

NOTICE OF CLASS ACTION LAWSUIT
[ENGLISH-LANGUAGE VERSION]

If you worked at Fulfillment America through Job Done, LLC, and were laid off at the end of December 2022 or the beginning of January 2023, please read this Notice. This class action lawsuit may affect your legal rights.

This is not a solicitation from a lawyer. A Federal Court has authorized this Notice.

****AVISO IMPORTANTE A MIEMBROS POTENCIALES DEL COLECTIVO –**
Para Español, visite este sitio web: www.FulfillmentAmericaCase.com.**

- A lawsuit was brought in the United States District Court for the District of Massachusetts on behalf of persons who worked at Fulfillment America through Job Done, LLC. The lawsuit presents claims under the Worker Adjustment and Retraining Notification Act of 1988 (“WARN Act”) alleging that persons did not receive proper notice under the WARN ACT before being laid off between December 31, 2022 and January 8, 2023 (“the WARN Act Claim”) and Massachusetts General Laws ch. 149, § 148, alleging failure to pay wages to persons on the date of being laid off (“the Wage Act Claim.”). The Defendants have denied liability for the WARN Act Claim and Wage Act Claim.
- The United States District Court for the District of Massachusetts certified the lawsuit as a class action lawsuit.
- You have been identified as a potential class member affected by this class action lawsuit. This notice provides information about the class action lawsuit and your options with respect to the class action lawsuit.
- You have two options:
 - Do nothing: If you do nothing, meaning that you do not take any action to exclude yourself from the class action lawsuit, you will be included as a class member and will be bound by any judgment or settlement reached in the class action lawsuit. See Section 6 below for more information on this option.

For more information about this lawsuit, please visit the website: www.FulfillmentAmericaCase.com.

- Request exclusion from the class action lawsuit: If you request exclusion from the class action lawsuit, meaning that you request not to participate in the class action lawsuit, you will neither be bound by any future judgment in the class action lawsuit nor receive any compensation from any judgment or possible settlement of the class action lawsuit. See Section 7 below for more information on this option.
- If you would like to receive a copy of this Notice in a different language, please contact the firms listed in Section 10 at the end of this Notice.

1. Why did I get this Notice?

Documents produced in the lawsuit show that you may have worked at Fulfillment America during the time period relevant to the class action lawsuit. The Honorable Leo T. Sorokin of the United States District Court for the District of Massachusetts is overseeing this class action lawsuit. The class action lawsuit is captioned as *Aura Salazar and Damaris Ventura, on behalf of themselves and all others similarly situated v. Fulfillment America, Inc., John Barry Sr., and John Barry Jr.*, Civil Action No. 1:23-cv-11625-LTS. The Court has authorized sending of this Notice to you to inform you of your legal rights in the class action lawsuit and options in this class action lawsuit.

2. What is this class action lawsuit about?

The lawsuit was originally filed on behalf of the Plaintiffs on July 20, 2023. Plaintiffs asserted the WARN Act Claim and Wage Act Claim. The Court issued an order certifying the lawsuit as a class action lawsuit. A copy of the Court's order is available on the website maintained by the attorneys representing the class members at this address: www.FulfillmentAmericaCase.com. A copy may be obtained from these attorneys directly. Please see Section 10 below for information on these lawyers.

The WARN Act Claim alleges that Defendant, Fulfillment America, Inc., violated the WARN Act. The WARN Act "provides protection to workers, their families and communities by requiring employers to provide notification 60 calendar days in advance of plant closings and mass layoff." 20 CFR Part 639. Plaintiffs allege that persons who worked at Fulfillment America and were laid off between December 31, 2022 and January 8, 2023, did not receive advance notice under the WARN Act. Fulfillment America, Inc. denies liability for the WARN Act Claim.

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The Wage Act Claim asserts that the Defendants did not timely pay wages to persons who were laid off between December 31, 2022 and January 8, 2023. The Defendants deny liability for the Wage Act Claim.

The Court has certified the WARN Act Claim and Wage Act Claim as a class action lawsuit, meaning that the named Plaintiffs may bring these claims on behalf of all affected individuals.

