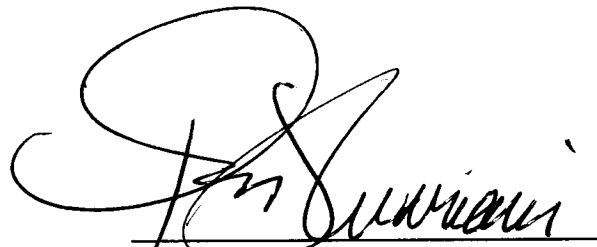


4. Within 7 calendar days of the Court's entry of this Order, Defendant's counsel will email to Plaintiff's counsel an Excel spreadsheet containing the name and last known mailing address of each Putative Collective Member. This spreadsheet will be designated confidential and treated as such by the parties.
5. Within 14 calendar days of the Court's entry of this Order, Plaintiff's counsel will mail to all Putative Collective Members finalized copies of the "Notice of Collective Action Lawsuit" form, attached as Exhibit A; "Consent to Join" form ("Consent Form"), attached as Exhibit B; and a postage-paid return envelope bearing Plaintiff's counsel's address (together the "Notice Package"). Plaintiff's counsel will pay all postage and printing costs associated with the preparation and mailing of the Notice Packages. If any Notice Package is returned as undeliverable, Plaintiff's counsel will make all reasonable efforts to update the address information and re-send the Notice Package.
6. In order to participate in this action, a Putative Collective Member must complete and sign his/her Consent Form and return it in an envelope postmarked on or before the deadline indicated in the Notice Package, which will be set at 35 calendar days after the initial mailing date.
7. Plaintiff's counsel will file with the Court each completed Consent Form within 5 business days of receipt.

8. Within 49 calendar days of the Court's entry of this Order, the parties will provide the Court with a proposed schedule for the remainder of this litigation.
9. Discovery is **STAYED** pending the completion of the above-described notice and opt-in process.



Robert D. Mariani
United States District Judge

Exhibit A

[insert date]

NOTICE OF COLLECTIVE ACTION LAWSUIT

Scott Kobesky v. A to Z Coatings, Inc., 3:18-cv-01705-RDM
United States District Court, Middle District of Pennsylvania

TO: [INSERT NAME]

INTRODUCTION

This Notice informs you of a collective action lawsuit seeking unpaid overtime wages under the Fair Labor Standards Act (“FLSA”) and Pennsylvania law on behalf of employees of A to Z Coatings, Inc. (“A to Z”).

You have a right to participate in the lawsuit. So please read this Notice carefully.

DESCRIPTION OF THE LAWSUIT

In August 2018, an individual formerly employed by A to Z, Scott Kobesky, started this lawsuit. The lawsuit is proceeding in the United States District Court in Scranton, PA and is assigned to Judge Robert D. Mariani.

The lawsuit covers the time period since August 2015 and alleges that A to Z violated the FLSA and state wage laws by failing to pay employees proper overtime compensation for hours worked over 40 per week. The lawsuit seeks the recovery of unpaid overtime wages, liquidated damages, attorney’s fees and costs.

A to Z denies violating federal or state overtime laws.

The lawsuit is in its early stages. The Court has not decided who will win, and has not taken any position on the merits of the claims.

RETALIATION PROHIBITED

If you join the lawsuit, federal law prohibits A to Z Coatings, Inc. from retaliating against you as a result of your participation.

EFFECT OF JOINING THE LAWSUIT

A to Z’s payroll records indicate that you are eligible to join the lawsuit. If you previously received a payment from A to Z for back wages, **you may still be eligible to join this lawsuit.** The Court will make the final determination of your eligibility.

If you join the lawsuit, you will be bound by the judgment of the Federal Court on all issues, including the reasonableness of any settlement. If the employees win, individuals who join the lawsuit may be eligible for a money payment. If A to Z wins, individuals who join the lawsuit will be entitled to nothing. You should understand that, as a party to this lawsuit, you may be required to provide information during the discovery process and, possibly, testify under oath.

EFFECT OF NOT JOINING THE LAWSUIT.

If you do not join the lawsuit, you will not be affected by any judgment or settlement resulting from the lawsuit.

YOUR LEGAL REPRESENTATION IF YOU JOIN

If you join the lawsuit, you will be represented by the following law firms: (i) Winebrake & Santillo, LLC, 715 Twining Road, Suite 211, Dresher, PA 19025 (Ph: 215-884-2491; Website: www.winebrakelaw.com); and (ii) Crossover Law, PLLC, 1143 Northern Boulevard, No. 121, Clarks Summit, PA 18411 (Ph: (570) 561-1080; Website: www.crossoverlaw.com).

You are not required to pay any fees to the above law firms. The firms have taken this case on a “contingency” basis. If the lawsuit is unsuccessful, the firms will receive nothing. If the lawsuit results in a recovery, the firms will ask the Court to award legal fees separate and apart from your individual recovery.

Please call the above firms if you have any questions or desire any additional information about the lawsuit.

HOW TO JOIN THE LAWSUIT

You can join the lawsuit by completing and signing the enclosed “Consent to Join” form and returning it in the enclosed envelope to the following address:

Winebrake & Santillo, LLC
715 Twining Road, Suite 211
Dresher, PA 19025

Your return envelope must be postmarked by *[insert date]*. If you fail to meet this deadline, you will not be allowed to participate in the lawsuit.

THIS NOTICE HAS BEEN AUTHORIZED BY UNITED STATES DISTRICT JUDGE ROBERT D. MARIANI. THE COURT HAS TAKEN NO POSITION REGARDING THE LAWSUIT’S MERITS. PLEASE DO NOT CONTACT THE COURT REGARDING THIS NOTICE OR THE LAWSUIT.

Exhibit B

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

SCOTT KOBESKY

v.

A TO Z COATINGS, INC.

:
:
: 3:18-cv-01705-RDM
:
:
:
:
:

CONSENT TO BECOME PARTY PLAINTIFF

I have read the form entitled "Notice of Collective Action Lawsuit" and consent to become a party plaintiff to this action pursuant to 29 U.S.C. § 216(b). I agree to be represented by Winebrake & Santillo, LLC (Dresher, PA) and Crossover Law, PLLC (Clarke Summit, PA). I understand that I will be bound by the judgment of the Court on all issues in this action, including the fairness of any settlement.

Signature

Date

Name (Please Print Neatly)

Address

City, State, Zip Code

Phone Number

Email Address

RETURN BY [INSERT DEADLINE] TO:

Winebrake & Santillo, LLC
715 Twining Road, Suite 211
Dresher, PA 19025