Civil Procedure and pursuant to an Order of the United States District Court. A lawsuit entitled *John Lamb, individually and on behalf of all others similarly situated v. Pulaski County Special School District*, Case No. 4:18-cv-00327-JM is now pending in the United States District Court for the Eastern District of Arkansas.

Plaintiff contends that Defendant, the Pulaski County Special School District, breached employment contracts and violated the Arkansas Minimum Wage Act when compensating Bus Drivers for hours worked in excess of six (6) per day or forty (40) per week.

Plaintiff John Lamb has undertaken to represent similarly situated Bus Drivers, Substitute Bus Drivers, and Permanent Substitute Bus Drivers employed by the Pulaski County Special School District at any time on or after May 15, 2013. Plaintiff seeks to recover all monetary damages caused by those breaches of contract and violations of Arkansas law.

Defendant denies that it has breached the employment contracts or violated Arkansas law when paying its Bus Drivers.

The Court has not ruled on any of the above claims, but will permit all parties to offer proof on these issues. The Court will then decide the merits of all of these issues at the close of the case.

On February 27, 2019, the United States District Court for the Eastern District of Arkansas directed and certified that this cause proceed as a class action under the provisions of Rule 23 of the Federal Rules of Civil Procedure. The class which the Court certified is defined as

Each and every individual who entered into a contract with the Pulaski County Special School District to perform as a Bus Driver, Permanent Substitute Bus Driver, and/or Substitute Bus Driver at any time from May 15, 2013 through February 25, 2019.

Notice is hereby given pursuant to the provisions of Rule 23(c)(2)(B) of the Federal Rules of Civil Procedure that:

- (1) John Lamb has been appointed by the Court to function as representative of the Plaintiff Class; and
- (2) Class Counsel have been appointed by the Court to represent the interests of the Class. Class Counsel include: Thomas P. Thrash and Marcus Neil Bozeman of the Thrash Law Firm, P.A., 1101 Garland Street, Little Rock, Arkansas 72201; Jud Kidd and Lucas Rowan of Dodds, Kidd, Ryan & Rowan, 313 West Second Street, Little Rock, Arkansas 72201.

You will not be charged for Class Counsel's services, nor for any costs or expenses incurred by Class Counsel or the Class Representatives. If there is a recovery of monetary value for the Class,

Class Counsel may ask the Court for attorneys' fees and costs, which would be deducted from any money obtained, or paid separately by the Pulaski County Special School District. You have the right to hire your own attorney. If you hire your own attorney, you will be responsible for paying that attorney's fees and expenses.

IF YOU WISH TO REMAIN A MEMBER OF THE CLASS, YOU NEED NOT DO ANYTHING AT THIS TIME. As a Class Member, you will be bound by all orders and judgments of the Court, whether favorable or not.

THE COURT HAS ALSO CONDITIONALLY CERTIFIED A FAIR LABOR STANDARDS ACT COLLECTIVE ACTION CLAIM AGAINST THE PCSSD. YOU MUST FILE YOUR CONSENT TO JOIN THAT COLLECTIVE ACTION ON OR BEFORE JUNE 24, 2019. A COPY OF THE CONSENT TO JOIN IS ATTACHED.

If you do not wish to participate in the Class, the Court will exclude you from the Class if you request exclusion in writing in a letter postmarked on or before July 1, 2019. Requests for exclusion should be sent to Thomas P. Thrash, Thrash Law Firm, P.A., 1101 Garland Street, Little Rock, Arkansas 72201, and must be personally signed by the Class Member requesting exclusion.

If you do not request exclusion, you may, if you desire, enter an appearance with the Court in person or through counsel of your own choosing and participate in the litigation. If you do not request exclusion, and you do not enter an appearance with the Court, the above-named attorneys for the Plaintiffs will represent your interest in the case.

Trial of this cause of action may be set by Court Order and notice given to anyone who has entered an appearance. The final judgment entered in this case will include and be binding upon all members of the Class who do not request exclusion.

Pursuant to Rule 23(c)(1)(C) of the Federal Rules of Civil Procedure, the Class Certification Order signed and filed of record on February 27, 2019 may be altered or amended before a final judgment by the Court on the merits.

IF YOU HAVE ANY QUESTIONS REGARDING THIS LITIGATION, YOU MAY WRITE TO CLASS COUNSEL IDENTIFIED ABOVE. PLEASE DO NOT CALL OR WRITE THE COURT.

Dated: April 1, 2019.

/s/ Honorable James M. Moody Jr.
Honorable James M. Moody Jr.
United States District Judge