

NOTICE OF CLASS ACTION LAWSUIT

*Avery, et al., v. TEKsystems Inc., Civil Action No. 3:22-cv-02733-JSC
United States District Court, Northern District of California*

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

- Former TEKsystems Recruiters in California sued TEKsystems alleging that it improperly classifies “Recruiters” (as defined in Section 5 of this Notice) as exempt from receiving overtime under California law, and also alleging that TEKsystems violated other wage and hour laws, and TEKsystems therefore illegally underpays Recruiters. TEKsystems denies that it violated California state wage and hour laws.
- The Court where the Lawsuit is pending is allowing the Lawsuit to proceed as a class action, and you have been identified as a “Class Member” who is covered by the Lawsuit.
- Please read this notice carefully. It describes the class action lawsuit and informs you of your legal rights and options in this Lawsuit. To ask to be excluded from this class action, you must act before June 15, 2024.

Any questions? Read on or contact Class Counsel, identified in Section 11 of this Notice for more information.

BASIC INFORMATION

1. What is this Notice About?

This Notice is about a class action lawsuit pending against TEKsystems, Inc. in the United States District Court for the Northern District of California. The lawsuit is titled *Avery, et al., v. TEKsystems Inc.*, Civil Action No. 3:22-cv-02733-JSC (“the Lawsuit”).

2. What is this Lawsuit about?

The Lawsuit claims that TEKsystems violated California state laws by failing to pay Recruiters (as defined in Section 5 of this Notice) overtime wages for any hours worked over 40 in a workweek or over 8 in a workday, failing to have a policy and practice of providing meal and rest breaks, and failing to timely pay Recruiters for these wages. The Lawsuit seeks unpaid wages, overtime wages, statutory damages and penalties, plus prejudgment interest, attorneys’ fees and other costs. TEKsystems denies that it violated California state wage and hour laws.

3. Why did I get this Notice?

You are receiving this notice because TEKsystems’ records indicate that you were employed as a “Recruiter” at some time between January 28, 2018 and the present. This notice explains that the Court has allowed, or “certified,” a class action Lawsuit that may affect you. This Notice will tell you about your rights in this Lawsuit.

Unless you ask to be excluded, you will be part of the Class if you were employed as a “Recruiter” (as defined in Section 5 of this Notice) at TEKsystems between January 28, 2018, and the present. It does not matter if you are currently or formerly in the “Recruiter” role.

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

In a class action lawsuit, one or more people called “Class Representatives” sue on behalf of other people who have similar claims. The people together are a “Class” or “Class Members.” The individuals who sued—and all the Class Members like them—are called the Plaintiffs. The company they sued (in this case TEKsystems) is called the Defendant. One court resolves the issues for everyone in the Class—except for those people who choose to exclude themselves from the Class.

5. What Classes Did the Court Certify and What Time Period Does the Lawsuit Cover?

The Court certified the Class and one Subclass in this Lawsuit.

1. The Class is defined as: All current and former “Recruiters” employed by Defendant in California from January 28, 2018 to the final date of judgment;
2. The Subclass is defined as: All class members who worked for Defendant as “Recruiters” on or after January 28, 2019 and who are no longer employed by Defendant and have not been employed by Defendant for more than 72 hours.

The Class and Subclass do not include time you were employed by TEK in roles other than “Recruiter.” For example, the Class and Subclass do not include time employees worked in the following roles: Recruiter II, VMS Recruiter, Assigned Recruiter, Specialized Recruiter, Professional Recruiter, Senior Recruiter, Lead Recruiter, Recruiting Lead, Recruiting Lead II, Specialization Lead, Team Lead – Delivery, Team Lead – Delivery II, Sourcing Specialist – Alt Del, Specialization Lead, and Specialization Lead II.

YOUR RIGHTS AND OPTIONS

6. What are My Options?

You have to decide whether to stay in the Class or ask to be excluded from it, and you have to decide this now.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:	
DO NOTHING	<p>Stay in this Lawsuit. Await the outcome. Give up certain rights.</p> <p>By doing nothing, you remain a Class Member and you keep the possibility of getting money or benefits that may come from a trial or a settlement. But, you give up any rights to sue TEKsystems separately about the same legal claims in this Lawsuit.</p>
ASK TO BE EXCLUDED	<p>Get out of this Lawsuit. Get no benefits from it. Keep rights.</p> <p>If you ask to be excluded and money or benefits are later awarded, you won’t share in those. But, you keep any rights to bring a claim against TEKsystems separately about the same legal claims in this Lawsuit.</p>

7. Can TEKsystems retaliate against me for participating in the case?

No. The law prohibits TEKsystems from retaliating against you, discharging you, or in any manner discriminating against you because you participate in the Lawsuit or have in any other way exercised your rights under the law.

