

EXHIBIT 3

CLASS NOTICE

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION**

JESSE ANDREWS,)	
on behalf of himself and all other)	
plaintiffs similarly)	
situated)	
Plaintiff,)	
v.)	
)	Case No.: 3:17-cv-50171
ROCKFORD PROCESS CONTROL, INC.)	
Defendant.)	

NOTICE OF PENDENCY OF CLASS ACTION, PROPOSED SETTLEMENT, AND FAIRNESS HEARING

TO: All persons employed by Defendant Rockford Process Control, Inc. who were hourly non-FLSA-exempt workers who earned a shift differential and who worked in excess of forty (40) hours during any one or more weeks between June 8, 2014 and the present, but were not paid time and one-half their regular rate of pay for all hours worked in excess of forty (40) in a work week because their shift differential was not included in determining their overtime rate of pay.

Please Read This Notice Carefully. This Notice Relates to a Proposed Class Action Settlement of Litigation. If You Are a Settlement Class member, It Contains Important Information as to Your Rights.

What is this Notice about?

This Notice is to tell you about the class settlement of a lawsuit that was filed against Rockford Process Control, Inc. (“Defendant”) and to tell you about a “Fairness Hearing” before Judge on _____, 2017 at _____ .m. in Courtroom ____ of the United States District Courthouse, located at Rockford, Illinois, to determine whether the proposed settlement described in the Class Action Settlement Agreement fairly resolves the claims against Defendants as explained below.

This Notice **is not** a notice of a lawsuit **against** you. A Federal Court has authorized this Notice.

If you want to receive the money that is allocated to you as described below, you do not have to do anything. You will automatically receive it.

What is the Litigation about?

On June 8, 2017, Plaintiff Jesse Andrews filed this lawsuit in the United States District Court for the Northern District of Illinois against Defendant on behalf of himself and others similarly situated who were employed by Defendant as non-FLSA-exempt employees. Plaintiff alleges in his Complaint that he and similarly situated employees who worked over forty hours and earned a shift differential in the same work week were not paid one and one-half times their regular rate of pay for overtime hours. The Complaint alleged violations of the Fair Labor Standards Act (FLSA), and the Illinois Minimum Wage Law (IMWL), based on Defendant's alleged failure to pay one and one-half times the shift differential for all hours worked over forty in a work week. Plaintiff alleged that because of this, employees who earned a shift differential and worked over time in a work week were not paid proper overtime wages.

Why did I get this Notice?

You received this Notice because the lawyers for the Defendant identified you as a person in the Settlement Class. If you received this Notice, you are eligible to participate in the Settlement and may be eligible for compensation as described below.

What is the "Settlement" and how was it agreed upon?

The settlement relates to the miscalculation of your overtime pay. Specifically, the Plaintiff alleged that the \$1.25 that was paid for shift differentials was not included in the overtime rate that was paid to you. The Defendant has agreed to recalculate the overtime pay to pay this amount to you plus interest and penalties. There has been no determination by any court, administrative agency, or other tribunal as to the truth or validity of the factual allegations made against Defendants in this litigation.

Unless there is a settlement, the litigation will continue. In settlement negotiations, the Plaintiff and Defendant have taken into account the uncertainty of the outcome and the risk of litigation. In light of these factors, the Plaintiff and Defendant believe that the Settlement is the best way to resolve the litigation while minimizing further expenditures.

The Plaintiffs and Defendants and their counsel believe that the Settlement is fair, reasonable, and adequate, and in the best interests of all parties, including the settlement class.

What are the terms of the Settlement?

Defendants have agreed to pay a settlement amount of approximately \$22,965.25 to resolve all claims in this lawsuit as described in the Settlement Agreement. Each Settlement Class Member shall be allocated a portion of the Settlement Amount. Every Settlement Class member, including Plaintiff, will be allocated a share of the settlement proportionate to the overtime hours worked by the Settlement Class Member. The amount that you will receive, and all paperwork relating to the settlement and the lawsuit can be viewed on line at: www._____.

How do I receive a Settlement Payment?

As a Class Member, you will **automatically** receive your share of the settlement, **unless** you exclude yourself from the Settlement.

Am I required to participate in the Settlement?

As a Class Member, you have the right to exclude yourself from the lawsuit and “opt-out” of the settlement if you comply with the opt-out procedure stated below. If you exclude yourself, you will not receive any payment from the Settlement Fund.

