

EXHIBIT A

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

JOSHUA LEBARRON, individually and on
behalf of all other similarly situated individuals,

Case No. 14-CV-6628G

Plaintiffs,

v.

KAYDEN INDUSTRIES (USA), INC.,

Defendant.

NOTICE OF LAWSUIT THAT MAY AFFECT YOUR RIGHTS

TO: All Solids Control Technicians or Employees Who Worked in Other Job Titles Performing Similar Duties for Kayden Industries (USA), Inc. at Any Time from [THREE YEARS PRIOR TO NOTICE SENT DATE] to February 1, 2015.

RE: Right to Join Lawsuit to Recover Unpaid Overtime Wages

The Purpose of this Notice Is to Inform You of Your Right to Join a Lawsuit Filed on Behalf of Current and Former Solids Control Technicians Against Kayden Industries (USA), Inc.

1. What is this Lawsuit About?

A former solids control technician (the "Plaintiff") brought this lawsuit against Kayden Industries (USA), Inc. ("Kayden"). The Plaintiff alleges that Kayden paid solids control technicians on a day rate under the Fair Labor Standards Act (referred to as the "FLSA") and did not compensate solids control technicians properly for overtime hours worked. This lawsuit seeks to recover overtime wages, liquidated damages, and attorneys' fees from Kayden.

Kayden denies the employees' claims. It claims that solids control technicians were properly paid under the FLSA.

The Court has allowed the lawsuit to be conditionally certified as a collective action under the FLSA. The Court has not decided whether Kayden did anything wrong, and a trial may be necessary to decide whether the claims or the defenses have merit. There is no money available now, and no guarantee there will be. However, your legal rights are affected, and you have a choice to make now about whether to join this lawsuit.

2. Why Did I Get this Notice?

The Court has allowed the parties to send this Notice to everyone who is similarly situated to the solids control technician who brought this lawsuit so as to inform other solids control technicians and other employees in other job titles performing similar duties to solids control technicians of their right to participate in, how to join, and how their rights may be affected by the lawsuit. You received a copy of this Notice because Kayden's records indicate that you may fit the above definition.

3. How Do I Know if I am Eligible to Join the Lawsuit or am Already Part of the Lawsuit?

You may be eligible to be a member of the FLSA collective action, or you may already be a member of this action, if you worked as a solids control technician at Kayden or in other job titles performing similar duties at any time since [THREE YEARS FROM THE DATE THIS NOTICE IS SENT] and if you either: (1) already joined this lawsuit by submitting a Consent Form prior to getting this Notice, or (2) complete and return the **enclosed Consent Form postmarked (if mailed) or received (if emailed or faxed) no later than [60 days from the date notice is sent]**. The forms should be sent to plaintiffs' counsel:

Nichols Kaster, PLLP, Attn.: Michele R. Fisher
4600 IDS Center, 80 South Eighth Street
Minneapolis, Minnesota 55402
Toll-Free Telephone: (877) 448-0492 (no faxes to this number)
Fax: (612) 215-6870
Email: forms@nka.com

4. What Happens if I Participate?

If you choose to join this lawsuit, you may choose to be represented by the plaintiffs' counsel, Nichols Kaster, PLLP, and they will represent you in the course of the lawsuit and all settlement discussions in connection with this lawsuit. Alternatively, you may choose to hire your own lawyer. If you want to hire your own lawyer, you may have to pay that lawyer. You may ask your own lawyer to appear in Court for you if you want someone other than Nichols Kaster, PLLP, to speak for you. Unless you choose another attorney, Nichols Kaster, PLLP, will represent you in the action.

If you choose to participate in the lawsuit, you will be considered a party to the lawsuit and you may be required to assist your attorneys, answer written questions, sit for depositions, respond to requests to produce documents, and/or testify in Court. If you join the lawsuit, you will be bound by any ruling or judgment by the Court, whether favorable or unfavorable.

The law prohibits Kayden from retaliating against any individual for being part of this lawsuit. Therefore, Kayden is prohibited from firing you or retaliating against you in any other manner because you choose to participate in this lawsuit.

Nichols Kaster, PLLP, has taken this case on a contingency fee basis. This means they will only be paid if there is a monetary recovery through a settlement, judgment, or award in your favor. If there is a recovery, the attorneys may receive a part of any money judgment, award or settlement obtained in your favor. The Court will ultimately determine the reasonableness of any fees awarded to the attorneys. You will not have to pay the attorneys out of your own pocket. If you choose to join the lawsuit and be represented by Nichols Kaster, PLLP, you will be provided a separate fee agreement with the attorneys for your consideration.

5. What if I Choose Not to Participate?

If you do not wish to participate, you will not be affected by any judgment or included in any settlement in this case. You may instead choose to bring your own lawsuit or do nothing. The FLSA has time limits called statutes of limitations. These limitations are tolled when you join a lawsuit. If you do not join this lawsuit or start your own lawsuit, your limitations period will continue to run and eventually your right to bring an action will be time-barred.

6. What if I Still Have Questions?

If you have any questions or would like additional information, please contact plaintiffs' counsel whose contact information is provided in Paragraph 3.

THIS NOTICE AND ITS CONTENT HAVE BEEN AUTHORIZED BY THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NEW YORK. THE COURT HAS TAKEN NO POSITION REGARDING THE MERITS OF THIS LAWSUIT.

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PLAINTIFF CONSENT FORM

1. I consent to make a claim under the Fair Labor Standards Act, 29 U.S.C. § 201, et seq. against my current/former employer, Kayden Industries (USA), Inc. to recover overtime pay.
2. During the past three years, there were occasions when I worked over 40 hours per week as a solids control technician, or other similar position, for Kayden Industries (USA), Inc., and did not receive proper compensation for all of my hours worked, including overtime pay.
3. I understand that I may withdraw my consent to proceed with my claims at any time by notifying the attorneys handling the matter.

Date: _____

Signature

Print Name

Information Below Will Be Redacted in Filings with the Court. Please Print or Type.

Address: _____

City, State Zip: _____

Best Phone Number(s): _____

Email: _____

Return this form by
fax, email or mail to:

Nichols Kaster, PLLP, Attn: Michele R. Fisher
Fax: (612) 338-4878
Email: forms@nka.com
Address: 4600 IDS Center, 80 S. 8th Street, Minneapolis, MN 55402
Web: www.nka.com