

***IMPORTANT NOTICE OF YOUR RIGHT TO JOIN AS A PLAINTIFF
IN A LAWSUIT SEEKING TO RECOVER
OVERTIME WAGES UNDER THE FAIR LABOR STANDARDS ACT***

To: All persons who have been employed in the state of Illinois at C.H. Robinson as Assistant Carrier Account Managers, Buyers, Carrier Representatives, Carrier Account Managers, Senior Carrier Account Managers, Capacity Account Managers, and/or other similar positions, and who did not sign a C.H. Robinson arbitration agreement, at any time from July 17, 2015 through and including the present and until final resolution of the case.

1. INTRODUCTION

The purpose of this Notice is to inform you of the existence of a collective action lawsuit in which you may join as a plaintiff, to advise you of how your rights may be affected by this lawsuit, and to instruct you on the procedure for joining in this lawsuit should you choose to do so.

2. DESCRIPTION OF THE LAWSUIT

Plaintiff Taryn Dietrich is a former employee of C.H. Robinson Worldwide, Inc. (“C.H. Robinson”) who worked as an Assistant Carrier Manager (Buyer), Carrier Account Manager, and Senior Carrier Account Manager and C.H. Robinson’s Chicago office. On July 17, 2018 Plaintiff filed this lawsuit against C.H. Robinson on behalf of herself and other similarly situated employees who worked as Assistant Carrier Account Managers, Buyers, Carrier Account Managers, Senior Carrier Account Managers, Capacity Account Managers, and/or other similar positions (collectively, the “Illinois Carrier Positions”) at any time from July 17, 2015 to the present.

Plaintiff alleges that she and other individuals employed in the State of Illinois in the positions of Assistant Carrier Account Managers, Buyers, Carrier Account Managers, Senior Carrier Account Managers, Capacity Account Managers, and/or other similar positions were misclassified as exempt employees and were not properly paid overtime at the required time and one-half rate in violation of the Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 201, *et seq.* Plaintiff further claims that the actions of C.H. Robinson were willful. Plaintiff also seeks an additional equal amount as liquidated damages and/or prejudgment interest, attorney fees, and costs. No trial date has yet been set in this case.

C.H. Robinson denies the allegations and contends that the Carrier Positions were exempt and thus ineligible for overtime pay. C.H. Robinson contends that Plaintiff and individuals working in the Illinois Carrier Positions have been properly compensated and have received all wages to which they were entitled under the FLSA.

3. WHO MAY JOIN THE LAWSUIT

If you worked at C.H. Robinson in Illinois at any time from July 17, 2015 through and including the present in one of the Illinois Carrier Positions identified above, and are not subject to a valid and enforceable arbitration agreement, you may choose to join or “opt-in” to this lawsuit by mailing or delivering the Consent To Become A Party Plaintiff form (the form attached to this Notice) to Plaintiff’s attorney at the following address:

C.H. ROBINSON OVERTIME LITIGATION
c/o POTTER BOLAÑOS LLC
111 East Wacker Drive, Suite 2600
Chicago, Illinois 60601
(312) 861-1800 (phone)
(312) 861-3009 (fax)
nieves@potterlaw.org
patrick@potterlaw.org

Your completed and signed Consent form must be received by Plaintiffs' attorneys on or before 60 days (Monday September 16, 2019) from the date of this Notice, by which date it must be filed with the Court, for you to be eligible to participate in this lawsuit.

5. EFFECT OF JOINING THIS LAWSUIT

If you choose to join in the lawsuit, you will become a Party Plaintiff in this case. You will be bound by any ruling, judgment, award, or settlement in the lawsuit, whether it is favorable or unfavorable.

If you file a Consent form, your continued participation in this lawsuit may depend upon a later decision by the District Court that you and other Plaintiffs are actually "similarly situated" in accordance with federal law, and it is appropriate for the lawsuit to proceed as a collective action.

6. NO RETALIATION AGAINST YOU IS PERMITTED

Federal law prohibits C.H. Robinson from discharging you from employment or taking any other adverse employment action against you because you have joined this lawsuit or otherwise exercised your rights under the Fair Labor Standards Act.

