

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

Notice of Claims and Right to Opt In

**If you worked as a “Leased Driver” for
TransAm Trucking and you were classified
as an independent contractor and leased a
truck through TransAm Leasing, a lawsuit
may affect your rights.**

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

“Leased Drivers” who were classified by TransAm Trucking, Inc. (referred to in this notice as “TransAm”) as “independent contractors” rather than as “employees” and who leased trucks through TransAm Leasing, Inc. have sued claiming that TransAm improperly failed to pay them minimum wages.

The Court has allowed the lawsuit to be conditionally certified as a collective action on behalf of other Leased Drivers affected by TransAm’s policies or practices.

The Court has not decided whether TransAm did anything wrong. There is no money available now, and no guarantee there will be. However, your legal rights are affected, and you have a choice to make now:

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT	
ASK TO BE INCLUDED: RETURN THE ATTACHED CONSENT TO JOIN BY <u>JANUARY 30, 2016</u>	Join in this lawsuit. Await the outcome. Give up your right to sue separately. By joining, you keep the possibility of getting money from a trial or a settlement in this action. But you give up the right to sue TransAm separately about the legal claims in this lawsuit.
DO NOTHING	Do nothing. Get nothing from this lawsuit. Keep the right to sue separately. If you do nothing and money is later awarded or obtained in this lawsuit, you won’t share in that recovery, but you keep any rights to sue TransAm separately about the legal claims in this lawsuit.

Your options are explained in this notice. If you do not join, you risk losing any recovery.

Any questions? Read on.

BASIC INFORMATION

1. Why did I get this notice?

TransAm's records show that you currently work, or previously worked, for TransAm as a Leased Driver which could have subjected you to the policies or practices of TransAm that are the subject of the lawsuit.

This notice informs you of the existence of a collective action lawsuit in which you may become a member. It also explains what you need to do to participate, or not participate, and how your rights may be affected.

On August 20, 2015, the Honorable Judge Eric Melgren, United States District Judge for the District of Kansas, authorized the sending of this Notice to inform you of your rights to join this lawsuit.

2. What is a collective action and who is involved?

In a collective (or class) action lawsuit, one or more people called "Class Representatives" (in this case Larry Blair and Charlie Davis) sue on behalf of other people who have similar claims. The people together are a "Class" or "Class Members." The individuals who brought the suit—and all the Class Members like them—are called the plaintiffs. The company they sued (in this case TransAm) is called the defendant. Unless each class member's case ends up being tried separately, one Court resolves the issues for everyone in the Class, except for those people who choose not to join the Class.

In this case, the Court has determined that Leased Drivers of TransAm, who allegedly were paid less than minimum wages for all hours they worked (as discussed more below), and who worked at anytime from November 5, 2008 to the present, may have sufficiently similar claims to have those claims combined in one case.

3. What does the lawsuit complain about?

In the lawsuit, the plaintiffs claim that TransAm failed to pay Leased Drivers at the minimum wage rate for all hours worked as required by the Fair Labor Standards Act ("FLSA"). The Plaintiffs claim that TransAm misclassified Leased Drivers as independent contractors rather than as employees, and paid the Leased Drivers less than the legal minimum wage for employees. Plaintiffs claim that they, and others with similar claims, are owed unpaid minimum wages, as well as additional damages allowed by law, and attorneys' fees.

4. How does TransAm answer?

TransAm denies that it improperly misclassified Leased Drivers as independent contractors rather than as employees and states that it otherwise has not violated the FLSA. To the contrary, TransAm asserts that it entered into valid and enforceable independent contractor agreements with the Leased Drivers.

5. Has the Court decided who is right?

The Court has not decided whether the plaintiffs or TransAm are correct. By conditionally establishing the collective action and issuing this Notice, the Court is not suggesting that the plaintiffs will win or lose this case. The plaintiffs must prove their claims. Therefore there is no money available now.

