1. **WHY AM I RECEIVING THIS NOTICE?**

This Notice has been mailed to you because you were a worker who worked for Yanni Design Studio and worked over forty hours per week since March 25, 2021.

This Notice is meant to inform you about a collective action lawsuit in which you are potentially “similarly situated” to the named Plaintiffs, explain your rights, and instruct you on how to join the lawsuit.

1. **WHAT IS THIS LAWSUIT ABOUT?**

Plaintiffs brought a complaint against Defendants alleging violations of the Fair Labor Standards Act, 29 U.S.C. §§ 201 *et seq.* (“FLSA”). Plaintiffs claim Defendants violated the FLSA by misclassifying workers as independent contractors failing to pay them one and one-half times their regular rate of pay for hours worked beyond forty in work weeks. Plaintiffs seek to recover unpaid overtime wages owed to all workers who join this suit. Defendants deny Plaintiffs’ allegations that it violated the FLSA and Defendants assert that they properly classified you as an independent contractor and so did not have to pay you overtime premiums.

1. **WHAT IS THE STATUS OF THE CASE**

The case is at an early stage. The Court has authorized this Notice to be issued to all workers who may have worked over forty hours during the same work week since March 25, 2021. The Court has not yet taken any position on the merits of Plaintiffs’ claims or on Defendants’ defenses. This Notice is not an expression by the Court about the merits of the case, or whether Plaintiffs’ claims will ultimately be litigated, tried on a class-wide basis, or prevail. If the Court ultimately determines you are not similarly situated to the named Plaintiffs, it may dismiss your claim.

1. **WHO CAN JOIN THIS CASE?**

All workers who worked over forty hours per week since March 25, 2021.

1. **HOW CAN I JOIN THE CASE**

You can join the case by completing the attached Consent Form and mailing, faxing, or emailing it to:

Workplace Law Partners

155 N. Michigan Avenue, Suite 719

Chicago, IL 60601

Fax: 630-778-0400

kunze@fishlawfirm.com

Or, you can join by clicking on this link and electronically signing the form:

<https://www.fishlawfirm.com/flsayanni>

Your Consent Form must be postmarked, faxed, emailed or electronically signed by February 11, 2025. Plaintiffs’ attorneys will file all properly completed and delivered Consent Forms with the Court and copies of those Consent Forms will become publicly available. All personal information except your name will be protected. If you do not wish to join this lawsuit, do not return the Consent Form.

1. **STATUTE OF LIMIATIONS**

Federal law sets deadlines for employees to bring wage and hour claims. The longest period of time an employee can wait to bring these claims is three years. If you do not join this lawsuit, the statute of limitations may prevent you from doing so later.

1. **WHAT IS THE EFFECT OF JOINING THIS CASE**

If you join this case you will become a party to this lawsuit and will be bound by any ruling, settlement, or judgment the Court enters. If this lawsuit recovers money for the collective you may be entitled to a payment in return for a release of your claim. If the Plaintiffs do not prevail, you will not receive any money. While the lawsuit is proceeding you may be required to provide Defendants with documents, information, or sworn in-person testimony relating to your claim. By

joining the lawsuit, you designate Plaintiffs as your agents and authorize them to make decisions concerning all matters pertaining to this lawsuit. Opt-in Plaintiffs may be responsible for a portion of Defendants’ costs if the claims are unsuccessful.

1. **WHAT IS THE EFFECT OF NOT JOINING THIS CASE**

If you do not join this case, you will not receive any money obtained by the collective, but you will retain any rights you may have under the FLSA. You will not be bound by any ruling, settlement or judgement of the Court.

1. **NO RETALIATION PERMITTED**

The FLSA prohibits relation against employees for exercising their rights under the FLSA. Defendants are prohibited from disciplining, demoting, terminating you or otherwise retaliating against you in any manner because you chose to join this lawsuit.

1. **YOUR LEGAL REPRESENATION IF YOU JOIN**

If you return the Consent Form to join this lawsuit, you will be represented by Workplace Law Partners. Plaintiffs’ attorneys have taken this case on contingency basis, which means if this lawsuit results in a payment to the collective, they will ask the Court to approve a fee for their work and reimbursement of their costs. However, if this lawsuit does not result in payment to the collective, Plaintiffs’ attorneys will not receive any fees or costs. You may retain your won counsel and/or file your own separate lawsuit should you choose to do so.

1. **QUESTIONS AND CONCERNS**

If you have any questions about this case or anything in this notice, please contact John Kunze of Workplace Law Partners. (331) 425-7087.

***PLEASE NOTE: Inquiries for additional information or advice should NOT be directed to the Court or Defendants. You may hire an attorney other than Class Counsel to discuss your rights if you choose.***

**CONSENT TO JOIN FLSA OPT-IN FORM**

*Samuel Toledano Perez, et al. v. Elymir Inc.d/b/a Yanni Design Studio, et al.*, No. 1:24-cv-02419

*You Must Complete All* ***THREE*** *Steps to Claim your Federal Payment*:

**Step 1.** **You Must Provide Your Contact Information.**

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

City/State/Zip Code: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Telephone Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Email Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Step 2.** **You Must Agree To This Statement and Sign Your Name.**

I consent to be a party plaintiff in this case and intend to seek unpaid overtime pay and premiums that I believe is owed to me in the case in which this consent is filed. I agree to opt into this lawsuit and be bound by any judgement of the Court or settlement of this lawsuit. I designate and specifically authorize the named plaintiffs in this case and their attorneys (and other persons those individuals designate as necessary) as my representation to prosecute this lawsuit and make all decisions on my behalf, to the extent permitted by law, concerning the method and manner of conducting the case including but not limited to negotiating a settlement of the claims asserted in this lawsuit, the payment of attorneys’ fees and costs, and all other matters pertaining to this lawsuit. For purposes of pursuing my unpaid overtime claims I choose to be represented by Workplace Law Partners P.C. and other attorneys with whom they may associate.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Sign your name here)

**Step 3.** **You Must Return this Claim Form so that it is Received (if returned by fax, or electronic delivery) or Postmarked (if returned by U.S. mail) by February 11, 2025:**

(a) Fax this Claim Form to: (**630)778-0400**

***OR***

(b) Mail this Claim Form to: **155 N. Michigan Avenue, Suite 719 Chicago, IL 60601**

***OR***

1. Email this Claim Form to: **kunze@fishlawfirm.com**