

**IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF NEW YORK**

**JUNE MURPHY, individually and behalf of all  
other similarly situated persons,**

**Plaintiffs,**

v.

**11-CIV-5661 (CS)**

**NORTHERN DUTCHESS PARAMEDICS,  
INC., and EDWARD B. MURRAY,**

**Defendants**

A Federal Court authorized this notice. This is not a solicitation from a lawyer. Do not contact the Judge, the Judge's chambers, or the Clerk of Court with any questions about this lawsuit.

**If you are or were a Paramedic or Emergency Medical  
Technician (EMT) employed by Northern Dutchess  
Paramedics on or after August 15, 2005, a class action  
lawsuit may affect your rights.**

- A former paramedic who worked for Northern Dutchess Paramedics, Inc. (NDP) has sued NDP, claiming that the company failed to pay her and other paramedics and EMTs for all the hours worked.
- The Court has allowed this lawsuit to be brought as a State class action on behalf of all of NDP paramedics and EMTs who worked for NDP at any time between August 15, 2005 and the present.
- The Court has not decided whether NDP did anything wrong. There is no money available now and no guarantee that there will be. However, your legal rights are affected, and you have choices to make now.

**There are decisions which you must make about the case  
now. Read On.**

**NEW YORK STATE LABOR LAW CLAIMS**  
If you worked for NDP between 8/15/2005 and present:

| <b>YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT</b> |   |
|--|---|
| <b>IF YOU DO NOTHING</b>                             | <p><b>You will be included in this part of the lawsuit and will give up certain rights.</b></p> <p>By doing nothing, you become a member of the class and you keep the possibility of getting money that may come from a judge's decision or a settlement.</p> <p>You also give up any right to sue NDP separately for the state law claim.</p> |
| <b>IF YOU ASK TO BE EXCLUDED</b>                     | <p><b>You will not be included in this part of the lawsuit and will get no benefits from it, but will keep rights to sue on your own.</b></p> <p>If you ask to be excluded and money or benefits are later awarded on the state law claim, you won't get a share. But, you keep any rights to sue NDP separately for the state law claim.</p>   |

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## BASIC INFORMATION

### 1. Why did I get this notice?

You received this notice because Northern Dutchess' records show that you previously worked for NDP as a paramedic or EMT. This Notice explains that the Court has allowed, or "certified," a class action lawsuit that may affect you. It also explains your legal rights and options for the case and what you can do before the Court makes a final decision on the case.

### 2. What is this lawsuit about?

This lawsuit is about whether NDP violated state law by imposing a time rounding compensation rule that operated to the disadvantage of paramedics and EMTs ("rounding policy claims"). NDP denies that it did anything wrong and says that its pay practices were legal under New York State Labor Laws. You can read the Plaintiff's Complaint at:

[http://getmansweeney.com/wp-content/uploads/2011/09/Complaint\\_Northern\\_Dutchess.pdf](http://getmansweeney.com/wp-content/uploads/2011/09/Complaint_Northern_Dutchess.pdf). There are also federal claims in this case. According to NDP's records those claims do not apply to you.

### 3. Will I have to pay anything to join this case?

No. Plaintiffs' attorneys are handling this case on a contingent fee basis and you do not have to pay anything to join the case. If the Plaintiffs are successful, the law requires Defendants to pay for Plaintiffs' reasonable costs and fees and the Court will determine how much Defendants will have to pay. If Plaintiffs are not successful, there will be no charge.

### 4. Can anyone retaliate against me if I join this case?

No. Federal and state law prohibits anyone from taking any action to harm you for participating in this case. NDP will not retaliate against anyone who participates.

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## HOW TO PARTICIPATE IN THE CASE

### 5. How do I join the Class Action?

All paramedics and EMTs who worked for NDP after August 15, 2005 are part of the Class Action unless they send a letter asking to be excluded. This written request to be excluded from the Class Action must be sent to the Plaintiffs' lawyers, by either mail, email, or fax, no later than April 21, 2013.

