

NOTICE OF OVERTIME WAGES LAWSUIT

Rachel Brown Heffernan Bryant, Kenny Bryant, Anthony Brown, Cleveland Woodrow Oliver, Jr., David L. Franks, Allie Everett and Eric Thomas, et al., on behalf of themselves and others similarly situated v. United Furniture Industries, Inc., et al.; In the United States District Court for the Northern District of Mississippi, Aberdeen Division; Cause No. 1:13-cv-00246-SA-DAS

TO: All persons employed by Defendants from January 1, 2010 until December 30, 2013 as furniture manufacturers in the operation of Defendants' furniture manufacturing plants in the state of Mississippi who worked off the clock and were not paid for overtime wages under the FLSA, with the exception of those persons who previously "opted in" to the lawsuit Carothers v. United Furniture Industries, Inc., No.: 1:13-CV-00203-DAS and reached a settlement of their claims in its course.

RE: Right to Join Lawsuit Seeking Unpaid Overtime Wages for work performed off the clock before clocking in and after clocking out.

DATE: _____, 2015

1. PURPOSE OF NOTICE

The purpose of this notice is to inform you of your right to join a lawsuit filed against United Furniture Industries, Inc., et al. seeking recovery of unpaid overtime wages for work performed off the clock before clocking in and after clocking out and other money damages. This notice will also advise you of how your rights under the Fair Labor Standards Act ("FLSA") may be affected by this lawsuit and instruct you on the procedure for participating in this suit if you decide to do so.

2. DESCRIPTION OF THE LAWSUIT

Rachel Brown Heffernan Bryant, Kenny Bryant, Anthony Brown, Cleveland Woodrow Oliver, Jr., David L. Franks, Allie Everett and Eric Thomas have sued United Furniture Industries, Inc., et al. in the United State District Court for the Northern District of Mississippi, Aberdeen Division. The case has been assigned Civil Action No.: 1:13-CV-00246-SA-DAS and is pending on the docket of United States District Judge Sharion Aycok. Plaintiffs claim that United Furniture Industries, Inc. violated federal law by failing to pay proper overtime compensation for work performed off the clock before clocking in and after clocking out. United Furniture Industries, Inc. denies that it has violated any law and contends that it has paid its employees properly.

The Plaintiffs' attorney in this case is:

W. Howard Gunn
Attorney at Law
P.O. Box 157
Aberdeen, MS 39730
phone number: (662)-369-8533
Toll-Free Telephone Number: (877)-516-9549
fax number: (662)-369-9844
email address: whgunn@bellsouth.net

3. DEFINITION OF THE CLASS

The Plaintiffs filed this lawsuit on behalf of themselves and on behalf of a class of other employees with whom they believe they are similarly situated. The class is defined as: All persons employed by Defendants from January 1, 2010 until December 30, 2013 as furniture manufacturers in the operation of Defendants' furniture manufacturing plants in the state of Mississippi who worked off the clock and were not paid for overtime wages under the FLSA, with the exception of those persons who previously "opted in" to the lawsuit Carothers v. United Furniture Industries, Inc., No.: 1:13-CV-00203-DAS and reached a settlement of their claims in its course.

This notice is only for the purpose of determining the identity of those persons who wish to be involved in this case and has no other purpose. Your right to participate in this suit may depend upon a later decision by the United States District Court that you and Plaintiffs are actually "similarly situated".

4. HOW TO PARTICIPATE IN THIS LAWSUIT

Enclosed you will find a form entitled, "Consent to Join Overtime Wages Lawsuit" ("Consent Form"). If you choose to join this lawsuit, and thus to participate in any recovery that may result from this lawsuit, **it is extremely important that you read, sign, and return the Consent Form.** A self-addressed, postage-paid envelope is enclosed for your convenience. Should the enclosed envelope be lost or misplaced, the Consent Form should be sent to:

W. Howard Gunn
Attorney at Law
P.O. Box 157
Aberdeen, MS 39730
fax number: (662)-369-9844
email address: whgunn@bellsouth.net

The signed Consent Form must be postmarked _____ [120 DAYS FROM MAILING].

If your signed Consent Form is not postmarked by _____ [120 DAYS FROM MAILING], you will not receive any of the potential money damages recovered against United Furniture Industries, Inc. in this lawsuit. If you have any questions about filling out or sending the Consent Form, please contact Plaintiffs' counsel listed on page 1 of this notice.

5. NO RETALIATION PERMITTED

It is a violation of federal law for United Furniture Industries, Inc. to fire you, or in any manner retaliate against you, for taking part in this case. If you believe United Furniture Industries, Inc has retaliated against you then you should contact Plaintiffs' counsel immediately.

6. EFFECT OF JOINING THIS LAWSUIT

If you choose to join this lawsuit, you will be bound by the judgment. You will also be bound by, and will share in, any settlement that may be reached on behalf of the class. By joining this lawsuit, you designate Plaintiffs as your agents to make decisions on your behalf concerning the litigation, the method and manner of conducting the litigation, the entering of an agreement with Plaintiffs' counsel concerning attorney's fees and costs, and all other matters pertaining to the lawsuit. These decisions and agreements made and entered into by the Plaintiffs will be binding on you if you join this lawsuit. Plaintiffs' have entered into a contingency fee agreement with their counsel, which means that, if there is no recovery, there will be no attorney's fees or cost charged to you. If there is a recovery, Plaintiffs' counsel will receive a part of any settlement obtained or money judgment entered in favor of all members of the class. You may request a copy of the contingency fee agreement that Plaintiffs signed in this matter from their counsel at the address or telephone number that appears on page 2 of this notice.

7. NO LEGAL EFFECT IN NOT JOINING THIS LAWSUIT

If you choose not to join this lawsuit, you will not be affected by any judgment or settlement rendered in this case, whether favorable or unfavorable to the class. You will not be entitled to share any amounts recovered by the class. You will be free to file your own lawsuit, subject to any defenses that might be asserted. The pendency of this suit will not stop the running of the statute of limitations as to any claims you might have until you opt into this lawsuit.

8. FURTHER INFORMATION

Further information about this notice or the lawsuit may be obtained from Plaintiffs' counsel at the address or telephone listed on page 2 of this notice.

THE FEDERAL DISTRICT COURT HAS AUTHORIZED THE PARTIES IN THIS CAUSE TO ISSUE THIS NOTICE BUT TAKES NO POSITION REGARDING THE MERITS OF THE PLAINTIFFS' CLAIMS OR OF THE DEFENDANTS' DEFENSES.