

STANLEY BACKUS, ET AL. V. UNLIMITED STAFFING SOLUTIONS, INC., JEAN
CAMPOMIZZI, JOHN DOE No. 1, JOHN DOE No. 2, and JOHN DOE No. 3
Commonwealth of Pennsylvania Court of Common Pleas, Montgomery County
January Term, 2008, Class Action No. 08-00339

**NOTICE TO CLASS MEMBERS OF FINAL APPROVAL OF
CLASS ACTION SETTLEMENT**

TO ALL CURRENT AND FORMER NON-SUPERVISORY HOME HEALTH CARE PROVIDERS FOR UNLIMITED STAFFING SOLUTIONS, INC. DURING THE PERIOD JANUARY 7, 2005 TO JULY 29, 2011:

READ THIS NOTICE CAREFULLY

Background

On January 7, 2008, Stanley Backus (“Plaintiff”) filed suit on behalf of himself and other Unlimited Staffing Solutions, Inc. home health care workers, alleging that he and other workers were not paid for all hours worked, including time and one half for hours worked over forty (40) in a week in violation of Pennsylvania law. Defendants deny any wrongdoing.

While Plaintiff believes that his claims are meritorious and Defendants maintain that they have correctly paid wages, both parties have decided to settle this action to avoid the uncertainty, disruption and expense of continued litigation. Class Counsel and Plaintiff believe that the terms of the settlement are fair, reasonable, adequate and in the best interest of the class.

On November 18, 2011, the Court issued an Order Granting Final Approval of the Settlement.

What is this notice?

This notice is to inform you of the Final Approval of settlement of the Class Action and to explain your rights and options for participating in the settlement.

Why am I receiving this notice?

This notice was sent to you because according to the records of Unlimited Staffing Solutions, Inc., you worked for Unlimited Staffing Solutions, Inc. as a home health care provider for some or all of the period between January 7, 2005 and July 29, 2011.

What are the terms of the settlement?

Under the settlement, Unlimited Staffing Solutions, Inc. will pay into a Settlement Fund of up to \$500,000.00. The payments will be made over a period of up to six years from the date of the Court’s Final Approval of the Settlement. From the Settlement Fund, there will be available for distribution to the Class \$280,000. Class Representatives Stanley Backus and Nicole Jackson are eligible to receive payments of \$10,000.00 each for their role in bringing the litigation and their services to the Class during the course of the litigation. Class Counsel is eligible to receive

\$164,521.89 in fees and reimbursement of costs of \$10,478.11 from the Settlement Fund, subject to approval by the Court.

What do I have to do to get my share of the Settlement?

If you wish to receive a distribution from the Settlement, you must return the enclosed Claim Form to the Claims Administrator at:

Wage Settlement Claims Administrator
c/o Brodie & Rubinsky, P.C.
P.O. Box 22373
Philadelphia, PA 19110

The form must be postmarked by **March 22, 2012** in order to be considered timely.

What rights am I giving up as part of the Settlement?

Unless you excluded yourself as instructed in the Notice to Class Members Regarding Pendency of a Class Action, you will remain a member of the Class and will be deemed to have released all state law wage claims against all Defendants. This means that you cannot bring a separate lawsuit against the Defendants for state law wage claims for wages due between January 7, 2005 and July 29, 2011.

In addition, if you participate in the Settlement by submitting a timely claim form, you will be deemed to have released all claims for wages against all Defendants under the federal Fair Labor Standards Act.

What if I do nothing?

If you do not send in a Claim Form, you will still be deemed to have released all state law wage claims against the Defendants. You will not receive any payment from the Settlement, and the amount you would have received will be distributed pro rata to the rest of the Class.

How much will I receive from the Settlement?

Class Counsel has allocated the distribution amount of \$280,000.00 using a formula that takes into account each Class Member's months of employment with Unlimited Staffing Solutions, Inc., hours worked, and travel incidents, with a minimum payment of \$50.00. Your eligible distribution is noted on the enclosed claim form.

When will I get a payment from the Settlement?

Because Defendants are making payments over a six-year period, it is expected that there will be yearly payments, starting in 2012 and ending in 2017. Payments to Class Members and to Class Counsel are contingent upon Defendants' continued payments to the Settlement Fund.

Will I have to pay taxes on the payment from the Settlement?

Part of the Settlement is deemed wages, and taxes will be withheld from that portion. There will be a form W-2 issued to you for the wage amount. The rest of the Settlement is deemed interest and liquidated damages. No taxes will be withheld, and a form 1099 will be issued to you for that portion.

Any Class Member who is due to receive \$100.00 or less under the distribution formula will receive the entire amount with the first distribution and will then receive no future payments from the settlement.

Defendants, Plaintiffs and Counsel for the parties make no representations as to the taxability of any portion of the Settlement.
You should seek your tax advice prior to acting in response to this notice.

How can I get more information?

This Notice is a summary of the litigation and Settlement. You may review the complete filings in this case, including the Settlement Agreement, during business hours at:

Prothonotary of Montgomery County
Swede and Airy Streets
Courthouse 1st Floor
Norristown, PA 19404-0311

You may also contact Class Counsel by telephone at (215) 925-1470 or by email at UnlimitedStaffingSettlement@brodierubinsky.com. Information is also available by going to the firm's web site at www.brodierubinsky.com and clicking on "Unlimited Staffing Solutions, Inc."

PLEASE DO NOT CALL THE COURT OR DEFENDANTS ABOUT THIS NOTICE