8. Am I a Class Member if TEKsystems sent me an arbitration agreement that bans participation in class actions?

Yes, you are still a Class Member in this lawsuit. The Court has not ruled that the arbitration agreements prevent any employee from participating. If you have any questions or concerns about TEKsystems’ Mutual Arbitration Agreement, please contact Class Counsel, whose contact information is listed below in Section 11.

9. What happens if I do nothing at all?

You don’t have to do anything now if you want to keep the possibility of getting money or benefits from this Lawsuit. By doing nothing you are staying in the Class. If you remain a Class Member and the Plaintiffs obtain money or benefits, either as a result of a trial or a settlement, you will be notified about how to apply for a share (or how to ask to be excluded from any settlement). Keep in mind that if you do nothing now, regardless of whether the Plaintiffs win or lose the trial, you will not be able to bring a claim, or continue to bring a claim, against TEKsystems—as part of any other lawsuit—about the same legal claims that are the subject of this Lawsuit. This means that if you do nothing, you may only be able to sue for unpaid

overtime wages and unpaid meal and rest breaks that occurred *before* January 28, 2018 or occurs *after* final judgment only. You will also be legally bound by all of the Orders the Court issues and judgments the Court makes in this class action.

10. How do I ask the Court to exclude me from the Class?

You do not have to do anything to remain in the case. This section provides you with instructions on how to exclude yourself from the case, if you wish to file your own separate claim against TEKsystems for overtime claims or for any other reason. While you are not obligated to be part of the case, you should understand that:

- This notice was sent to more than 500 current and former TEKsystems Recruiters.
- If you wish to remain in the case, your name will not be publicly disclosed or filed with the Court.
- Neither TEKsystems nor your current employer can retaliate against you for remaining in this case.

If you do not want to be a class member in the Lawsuit, you must prepare a note or letter simply stating: “I wish to be excluded from the Avery v. TEKsystems lawsuit.” To be valid, the exclusion request must also include your signature, printed full name, address, and telephone number.

Your exclusion request must be postmarked no later than June 15, 2024, and it must be mailed to Avery v. TEKsystems c/o Analytics Consulting LLC, PO Box 2002, Chanhassen MN 55317-2002. You can also submit an exclusion request at www.tekreuitercaliclassaction.com.

If you exclude yourself from the Lawsuit, you will not be bound by any future Court rulings, jury findings, or settlement awards (if any) made in the Lawsuit, and you will retain the right to start your own claim against TEKsystems. You should be aware that all claims are subject to a statute of limitations.

THE LAWYERS REPRESENTING YOU

11. Do I have a lawyer in this case?

The Court decided that the law firms of Werman Salas P.C., Lichten & Liss-Riordan, P.C., and Olivier & Schreiber LLP are qualified to represent you and all Class Members. Together the law firms are called “Class Counsel.” They are experienced in handling similar cases against other employers. More information about these law firms, their practices, and their lawyers’ experience is available at www.flsalaw.com; <https://www.llrlaw.com>; and <https://os-legal.com>.

You can contact Class Counsel:

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12. Should I get my own lawyer?

You do not need to hire your own lawyer because the Court appointed Class Counsel to represent you. But, if you want to hire your own lawyer, you can.

13. Am I required to pay any money to the Lawyers?

You will *not* personally pay any legal fees or expenses to Class Counsel. If TEKsystems wins the Lawsuit, Class Counsel will recover nothing. If the Recruiters win the Lawsuit or if the Lawsuit is settled, Class Counsel will ask the Court to award them a fee to be paid either by TEKsystems or from the total amount of money awarded to Class Members. The Court will determine the fairness of any fees to be awarded if Plaintiffs are successful.

GETTING MORE INFORMATION

14. Are more details available?

This Notice summarizes the most important aspects of this class action lawsuit. You can obtain further information by calling one of the law firms listed in Section 11 above or by visiting the website www.tekreuitercaliclassaction.com. The website will include the Court's Order Certifying the Class, the Complaint that the Plaintiffs filed that identifies the claims in the Lawsuit, and TEKsystems' Answer to the Complaint.

THIS NOTICE AND ITS CONTENTS HAVE BEEN AUTHORIZED BY THE HONORABLE JACQUELINE SCOTT CORLEY, U.S. DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA. THE COURT HAS TAKEN NO POSITION IN THIS CASE REGARDING THE MERITS OF PLAINTIFFS' CLAIMS OR OF THE DEFENDANT'S DEFENSES.

PLEASE DO NOT CONTACT THE COURT, THE COURT'S CLERK, OR THE JUDGE.