### 6. Are former employees included in the Class Action?

Yes. Former Paramedics and EMTs who worked for NDP after August 15, 2005 are Class Members in the Class Action unless they ask to be excluded.

### 7. Are current employees included in the Class Action?

Yes. Current paramedics and EMTs who are working for NDP are Class Members in the Class Action unless they ask to be excluded.

8. What if I am still unsure about whether to participate?

If you are still not sure about whether you are, or want to be included, you can get free help by calling the lawyers in this case, at the phone number or address listed in question 13 below.

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## YOUR RIGHTS AND OPTIONS

You have an important decision to make now. You must decide whether to join the Collective Action (federal) part of the case. You must decide whether to exclude yourself from the Class Action .

9. How do I ask the Court to exclude me from the Class Action?

To be excluded from the Class Action, you must send a letter to the Plaintiffs' lawyers stating your name and that you wish to opt-out of the Class Action. You must send the letter (either by mail, email, or fax) to the Plaintiffs' lawyers no later than April 21, 2013. You may mail your "Opt Out" letter to:

Getman & Sweeney, PLLC  
9 Paradies Lane  
New Paltz, NY 12561  
845-255-9370  
Fax 866-543-9619  
Email: [kweiss@getmansweeney.com](mailto:kweiss@getmansweeney.com)

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## THE LAWYERS REPRESENTING YOU

10. Do I have a lawyer in this case?

The Court has decided that Dan Getman and Matthew Dunn, lawyers at Getman & Sweeney, PLLC, are qualified to represent you and other NDP paramedics and EMTs in the Class Action. This law firm is referred to as "Class Counsel." They are experienced in handling similar cases against other employers. More information about this law firm, their practice, and their experience is available at [www.getmansweeney.com](http://www.getmansweeney.com).

11. Should I get my own lawyer?

You do not need to hire your own lawyer because Class Counsel is working on your behalf. But, if you want your own lawyer, you will have to hire that lawyer to appear on your behalf, at your own expense.

12. How will the lawyers be paid?

Class Counsel are being paid on a contingency fee basis, which means that if there is no recovery to the Plaintiffs, there will be no attorney's fees. If there is a recovery, Class Counsel may receive a part of any settlement obtained in an amount that the Court determines to be fair. Under the state and federal laws at issue in this case, the Defendants are required to pay reasonable attorneys' fees and costs if Plaintiffs are successful.

13. How do I contact the lawyers representing the Class in this case?

You may contact Dan Getman (dgetman@getmansweeney.com), Matthew Dunn (mdunn@getmansweeney.com), or paralegal Kathy Weiss (kweiss@getmansweeney.com) at Getman & Sweeney, PLLC, 9 Paradies Lane, New Paltz, NY 12561, (845) 255-9370, if you have any questions about the case and the procedures discussed in this Notice.

**HOW WILL THE CASE BE DECIDED?**

14. How and when will the Court decide who is right?

If the case isn't resolved by a settlement, Class Counsel will have to prove the Plaintiffs' claims at a trial. The trial date has not yet been set. Prior to trial, there will be a "discovery" phase during which both sides will exchange information.

Judge Cathy Seibel is overseeing this lawsuit. If the case goes to a trial, Judge Seibel will hear all of the evidence and reach a decision about whether the Plaintiffs or the Defendants are right about the claims in the lawsuit. There is no guarantee that the Plaintiffs will win, or that any NDP paramedics and EMTs will get any money or benefits from the Class Action.

15. Will I have to come to the trial?

Most cases do not go to trial, but some do. If this case does go to trial, you may need to attend the trial. At trial, Class Counsel will present the case for the Plaintiffs, and the Defendants will present the defenses.

16. Will I get money after the trial?

There is no certainty that the Plaintiffs will win this case. But, if you do not exclude yourself from the class action, and the Plaintiffs obtain money or benefits as a result of the trial or a settlement, you will be notified about how to claim your share of a judgment.

DATE: February 20, 2013.