

NOTICE OF PROPOSED CLASS AND COLLECTIVE ACTION SETTLEMENT AND FAIRNESS HEARING

Stacy et al. v. Jennmar Corporation of Virginia, Inc. et al.
 U.S. District Court, Western District of Virginia, Case No. 1:21-cv-00015-JPJ-PMS

A federal court authorized this Notice. This is not a solicitation from a lawyer. You are receiving this Notice because Defendants’ records indicate you may be a member of one or more classes in this lawsuit and may be entitled to money from a proposed settlement.

A proposed class action settlement has been reached in the lawsuit captioned: *Stacy et al. v. Jennmar Corporation of Virginia, Inc. et al.*, Case No. 1:21-cv-00015-JPJ-PMS (W.D. Va.). If approved by the Court, the settlement will resolve the class and collective action lawsuit arising from allegations that Defendants failed to properly compensate certain non-exempt hourly employees for all hours worked.

PLEASE READ THIS NOTICE CAREFULLY

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
DO NOTHING	If you do nothing, and you are a class member, you will receive payment(s) as described in FAQ #5 . You will also be legally bound by the settlement and the releases described in FAQ #8 .
EXCLUDE YOURSELF FROM THIS SETTLEMENT DEADLINE: AUGUST 3, 2026	Excluding yourself from the settlement (or “opting out”) is the only option that allows you to sue, continue to sue, or be part of another lawsuit against the Defendants or other Released Parties for the claims this settlement resolves. If you exclude yourself, you will give up the right to receive any settlement benefits. More information about excluding yourself is available at FAQ #7 .
OBJECT TO THE SETTLEMENT DEADLINE: AUGUST 3, 2026	You may object to the settlement by writing to the Court and informing it why you do not think the settlement should be approved. You will still be bound by the settlement if it is approved. If you exclude yourself from the settlement, you <u>cannot</u> object to it. More information about objecting is available FAQ #7 .
ATTEND THE FINAL APPROVAL HEARING AUGUST 24, 2026	You may attend the Final Approval Hearing where the Court may hear arguments concerning approval of the settlement. If you wish to speak at the Final Approval Hearing, you must make a request to do so in your written objection. You are <u>not</u> required to attend the Final Approval Hearing. More information about the Court’s Final Approval hearing is available at FAQ #7 .

- These rights and options—**and the deadlines to exercise them**—are explained in this Notice.
- The Court has not decided whether Plaintiffs or Defendants are correct. The parties have agreed to a settlement to avoid the cost, risk, and delay of trial.

Questions? Visit www.JennmarWageSettlement.com or call toll-free 1-800-384-4310.

1. What is This Case About?

Plaintiffs filed this lawsuit on behalf of non-exempt hourly employees who worked for Defendants at their manufacturing facilities. Plaintiffs allege that Defendants failed to pay employees for all compensable time worked, including certain pre- and post-shift work, and that Defendants' timekeeping practices resulted in employees not being paid for all time actually worked. Plaintiffs seek unpaid wages, statutory damages, interest, attorneys' fees, and costs. Defendants deny all liability and contend they complied with the law.

2. What is a Class Action and a Collective Action?

This lawsuit includes both:

- A **Federal Rule of Civil Procedure 23 class action** for certain Virginia state-law wage and related claims. If the Court approves the settlement, most people covered by the Virginia classes will be included automatically unless they opt out.
- An **FLSA nationwide collective action** for federal wage claims under the Fair Labor Standards Act ("FLSA"). Only individuals who filed an FLSA Consent Form in this case are part of the FLSA collective for settlement purposes. If you did not file a Consent Form, you are not part of the FLSA settlement group.

3. Am I Included in the Settlement?

Defendants' records show you may be in one or more of the following groups:

1. **Virginia Wage Class** – You are a member of the Virginia Wage Class if you worked for one or more Defendants in Virginia as a non-exempt hourly employee at any time from April 12, 2018 through February 10, 2026, and your employment falls within the class definition approved by the Court and set forth in the Settlement Agreement.
2. **Breach of Contract Class** – You are a member of the Breach of Contract / Quantum Meruit Class if you worked for one or more Defendants in Virginia as a non-exempt hourly employee at any time from April 12, 2016 through February 10, 2026, and your employment falls within the class definition approved by the Court and set forth in the Settlement Agreement.
3. **FLSA Class** – You are a member of the FLSA Class only if you previously filed a written Consent to Join this lawsuit under the FLSA.

If you are unsure whether you are included, you may contact the Settlement Administrator at the phone number/website below.