To effectively opt-out, you must mail to the Class Counsel a written statement expressing your desire to be excluded from the Settlement in *Andrews v. Rockford Process Control, Inc.*, no later than _____ (“Request for Exclusion”). **The “opt-out” statement must be postmarked no later than _____ to be effective.** Your written statement must state: “I do not want to receive money from this settlement. Therefore, I request to be excluded from the settlement in *Andrews v. Rockford Process Control, Inc.* (Case No. 3:17-cv-50171) (U.S. District Court for the Northern District of Illinois).” You must also include your full name, address, and telephone number, and he or she must personally sign the letter and mail a copy to: Class Counsel, The Fish Law Firm, P.C., 200 E. 5th Avenue, Suite 123, Naperville, IL 60563 and also mail a copy to the Court at:

If you opt-out of the Settlement you will not recover any money as part of this Settlement.

You may, however, pursue other legal remedies apart from the Settlement that may be available to you.

YOU SHOULD NOT OPT-OUT IF YOU WISH TO PARTICIPATE IN THE SETTLEMENT. YOU DON'T HAVE TO DO ANYTHING. YOU WILL AUTOMATICALLY GET THE MONEY.

What is the Fairness Hearing and do I need to attend?

The purpose of the Fairness Hearing in this case is to determine whether the proposed Settlement of the litigation is fair, reasonable, and adequate, and whether the proposed Settlement should be finally approved by the Court and the Litigation dismissed. **Any Class Member who is satisfied with the proposed Settlement does not have to appear at the Fairness Hearing.**

Any person who has not validly and timely opted-out of the Settlement, but who objects to the proposed Settlement, may appear in person or through counsel at the Fairness Hearing and be heard as to why the Settlement should not be approved as fair, reasonable, and adequate, or why a final judgment should or should not be entered dismissing the litigation with prejudice. If you choose to object to the Settlement, you must on or before _____, mail your written objection to the Clerk of the Court at 327 South Church Street, Rockford, IL 61101. The objection must set forth, in clear and concise terms, the legal and factual arguments supporting the objection. Your written objection must also include (a) your full name, address, and, telephone number, (b) dates of your employment with Defendant; (c) copies of papers, briefs, or other documents upon which the objection is based, (d) a list of all persons who will be called to testify in support of your

objection, (e) the caption of the lawsuit including the case number, and (f) your signature, even if you are represented by counsel. Settlement class members who do not timely make their objections in this manner will be deemed to have waived all objections and shall not be heard or have the right to appeal approval of the Settlement. The deadline to file an objection is _____.

If you file an objection and wish it to be considered, you must also appear at hearing on [INSERT DATE], at [INSERT TIME], at the federal courthouse at 327 South Church Street, Rockford, IL 61101, at which time the presiding judge in this case (Judge Kapala) will consider whether to grant final approval of this Settlement. **YOU ARE NOT REQUIRED TO ATTEND THIS HEARING UNLESS YOU PLAN TO OBJECT TO THE SETTLEMENT.** Please note that it is not sufficient to simply state that you object. You must state reasons why you believe the Settlement should not be approved.

What rights am I giving up if I participate in the Settlement?

As a Class Members, if you do not opt out of the Settlement you will release and discharge on behalf of yourself and each of your heirs, representatives, successors, assigns, and attorneys all claims specifically raised in the litigation for the payment of overtime under the FLSA and IMWL during the Class Period that specifically relate to the failure to count \$1.25 towards the regular rate of pay (“Released Wage Claims”).

How are the lawyers for the Settlement Class Paid?

Class Counsel will receive an amount approved by the Court for its reasonable attorney fees and costs. None of this amount is being taken out of your recovery. The attorney fees are being paid separately by the Defendant.

What if the Court does not approve the Settlement?

If the Court does not approve the settlement, the case will proceed as if no settlement had been attempted, and there can be no assurance that you will recover more than is provided for in the Settlement, or indeed, anything.

PLEASE DO NOT CONTACT THE CLERK OF THE COURT OR THE JUDGE WITH INQUIRIES ABOUT THIS SETTLEMENT.

Dated: _____

BY ORDER OF THE UNITED STATES DISTRICT COURT FOR THE NORTHERN
DISTRICT OF ILLINOIS, WESTERN DIVISION