

TO: <Name>
FROM: Marlin & Saltzman, LLP, and The Diversity Law Group,
Plaintiff's Proposed Class Counsel Listed Below
RE: Lawsuit Regarding Recovery of Minimum Wages for time spent in training
under the federal Fair Labor Standards Act

**If you worked as a Sales Representative with Vector Marketing Corporation
at some point between April 15, 2006 and May 12, 2010, please read this
Notice.**

This collective action lawsuit may affect your rights.

A federal court authorized this Notice. This is not a solicitation from a lawyer.

- **Sales Representative, Alicia Harris,** has sued Vector Marketing Corporation (“Vector”) claiming, among other things, that Vector failed to pay minimum wages for time spent in training. You have been identified as a person potentially eligible to join this lawsuit. Vector denies Plaintiff’s allegations.
- The Court has conditionally certified the lawsuit to proceed as a collective action on behalf of current and former sales representatives who worked as a Sales Representative with Vector Marketing Corporation at some point between April 15, 2006, and May 12, 2010. At this time, the Court has not made any rulings regarding the merits of the case.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT	
ASK TO BE INCLUDED	If you choose to be included in this case, you keep the possibility of getting money or benefits from a trial or a settlement, and you give up any rights to separately sue Vector about the same legal claims in this lawsuit. <u>If you wish to be included, you must complete the Consent to Join form at the end of this Notice.</u>
DO NOTHING	By doing nothing, you give up the possibility of getting money or benefits from a trial or settlement as part of this lawsuit. You keep any rights to sue Vector separately about the same legal claims in this lawsuit, but the statute of limitations continues to run.

1. Why did I get this Notice?

Vector’s records show that you worked as a Sales Representative with Vector Marketing Corporation at some point between April 15, 2006, and May 12, 2010. This Notice explains that the Court has conditionally certified a collective action lawsuit that may affect you. You have legal rights and options that you may now exercise in this case. The case is known as *Alicia Harris v. Vector Marketing Corporation*, Case No. CV 08-5198 EMC, and is venued in the Northern District of California.

2. What is this lawsuit about?

The particular claim which is the subject of this Notice alleges that Vector failed to pay minimum wages under federal law to recruits for time spent in training, prior to the signing of the sales representative agreement. The suit also claims that Vector improperly classified its sales representatives as “independent contractors”, rather than as “employees”, after they signed the sales representative agreement. That claim is not included in the matters covered by this Notice, and is the subject of ongoing litigation in the case.

3. What is the position of Vector?

Vector denies that it is obligated to pay its recruits for the time spent in training. Vector also denies that it improperly classified the sales representatives as “independent contractors”, as opposed to “employees”, after they signed the sales representative agreement.

4. What is a collective action and who is involved?

In a collective action lawsuit, one or more people sue on behalf of other people who have similar claims. All workers who decide to participate in the case are “Collective Action Members.” Alicia Harris who sued Vector and all of the Collective Action Members like her are the Plaintiffs. Vector is the Defendant. One court resolves the issues for everyone who decides to join the case.

5. Has the Court decided who is right?

The Court has not decided whether Plaintiff or Vector is correct. The Court has conditionally certified the case as a collective action, and has ordered that this Notice be mailed to all the potential class members. The Court is not suggesting that either the Plaintiff or Vector will win or lose the case.

6. What are the Plaintiffs asking for?

With regard to the claims which the Court has now certified to proceed as a collective action, Plaintiff seeks to recover minimum wages for all hours the recruits spent in training prior to signing the sales representative agreement. Plaintiff also seeks “liquidated damages” relating to this training time claim, which could double the amount owed. Plaintiff also seeks recovery of costs and attorneys’ fees from Vector. Additional claims are also being asserted, as noted in Paragraph 2, above.

7. Can I join this lawsuit?

By receiving this Notice, you have been identified as potentially eligible to join this lawsuit. If you worked as a Sales Representative with Vector Marketing Corporation at some point between April 15, 2006 and May 12, 2010, you are potentially eligible to join this lawsuit. Current and former sales representatives are eligible to join.

8. I’m still not sure if I am included.

If you are still not sure whether you are included, you can get free help by calling or writing the lawyers in this case who are representing the named Plaintiff, at the phone number or address listed below. Otherwise, you may seek legal advice from an attorney of your choice at your own expense.

