

NOTICE OF COLLECTIVE ACTION LAWSUIT

Charlene Kelley v. Willamette Valley Medical Center, LLC
United States District Court for the District of Oregon Case No. 3:20-CV-02196-SB

TO: All current and former hourly, non-exempt employees with patient care responsibilities, including but not limited to nurses, nursing aides, nursing assistants, technicians, non-exempt therapists, or other employees with similar patient care job duties employed by Defendant in the United States at any time from December 18, 2017 to the present.

RE: **Collective Action Lawsuit under the Fair Labor Standards Act (“FLSA”) lawsuit seeking alleged unpaid wages.**

****PLEASE READ THIS NOTICE CAREFULLY****

1. INTRODUCTION

You are receiving this notice because you worked for Willamette Valley Medical Center, LLC (WVMC) during the period from December 18, 2017 through the present as an hourly-paid, non-exempt employee with patient care responsibilities. A lawsuit has been filed alleging that you and other similarly situated employees are owed wages for time spent working before and after scheduled shifts and/or time spent working during unpaid meal breaks.

The Court has allowed this notice to advise you of how your rights may be affected by this suit, and to describe how you can participate in this suit, should you choose to do so.

2. DESCRIPTION OF THE LAWSUIT

This lawsuit on behalf of current and former hourly, non-exempt patient care staff of WVMC alleges that WVMC’s patient care staff failed to receive payment for time spent working before and after scheduled shifts and for time spent working during unpaid meal breaks.

Plaintiff seeks to recover payment for all hours worked on behalf of herself and all similarly situated workers. The Court has conditionally certified the federal claims brought in this case for the purpose of authorizing notice of this lawsuit to be sent to all current and former non-exempt, hourly patient care staff employees who have been employed by WVMC during the time period of April 3, 2016, through the present. The Court has made no determination as to whether WVMC violated any law, and WVMC asserts that all current and former employees have been properly paid and denies any wrongdoing.

3. YOUR RIGHT TO PARTICIPATE IN THIS SUIT

You may join, or “opt in” to, this lawsuit by submitting your “Opt-in Consent Form to the Notice Administrator by: (1) visiting the following website www.ilymgroup.com/WVMC and submitting your completed “Opt-In Consent Form” electronically, (2) emailing your completed “Opt- In Consent Form” to claims@ilymgroup.com, or (3) mailing your completed “Opt-In Consent Form” to the ILYM Group, Inc. at the following address:

ILYM ID: <<ILYM ID>>

WVMC FLSA LITIGATION
c/o ILYM Group, Inc.
P.O. Box 2031
Tustin, CA 92781

Error!

You are not required to join or “opt in” to this lawsuit, but if you wish to do so, this form must be returned to the Notice Administrator in sufficient time for it to be filed with the federal court on or before December 20, 2022. If you fail to return the “Opt-In Consent Form” to the Claims Administrator in time for it to be filed with the federal court by these deadline dates, you may not be able to participate in this lawsuit.

If you file an “Opt-In Consent Form,” your continued right to participate in pursuing these FLSA claims in this action may depend upon a later decision by the Court as to whether you and the named Plaintiff are actually “similarly situated” in accordance with federal law.

4. EFFECT OF JOINING THIS SUIT

If you choose to join this suit, you will be bound by the judgment or settlement, whether it is favorable or unfavorable as to claims made in this action under the FLSA. If the Court or jury rules in favor of the WVMC, you will not be entitled to any relief under the FLSA if you join this action. By joining this lawsuit, you may designate the Named Plaintiff and her attorneys as your agents to make decisions on your behalf concerning the litigation. If you desire, however, you also may retain a different lawyer to represent you and have that lawyer enter an appearance in this lawsuit on your behalf, or you may choose not to retain a lawyer and represent yourself in this action within the applicable statute of limitations period.

5. NO LEGAL EFFECT IN NOT JOINING THIS SUIT

If you do not wish to be a part of the collective action lawsuit, you do not need to do anything. If you choose not to join this suit, you will not be affected by any judgment or settlement rendered in this case, whether favorable or unfavorable. If you choose not to join in this lawsuit, you are free to file your own lawsuit.

6. NO OPINION EXPRESSED AS TO THE MERITS OF THE CASE

This Notice is for the sole purpose of determining the identity of those persons who wish to join and participate in this lawsuit. Although the United States District Court for the Eastern District of Washington has authorized the sending of this Notice, the Court has expressed no opinion regarding the merits of Plaintiff’s claims or WVMC’s defenses.

7. NO RETALIATION PERMITTED

Federal law prohibits WVMC, their managers, supervisors, or any other employees from discharging or in any other manner discriminating or retaliating against you because you have exercised your rights under the FLSA to join, or not to join, this action. This does not mean however that current employees of WVMC cannot be subject to disciplinary action for other reasons unrelated to participation in this lawsuit. If you suspect any retaliation or discrimination, call (415) 421-7100 immediately and ask to speak to one of the attorneys named below.

8. YOUR LEGAL REPRESENTATION IF YOU JOIN

You can get more information by calling or emailing Plaintiff's attorneys:

Attorneys:

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You should not contact the Court to discuss this matter.

****PLEASE NOTE****

There is a two (2) year deadline for filing FLSA claims or three (3) years if the violation is determined to be willful. This deadline continues to run until you "opt-in" to this conditionally certified Collective Action. If you wish to participate in this Collective Action, return your "Opt-in Consent Form" as soon as possible so that your rights may be preserved.