

[Date]

**IMPORTANT NOTICE REGARDING YOUR PERSONAL CONTACT INFORMATION AND
PRIVACY RIGHTS**

You must respond to this notice by [thirty (30) days from mailing] if you do not want your personal information and employment records disclosed.

Via U.S. Mail

[Name]

[Address]

[City, ST Zip]

Re: *Tyrik Foulks v. Browning-Ferris Industries of California, Inc.*, Superior Court of California for the County of Los Angeles, Case Number 23STCV07285

On April 4, 2023, a lawsuit entitled *Tyrik Foulks v. Browning-Ferris Industries of California, Inc.*, Case Number 23STCV07285 (the “Lawsuit”), was filed in the Los Angeles County Superior Court by Tyrik Foulks (“Plaintiff”) against Browning-Ferris Industries of California, Inc. (“Defendant” or “Browning-Ferris”). You are receiving this Notice because, in connection with the Lawsuit, Plaintiff’s attorneys would like to obtain your name, contact information (home address, personal telephone number, and personal email address), as well as your employment records (such as your wage statements, pay records, and punch data for time worked).

The purpose of this Notice is to advise you that your name, contact information and employment records will be provided to Plaintiff’s attorneys if you do not timely respond to this notice. Please read this notice carefully.

THE LAWSUIT

In the Lawsuit, Plaintiff, a former employee of Browning-Ferris, alleges that Browning-Ferris failed to: (1) pay and/or underpaid minimum wages to putative class members; (2) timely pay all wages due at the end of employment; and (3) provide accurate, itemized wage statements to putative class members. The Lawsuit also alleges that Browning-Ferris engaged in unfair business practices in violation of the California Business and Professions Code and owes civil penalties to the allegedly aggrieved employees and the State of California under the Private Attorneys General Act. Plaintiff seeks to certify and represent a class of non-exempt, hourly-paid current and former employees of Browning-Ferris who worked in California at any time from April 4, 2019, to the present (“putative class members”).

Browning-Ferris maintains that it complied with all applicable California laws and denies any liability or wrongdoing of any kind with respect to each of these allegations. Browning-Ferris also denies that Plaintiff can satisfy the requirements for the Lawsuit to proceed as a class or representative action.

The Court has not determined that any of these allegations are true, or that anyone, including Plaintiff, is entitled to receive any money in connection with the Lawsuit. Further, the Court has not determined whether the Lawsuit may proceed as a class or representative action.

Based on the information disclosed in the case to date, you have been identified as an employee who may potentially be a part of the potential class that Plaintiff seeks to represent in this Lawsuit. The Lawsuit is still in the discovery phase, and Plaintiff’s attorneys wish to obtain your name, personal contact information, wage statements, time data, and pay records from Browning-Ferris so that they can communicate with you about the allegations made in the Lawsuit. Browning-Ferris objected that such employee information and records are private and refused to produce it unless employees were given this opportunity to refuse such production.

You are currently under no obligation to discuss the Lawsuit with Plaintiff's or Defendant's attorneys. **You also have the right to object to the disclosure of your name, contact information and employment records.** A decision to object to the disclosure of such information at this time will not impact whether or not you are included in the putative class in the event the Lawsuit is certified as a class action. **Further, Browning-Ferris will not retaliate in any way against you for exercising any legal right, including your decision to either provide or withhold your personal information in this instance.**

HOW TO OBJECT

If you do **NOT** want your personal information (including your name, home address, personal phone number, and personal email address) as well your employment records (such as your wage statements, pay records, punch data for time worked) to be provided to Plaintiff's attorneys, **YOU MUST TIMELY OPT-OUT BY FOLLOWING ONE OF THE THREE FOLLOWING OPTIONS**

(1) responding to the third-party administrator, **ILYM GROUP, INC.**, by email at **claims@ilymgroup.com**, by including in the subject line, type "Do Not Disclose" or similar language, and in the body of the email, state your name and reference the *Foulks Lawsuit*;

(2) by completing the opt-out selection on the administrator's website, which may be accessed through the QSR Code included on the postcard (if you are notified by postcard) or on the hyperlink (if you are notified by email); or

(3) by completing the attached postcard and returning it to the third-party administrator. The enclosed postcard must be filled in with: YOUR PRINTED NAME, SIGNATURE, AND DATE. IT MUST BE POSTMARKED WITHIN 30 DAYS OF THE DATE LISTED IN THIS NOTICE TO BE VALID.

If you consent to having your information released to Plaintiff's attorneys, then you do not need to respond to this notice. If you do not respond in one of the three ways identified above within **thirty (30) days from the mailing date** of this notice], your name, contact information, and employment records will be provided to Plaintiff's attorneys.

THIS NOTICE IS NOT A COMMUNICATION FROM THE COURT AND IS NOT AN EXPRESSION OF ANY OPINION BY THE COURT AS TO THE MERITS OF THE CLAIMS AND DEFENSES BY ANY PARTY IN THIS LAWSUIT.

PLEASE DO NOT CONTACT THE COURT WITH INQUIRIES ABOUT THE LAWSUIT.