4. What Are the Terms of the Settlement?

- Defendants will pay a total of \$3,000,000.00 (the "Settlement Amount"), plus any employer payroll taxes/withholdings ordinarily borne by employers on the payroll portion.
- The Settlement Amount will be reduced by Court-approved:
 - Settlement administration costs (up to \$35,000.00),
 - Litigation costs/expenses (\$209,155.51),
 - Attorneys' fees (requested at \$1,000,000.00, which is one-third of the Settlement Amount), and

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- Service awards (requested total \$50,000.00 – \$25,000 each for the two Named Plaintiffs).
- After these deductions, the amount available for payments to class/collective members is the Net Settlement Amount: \$1,705,844.49.
- The Net Settlement Amount will be allocated as follows:
 - \$1,446,842.20 – Virginia Wage Class Fund (for Virginia wage claims)
 - \$200,986.25 – Breach of Contract Class Fund (for contract/quantum meruit/unjust enrichment claims)
 - \$58,016.04 – FLSA Class Fund (for FLSA claims by FLSA opt-ins)

5. How Will My Settlement Payment Be Calculated?

If you are eligible and do not opt out, you will receive payment based on Defendants’ payroll and timekeeping records and the allocation plan approved by the Court.

- If you are a member of the Virginia Wage Class, you will receive a pro rata share of the Virginia Wage Class Fund.
- If you are a member of the Breach of Contract Class, you will receive a pro rata share of the Breach of Contract Class Fund.
- If you are an FLSA opt-in (i.e., you filed a Consent Form), you will receive a pro rata share of the FLSA Class Fund.

Your Notice Packet will include an individualized estimate of your payment based on Defendants’ records.

6. How and When Will I Get Paid?

If the settlement is approved and becomes effective, the Settlement Administrator will mail you two checks representing your total pro rata settlement payment:

- A payroll check representing 50% of your total settlement payment (with lawful withholdings; you will receive a W-2 for this portion); and
- A non-payroll check representing 50% of your total settlement payment (not subject to payroll withholding; you will receive a Form 1099 or other applicable tax form for this portion).
- Settlement checks will expire 150 days after the Effective Date.
- If your address changes, you should promptly notify the Settlement Administrator.
- No claim form is required; eligible class members who do not opt out will automatically receive payment if the settlement is approved.

Important: This Notice is not tax advice. You may wish to consult a tax professional.

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7. What Are My Options?

You have three options:

- **Option 1: Do nothing** (stay in the settlement) – If you do nothing, and you are a class member, you will receive payment(s) as described above. You will also be legally bound by the settlement and the releases described below.
- **Option 2: Opt out** (exclude yourself); Rule 23 classes only – If you opt out, you will not receive money from the Virginia Wage Class Fund or Breach of Contract Class Fund, and you will not release the Virginia wage/contract claims covered by the settlement. Opting out applies only to the Rule 23 classes; it does not remove you from the FLSA collective if you already opted in.
 - How to opt out – To opt out, you must submit a written request for exclusion in the manner described below:
 - Your request must include: your name, current address, phone number, signature, and a statement such as: “I request to be excluded from the settlement in *Stacy, et al. v. Jennmar, et al.*, Case No. 1:21-cv-00015-JPJ-PMS.”
 - Your request must be postmarked by **August 3, 2026** (the “Opt-Out Deadline”), which is 45 days after the Settlement Administrator mails this Notice.
 - Send opt-out requests to:

Jennmar Settlement
Attn: Exclusion Requests
P.O. Box 58220
Philadelphia, PA 19102
- **Option 3: Object** (tell the Court you disagree) – If you do not opt out, you may object to the settlement. If you object, you remain in the settlement and will be bound by the Court’s decision.
 - Who May Object – You may object to the Settlement only if you are a Settlement Class Member and you do not exclude yourself from the Settlement. If you timely request exclusion from the Settlement, you may not object to the Settlement because you will no longer be part of the Settlement Classes.
 - How to object – To object, you must file a written objection with the Court and serve it on Class Counsel and Defense Counsel by **August 3, 2026** (the “Objection Deadline”), which is no later than 45 days after the Settlement Administrator mails this Notice. The Court will consider only those objections that are both filed with the Court and served on counsel by the deadline.
 - What Your Objection Must Include – Your written objection must include: (1) your full name, current address, telephone number, and signature; (2) a statement that you are a member of one or more of the Settlement Classes; (3) the reasons you object to the Settlement, including any legal or factual support for your objection; (4) copies of any documents you want the Court to consider; and (5) a statement whether you intend to appear at the Final Approval Hearing.
 - Appearance at the Final Approval Hearing – You may appear at the Final Approval Hearing either
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on your own or through an attorney retained at your own expense. If you or your attorney wish to speak at the Final Approval Hearing, you must state that intention in your written objection filed and served by the deadline above.