7. YOUR LEGAL REPRESENTATION IF YOU JOIN

Plaintiff’s attorneys, POTTER BOLAÑOS LLC and THE FRANKLIN LAW FIRM, LLC will represent you should you elect to join this lawsuit. Your attorneys may be entitled to receive the payment of attorney fees and costs from

Taryn Dietrich v. C.H. Robinson Worldwide, Inc., Case No. 1:18-CV-04871 (N.D. Ill.)

C.H. Robinson should there be a recovery or judgment in your favor. Any payment of fees will require approval of the Court. If there is no recovery or judgment in your favor, you will not be responsible for any attorney fees, but you may be responsible for certain costs of litigation.

8. FURTHER INFORMATION

Further information about this Notice, or the deadline for filing a Consent form, or other questions about this lawsuit may be obtained by writing or telephoning Plaintiff's attorney at the number and address stated above. Further information about this lawsuit may also be obtained by reviewing the court file in the Clerk's Office, 20th Floor, 219 South Dearborn Street, Chicago, Illinois.

THIS NOTICE AND ITS CONTENTS HAVE BEEN AUTHORIZED BY THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS. THE FEDERAL DISTRICT COURT HAS TAKEN NO POSITION IN THIS CASE REGARDING THE MERITS OF PLAINTIFF'S CLAIMS OR OF DEFENDANT'S DEFENSES. NOTHING IN THIS NOTICE SHOULD BE CONSTRUED AS AN ADMISSION OF WRONGDOING BY C.H. ROBINSON. PLEASE DO NOT CALL OR WRITE THE COURT OR THE CLERK OF THE COURT. THEY CANNOT ANSWER QUESTIONS CONCERNING THIS LAWSUIT OR THIS NOTICE.

CONSENT TO BECOME A PARTY PLAINTIFF

By my signature below, I represent to the court that I worked at C.H. Robinson in the State of Illinois as an Assistant Carrier Account Manager, Buyer, Carrier Representative, Carrier Account Manager, Senior Carrier Account Manager, Capacity Account Manager, and/or a similar position at some time between July 17, 2015 to the present; that I have received the IMPORTANT NOTICE OF YOUR RIGHT TO JOIN AS A PLAINTIFF IN A LAWSUIT SEEKING TO RECOVER OVERTIME WAGES UNDER THE FAIR LABOR STANDARDS ACT; and that I believe I was not paid overtime at the required rate of pay for any hours worked in excess of forty (40) hours in a workweek. I hereby consent to become a plaintiff in this lawsuit and to be bound by any judgment of the Court or settlement of the lawsuit. I hereby designate POTTER BOLAÑOS LLC and THE FRANKLIN LAW FIRM, LLC to represent me for all purposes as a plaintiff in this lawsuit, and authorize Plaintiff and her counsel to prosecute this lawsuit and negotiate the terms of any settlement on my behalf.

Signature

Date:

My name is: (print your name)

[Please provide the following additional information, which will not be filed with the Court]

My name is: (Print your name)

My address is: (Street address)

(City, state, zip code)

My telephone number is:

My email address is:

IF YOU HAVE ANY QUESTIONS REGARDING THIS FORM, PLEASE CALL THE ATTORNEYS FOR PLAINTIFFS AT 1-312-861-1800. PLEASE DO NOT CALL OR CONTACT THE COURT WITH QUESTIONS ABOUT THE NOTICE, THE LAWSUIT, OR THE DEADLINE FOR FILING THIS CONSENT FORM.

Taryn Dietrich v. C.H. Robinson Worldwide, Inc., Case No. 1:18-CV-04871 (N.D. Ill.)

MAIL OR EMAIL TO:

C.H. ROBINSON OVERTIME LITIGATION, c/o POTTER BOLAÑOS LLC

111 East Wacker Drive, Suite 2600

Chicago, Illinois 60601

(312) 861-1800 (phone)

(312) 861-3009 (fax)

nieves@potterlaw.org; patrick@potterlaw.org