

September 19, 2014

**THIS IS AN IMPORTANT NOTICE REGARDING YOUR PRIVACY RIGHTS AND DISCLOSURE  
OF YOUR PERSONAL CONTACT INFORMATION**

**VIA U.S. MAIL**

ILYM ID: «ILYM ID»  
«Name»  
«Address1» «Address2»  
«City», «State» «Zip»

**Re: Jeremy Jenkins, individually, and on behalf of all others similarly situated vs. Horizon Beverage Company, L.P., Alameda County Superior Court, Central Division, Case No. RG13691776**

Dear «Name»:

This notice contains important information about your privacy rights under the United States and California Constitutions. If you do not object by **October 20, 2014**, your personal contact information, including your name, address, and telephone number will be disclosed to counsel for Plaintiff Jeremy Jenkins (“Plaintiff”) as described below.

On August 14, 2013, Plaintiff filed a class action lawsuit against Defendant Horizon Beverage Company, L.P. (“Defendant”) in Alameda County Superior Court, on behalf of himself and all former and current employees of Defendant who worked as hourly employees (hereinafter “Non-Exempt Employees”). On September 16, 2013, Plaintiff filed a First Amended Complaint (“FAC”). The case is entitled *Jeremy Jenkins v. Horizon Beverage Company, L.P.*, Case No. RG13691776 (the “Action”). In the FAC, Plaintiff alleges Defendant violated the following California labor laws:

**Unpaid Overtime**

Plaintiff alleges Defendant violated California’s overtime law by requiring the Non-Exempt Employees to work more than 8-hours in a day or more than 40-hours in a week without being paid time and a half for all hours worked over 8-hours in a day or 40-hours in a week.

**Meal Break Violations**

Plaintiff alleges Defendant violated California law by not providing the Non-Exempt Employees off-duty, uninterrupted 30-minute meal breaks if they worked more than the five and ten hours in a single shift.

**Rest Break Violations**

Plaintiff alleges Defendant violated California law by not providing Non-Exempt Employees off-duty, uninterrupted 10-minute rest breaks for every four hours worked or major fraction thereof.

### **Wage Statement Violations**

Plaintiff alleges Defendant violated California law by failing to provide the Non-Exempt Employees with accurate, itemized wage statements showing all hours worked and applicable rates of pay for each hour worked.

### **Non-Payment of All Wages Due Upon Termination**

Plaintiff alleges Defendant violated California law by failing to pay the Non-Exempt Employees all wages due upon termination.

### **PAGA Penalties**

Plaintiff alleges Defendant owes the Non-Exempt Employees penalties for violating the above California labor laws.

After the FAC was filed, Plaintiff lost his ability to remain as plaintiff both as an individual and as the representative of the class of Non-Exempt employees. As a result, on July 16, 2014, the Court issued a ruling to allow Plaintiff's counsel to conduct discovery to secure a new class representative. If a new class representative is found, the Action will continue. If a new class representative is not found, the Action will be dismissed. If the Action is dismissed, your potential claims, damages and remedies against Defendant may be lost due to the passage of applicable statute of limitations. At this point, the Court has not decided whether or not violations occurred or whether the Action can proceed as a class action.

Plaintiff's counsel is seeking your contact information in their effort to search for a new class representative(s) who can maintain the claims in the Action.

The Alameda County Superior Court has ordered that a letter be sent to you so you can decide if you want to object to Plaintiff's counsel receiving your personal contact information.

If you do **NOT** object by **October 20, 2014**, your name, address, and telephone number will be given to Plaintiff's counsel, who may contact you either in person and/or by telephone.

- If you do **NOT** want your personal contact information to be given to Plaintiff's counsel, you must object by **October 20, 2014** by filling out and mailing or faxing the enclosed **postcard** to the third party administrator before **October 20, 2014**.
- If you **DO** want your personal contact information to be given to Plaintiff's counsel, you need not to respond to this notice.

Your decision about whether to object to the release of your personal contact information to Plaintiff's counsel is voluntary.

If you would like to find out more about the case, you can click on the following link: [www.ilymgroupclassaction.com](http://www.ilymgroupclassaction.com). This link has a copy of the FAC, Defendant's answer, a copy of this Notice, and the contact information of counsel of record for Plaintiff and Defendant.

Thank you for your cooperation.