- File your objection with:

Clerk of Court
United States District Court, Western District of Virginia
180 W. Main Street
Room 104
Abingdon, Virginia 24210

- Serve your objection on:

- Class Counsel

Robert W.T. Tucci
Gregg C. Greenberg
ZIPIN, AMSTER & GREENBERG, LLC
8757 Georgia Avenue, Suite 400
Silver Spring, MD 20910

- Defense Counsel

Brendan C. Horgan
FORDHARRISON LLP
6802 Paragon Place, Suite 410
Richmond, Virginia 23230

Benjamin P. Fryer
FORDHARRISON LLP
6000 Fairview Road, Suite 1415
Charlotte, NC 28210

- The Court will consider any objections that are timely filed. This does not mean, however, that the Court will necessarily take action based on any objection. If the Court rejects your objection, you will still be bound by the terms of the settlement and the release of claims explained in Section 8 below.

You may, if you wish, enter an appearance in this case through your own attorney at your own expense.

8. What Claims Am I Releasing if I Stay in the Settlement?

If you do not opt out and the settlement becomes effective:

- Virginia Wage Class Members will release wage payment and wage and hour claims under Virginia law that were or could have been asserted in this lawsuit based on the facts alleged in the case, including claims relating to alleged unpaid straight-time wages, alleged unpaid overtime wages, alleged rounding or timekeeping practices, alleged off-the-clock or pre- and post-shift work, alleged wage statement violations, and related remedies, for the applicable settlement period.

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- Breach of Contract Class Members will release common law claims that were or could have been asserted in this lawsuit based on the facts alleged in the case, including breach of contract, quantum meruit, and unjust enrichment claims relating to alleged unpaid wages, for the applicable settlement period.
- FLSA opt-ins (FLSA Class Members) will release federal wage and hour claims under the FLSA that were or could have been asserted in this lawsuit based on the facts alleged in the case, including claims for alleged unpaid overtime, alleged off-the-clock or pre- and post-shift work, alleged rounding or timekeeping practices, liquidated damages, and related remedies, for the applicable settlement period.

The full release language, including the definitions of “Released Parties,” “Released Claims,” and the applicable time periods, is contained in the Settlement Agreement, which is available on the Settlement Website or from Class Counsel upon request.

9. What Fees, Costs, and Service Awards Will Class Counsel Request?

Class Counsel will ask the Court to approve:

- Attorneys’ fees: \$1,000,000.00 (one-third of the Settlement Amount)
- Litigation costs/expenses: \$209,155.51
- Service awards: total \$50,000.00 (\$25,000 for each Named Plaintiff)
- Settlement administration costs: up to \$35,000.00

The Court may award less than the amounts requested.

10. When Will the Court Decide Whether to Approve the Settlement?

The Court will hold a Final Approval Hearing to decide whether to approve the settlement and the requested fees, costs, and service awards.

- Date: August 24, 2026
- Time: 1:30 p.m. EDT
- Location: United States District Court, Western District of Virginia, 180 W. Main Street, Abingdon, Virginia 24210

You may attend the hearing at your own expense. If you wish to speak at the hearing, you must follow the procedures described in Section 7 (Objections).

11. If I Exclude Myself from the Settlement, Can I Get Money from This Settlement?

No. If you exclude yourself, you are telling the Court that you do not want to be part of the settlement. You are only eligible to receive settlement benefits if you stay in the settlement.

12. If I Am a Current Employee, Will I Experience Any Retaliation or Discrimination?

No. It is against the law to retaliate or discriminate against an employee who decides to participate in this settlement agreement. Defendants will not discriminate or retaliate against you in any way because of your decision to participate or not in the lawsuit or this settlement.

Questions? Visit www.JennmarWageSettlement.com or call toll-free 1-800-384-4310.

13. Where Can I Get More Information?

This Notice summarizes the settlement. More details are in the Settlement Agreement and related Court filings.

- Settlement Website: www.JennmarWageSettlement.com
- Toll-Free Number: 1-833-384-4310
- Email: info@JennmarWageSettlement.com

You may also contact Class Counsel:

Robert W.T. Tucci
Gregg C. Greenberg
ZIPIN, AMSTER & GREENBERG, LLC
8757 Georgia Avenue, Suite 400
Silver Spring, MD 20910
301-587-9373
rtucci@zagfirm.com

DO NOT Contact the Court or the Clerk's Office for Settlement Information

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