Once people have had the chance to join the lawsuit, the Court will make a final decision on whether people who have opted in may participate in the case as class members. Only people "similarly situated" to the plaintiffs may participate as class members. To determine whether you are indeed a proper member of the class, TransAm will likely ask the Court to engage in a review of the circumstances of your work for TransAm, taking into account factors such as work setting, recording and payment for time worked, any defenses asserted by TransAm, and other procedural issues.

YOUR RIGHTS AND OPTIONS

6. How do I join?

To participate in this lawsuit, you need to fill out the enclosed “Consent to Join” form and mail it in the enclosed self-addressed stamped envelope postmarked by January 30, 2016 to Larry Blair v. TransAm Trucking, Inc., c/o Angeion Group, 1801 Market Street, Suite 660, Philadelphia, PA 19103. It is entirely your own decision whether or not to join this lawsuit.

If you fail to return a Consent to Join form postmarked by **January 30, 2016**, you will not be allowed to participate in any recovery for the FLSA minimum wage claims in this lawsuit and may be jeopardizing your right to sue.

If you decide to join this suit, you will be bound by the settlement or judgment, whether it is favorable or not. If there is a favorable resolution, either by settlement or judgment, and you qualify, you will be entitled to some portion of the recovery.

7. What if I do nothing?

If you do nothing, you will not participate in the collective action. You will not be bound by any decision in this lawsuit. Therefore, you will not be entitled to any recovery should there be any for those claims.

You can also start your own lawsuit against TransAm. To do so, you'll have to hire your own lawyer for that lawsuit, and you'll have to prove your claims. If you do not join this lawsuit so that you can pursue your own lawsuit against TransAm, you should talk to your own lawyer soon, because your claims may be subject to a statute of limitations.

8. I am afraid TransAm may take some action against me if I join.

TransAm is prohibited by law from taking any action against you for joining this lawsuit. Such conduct would also be illegal and you would be entitled to additional damages should a court determine that TransAm took any action against you for joining this lawsuit.

9. Do I have to do anything to help out with the lawsuit once I join?

If you opt in, the plaintiffs’ lawyers will be your lawyers and will handle most of the presentation of the case. From time to time, the plaintiffs’ lawyers might ask you for information to assist in presenting the case. You may also be asked to answer questions from a lawyer representing TransAm prior to trial for part of a day. Should there be a trial, some plaintiffs might testify. Regardless, if you are asked to give information, the attorneys will work with you so that the process is as convenient for you as possible.

THE LAWYERS REPRESENTING YOU

10. Do I have a lawyer in this case?

Attorneys at the law firm of Brady & Associates, The Woody Law Firm PC, and Siro Smith Dickson PC are representing the plaintiffs in this action. The attorneys at these firms are experienced in handling similar cases against other defendants. More information about the law firms, their practices, and the lawyers’ experience is available at www.mbradylaw.com, www.woodylawfirm.com, or www.sirosmithdickson.com.

If you join this case, these attorneys will represent you in the action.

11. Should I get my own lawyer?

If you join this case, you will not need to hire your own lawyer because Brady & Associates, The Woody Law Firm PC and Siro Smith Dickson PC will work on your behalf. But, if you want your own lawyer, you will have to retain that lawyer. For example, you can ask him or her to appear in Court for you if you want someone other than Brady & Associates, The Woody Law Firm PC, or Siro Smith Dickson PC to speak for you. If you decide to have another attorney represent you, that attorney will need to draft a consent form for you which you should then mail to: Larry Blair v. TransAm Trucking, Inc., c/o Angeion Group, 1801 Market Street, Suite 660, Philadelphia, PA 19103.

12. How will the plaintiffs' lawyers be paid?

If the plaintiffs' attorneys get money for the employees, they may ask the Court for fees and expenses to be paid by TransAm. You won't have to pay these fees and expenses. If the Court grants that request, the fees and expenses would be either deducted from any money obtained for the Class or paid separately by TransAm.

If the Plaintiffs obtain money as a result of the trial or a settlement, you will be notified about how to participate to share in the recovery. It is not known how long this will take.

GETTING MORE INFORMATION

13. Are more details available?

You can contact the Plaintiffs' attorneys at:

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