3. What is a class action and who is involved?

In a class action lawsuit, one or more persons bring a lawsuit on behalf of other persons who have similar claims. The named Plaintiffs in this class action lawsuit sought to represent any and all individuals who were laid off by Fulfillment America between December 31, 2022 and January 8, 2023, who suffered a loss of employment and/or did not receive full wages owed at termination. Fulfillment America and two individuals who are officers of Fulfillment America are the Defendants in this class action lawsuit. Plaintiffs' goal in filing the class action lawsuit is for one court to resolve the claims for every person in the class.

4. What are the Plaintiffs asking for?

For the WARN Act Claim, Plaintiffs seek to recover sixty days of wages for those persons who were laid off and did not receive advance notice. For the Wage Act Claim, Plaintiffs seek to recover damages for those persons who did not receive their full wages owed on the date of their layoff. In addition, Plaintiffs seek recovery of costs and attorney's fees from the Defendants.

5. I am not sure if I am included in the class action lawsuit. What should I do?

If you are not sure whether you are included as a class member of the class action lawsuit, you can contact the lawyers representing the named Plaintiffs in this class action lawsuit, using the contact information in Section 10 below, who will provide you with a free and confidential consultation. You may also seek legal advice from any attorney of your own choice at your own expense.

For more information about this lawsuit, please visit the website: www.FulfillmentAmericaCase.com.

6. What happens if I do nothing at all?

If you do nothing, you will be included in the class action lawsuit, meaning that you will be able to participate in and will be bound by any future judgment or settlement reached in this lawsuit.

7. What happens if I exclude myself from the class, and how do I exclude myself from the class?

If you choose to exclude yourself from the class action lawsuit, you will not participate in this class action lawsuit and you will neither be bound by any future judgment in the class action lawsuit nor receive any compensation from any judgment or possible settlement of the class action lawsuit. If you choose, you may pursue your claims on your own, but the statute of limitations (i.e., deadline to file claims) may continue to run on any claims you may have.

In order to exclude yourself from the class action lawsuit, you must submit a request for exclusion to Plaintiffs' Counsel. The request for exclusion must include: (1) your name, address, email address, and telephone number; (2) a statement that you request to be excluded from the class in *Salazar v. Fulfillment America* and understand that you will not be eligible to recover damages as part of any settlement or judgment of the claims in the case; and (3) your signature.

You may submit your request for exclusion to Plaintiffs' Counsel by email, or facsimile at the following contact information:

Hillary Schwab, Esq.
Osvaldo Vazquez, Esq.
FAIR WORK, P.C.
192 South Street, Suite 450
Boston, MA 02111
Tel: (617) 299-8192 (direct line for Libbing Barrera-Perez, paralegal)
Fax: (617) 488-2261
Email: class.admin@fairworklaw.com

For more information about this lawsuit, please visit the website: www.FulfillmentAmericaCase.com.

Pablo Carrasco, Esq.
JUSTICE AT WORK
33 Harrison Avenue, Suite 501
Boston, MA 02111
Tel. (617) 865-8419
Fax: (617) 995-0910

The request for exclusion must be submitted or postmarked by March 14, 2025.

8. Who are the lawyers for the class members in this class action lawsuit?

The class members are represented by Hillary Schwab, Esq. and Osvaldo Vazquez, Esq. of Fair Work, P.C. and Pablo Carrasco, Esq. of Justice at Work, in Boston, Massachusetts. The attorneys' contact information is in Section 10 below.

9. How will the lawyers be paid?

If the Plaintiffs obtain money or other relief for the class members, they may ask the Court for an award of their attorneys' fees and expenses. You will not have to pay these fees and expenses. If the Court grants the lawyers' request, the attorneys' fees and expenses would be either deducted from any money obtained for the class members or paid separately by Defendants.

10. Are there more details available?

If you have any questions or require additional information, please contact Plaintiffs' lawyers at the following contact information:

Hillary Schwab, Esq.
Osvaldo Vazquez, Esq.
FAIR WORK, P.C.
192 South Street, Suite 450
Boston, MA 02111
Tel: (617) 299-8192 (direct line for Libbing Barrera-Perez, paralegal)
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PLEASE DO NOT CONTACT THE COURT CLERK REGARDING THIS MATTER

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