9. What happens if I join the lawsuit?

If you choose to join this lawsuit you will be considered a Collective Action Member and will be bound by any ruling, settlement or judgment, whether favorable or unfavorable. You will also be bound by, and will share in, any settlement that may be reached on behalf of the Collective Class. By joining this lawsuit, you designate the named Plaintiff as your representative and, to the fullest extent possible, to make decisions on your behalf concerning the case, the method and manner of conducting the case, the entering of an agreement with Plaintiff’s counsel regarding payment of attorneys’ fees and court costs, the approval of settlements, and all other matters pertaining to this lawsuit. These decisions and agreements made and entered into will be binding on you if you join the lawsuit. While the suit is pending, you may be required by the Court to provide information, appear for deposition or at trial, or otherwise participate in the case.

10. What happens if I do nothing at all?

If you choose not to join this lawsuit, you will not be directly affected by any ruling, judgment, or settlement rendered in this case, whether favorable or unfavorable. You will not be entitled to share any amounts recovered by Plaintiff as part of this lawsuit. You also will be free to independently retain your own counsel and file your own individual lawsuit, subject to any defenses that might be asserted. You should be aware that Fair Labor Standards Act claims are limited to a two- or three-year statute of limitations, and delay in joining this action or proceeding separately may result in some or all of your claims expiring as a matter of law.

11. How do I ask the Court to include me in the case?

Enclosed is a form called “Consent to Join.” In order to participate in this action, and possibly recover money at the conclusion of the lawsuit, you must submit this form. To join this collective action, you **must** fill out this form, and mail or fax the completed form to:

Vector Class Action Administrator
PO Box 4349
Portland, OR 97208-4349
Facsimile: (503) 350-5890
Phone: (888) 227-1521

If you are submitting the form by fax, you must do so on or before July 26, 2010. If you choose to mail the attached form, it must be postmarked no later than July 26, 2010. **If you submit the form late, you may be prohibited from participating in any recovery obtained against Vector in this lawsuit.**

12. Do I have a lawyer in this case?

If you choose to join this lawsuit you will be represented by the following attorneys:

Stan Saltzman
Christina A. Humphrey
Marlin & Saltzman
29229 Canwood Street, Ste. 208
Agoura Hills, California 91301
Telephone (818) 991-8080
www.marlinsaltzman.com

Larry Lee
Diversity Law Group
444 S. Flower Street
Citigroup Center, Suite 1370
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lwlee@diversitylaw.com

Sherry Jung
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444 S. Flower Street
Citigroup Center, Suite 1370
Los Angeles, California 90071
Telephone (213) 488-6555
Sherryj23@hotmail.com

13. Should I get my own lawyer?

If you choose to opt-in to the lawsuit by promptly returning a signed Consent to Join form, you do not need to hire your own lawyer because Plaintiff's counsel will be working on your behalf. But if you want your own lawyer, you may have to pay that lawyer and will have to file your own separate lawsuit.

14. How will the lawyers be paid?

The named Plaintiff has entered into a contingency fee agreement with Plaintiff's counsel, which means that if you do not win, there will be no attorneys' fees or costs chargeable to you. Under the fee agreement, in the event there is a recovery, Plaintiff's counsel will receive a percentage of any settlement obtained or money judgment entered in favor of all members of the Class. Alternatively, the Court may be asked to determine the amount of fees. The fees may be part of a settlement obtained or money judgment entered in favor of Plaintiff, or may be ordered by the Court to be separately paid by Vector, or may be a combination of the two.

15. Are there more details available?

If you have any questions or require additional information, please contact Plaintiff's law firms in this case: via mail at Christina A. Humphrey, Marlin & Saltzman, 29229 Canwood Street, Ste. 208, Agoura Hills, CA 91301; via telephone at (888) 405-9338; or via email at vectorlawsuit@marlinsaltzman.com; or visit the website: www.marlinsaltzman.com; or via mail at Larry Lee, The Diversity Law Group, 444 S. Flower Street, Ste. 1370, Los Angeles, CA 90071; via telephone at (877) 440-4434, or via email at vectorlawsuit@diversitylaw.com.

PLEASE DO NOT CONTACT THE COURT CLERK REGARDING THIS MATTER.

THIS NOTICE AND ITS CONTENTS HAVE BEEN AUTHORIZED BY THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA. THE COURT HAS TAKEN NO POSITION IN THIS CASE REGARDING THE MERITS OF PLAINTIFF'S CLAIMS OR VECTOR'S DEFENSES.