

If you were an hourly or salaried associate employed at one time by Wal-Mart (including Sam's Club and Distribution Centers) in the State of California, but whose employment with Wal-Mart ended at any time from March 20, 2002 up to March 26, 2010, a proposed class action settlement may affect your rights.

*Para una notificación en español, llamar o visitar nuestro website.*

You may be affected by the proposed settlement of a class action lawsuit alleging that Wal-Mart hourly and salaried associates in California were not paid all wages due them upon the termination of their employment. The lawsuit is titled *In re Wal-Mart Wage & Hour Litigation*, Case Number C 06-02069 SBA, and is pending in the United States District Court for the Northern District of California. This Notice summarizes your rights and options under the settlement. More information is included in a detailed notice available at the website below.

#### ARE YOU AFFECTED?

This proposed Settlement affects you if you previously worked as an hourly or salaried associate at a California Wal-Mart, Sam's Club or Distribution Center (collectively, "Wal-Mart"), and your employment with Wal-Mart ended at any time from March 20, 2002 up to March 26, 2010 (the "Settlement Class").

#### WHAT IS THIS CASE ABOUT?

The Plaintiffs in this lawsuit claim that Wal-Mart failed to pay its hourly and salaried associates all wages due them upon the termination of their employment, and failed to accurately record and report the wages of its terminated employees. Wal-Mart denies the Plaintiffs' allegations. The Court has not decided whether the Class or Wal-Mart is right. The Plaintiffs and their attorneys have concluded that the proposed Settlement is in the best interest of the Settlement Class members.

#### WHO REPRESENTS YOU?

The Court has designated Danton Ballard, Nathan Lyons, Barry Smith and Michael Wiggins to represent the Settlement Class as Class Representatives. The Court has also appointed the law firm of Marlin & Saltzman, LLP, the law offices of Peter M. Hart, and Bailey Pinney, P.C. to represent the Class Representatives and the Settlement Class as Class Counsel.

#### WHAT DOES THE SETTLEMENT PROVIDE?

The proposed Settlement provides that Wal-Mart will pay an amount up to \$86 million. To be eligible to receive any monies, a Settlement Class member must submit a Claim Form, which provides for an automatic payment to the Class Member based upon that Class Member's membership in one or more of three designated Subclasses.

#### WHAT ARE YOUR OPTIONS?

**You can exclude yourself from the Settlement Class** by sending an Opt-Out Letter postmarked by **September 20, 2010** as described in the detailed Notice. If you exclude yourself, you can pursue claims against Wal-Mart individually, but you will give up the right to any benefits under the proposed Settlement and may not object to the Settlement.

**You can stay in the Settlement Class** and be eligible to receive benefits. If you do not exclude yourself from the Settlement Class you will remain a Class Member and be eligible to submit a Claim Form postmarked by **November 4, 2010** for monetary benefits. If you choose this option, you will be legally bound by the terms and conditions of the Settlement, including the release of claims against Wal-Mart. If you remain in the Settlement Class, you also have the right to file a written objection and to appear before the Court to challenge the Proposed Settlement.

You can find more information regarding the Exclusion, Claims, and Objections procedures in the detailed Notice.

#### WHEN WILL THE COURT APPROVE THE PROPOSED SETTLEMENT?

The Court will hold a Settlement Approval Hearing on **September 28, 2010 at 1:00 p.m. in the United States District Court, Courtroom No. 1 at 1301 Clay St., Oakland, CA 94612** to determine whether the proposed Settlement should be approved as fair, and what amounts to award Class Counsel. The Court will also consider objections during this Hearing.

#### HOW CAN YOU GET MORE INFORMATION?

If you have questions or want a copy of the detailed Notice or other documents regarding this lawsuit and your rights, visit the Settlement website at [www.BALLARDvsWAL-MART.com](http://www.BALLARDvsWAL-MART.com), or the website of class counsel at [www.marlinsaltzman.com](http://www.marlinsaltzman.com). You may also call toll free 1-877-580-9734, or write to Wal-Mart Wage & Hour Litigation Claims Administrator, PO Box 4390, Portland, OR 97208-4390.