# UNITED STATES DISTRICT COURT FOR THE DISTRICT OF CONNECTICUT

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) Case No.: 3:15-cv-01637(JAM)
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As a current or former Home Health Care Worker for Humana At Home, Inc. or SeniorBridge Family Companies, a collective action lawsuit may affect your rights. PLEASE READ THIS NOTICE.

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

## NOTICE OF COLLECTIVE ACTION LAWSUIT

The purpose of this notice is to (1) inform you of a collective action lawsuit filed against Humana At Home, Inc. and SeniorBridge Family Companies ("Humana") for the alleged failure to pay overtime premiums to certain Home Health Care Workers, (2) advise you of how your rights may be affected by this lawsuit, and (3) instruct you on the procedure for participating in this lawsuit, if you choose to do so.

The plaintiff, Daverlynn Kinkead, is seeking payment for unpaid overtime wages alleging that Humana improperly classified its Home Health Care Workers as "exempt" from overtime pay and did not pay them overtime wages for hours they worked over 40 in any week between January 1, 2015 and October 13, 2015. Humana denies these allegations and contends that Home Health Care Workers were exempt from overtime and properly paid during this time period.

By agreement of the parties, the Court has conditionally certified this case as a collective action and authorized this Notice. You are receiving this Notice because you are eligible to join this case. There is no assurance that the Court will grant any relief in this case. The Court has not decided the merits of this case and therefore has not decided whether the Plaintiff or the Defendants are correct.

#### HOW TO JOIN THE LAWSUIT

If you worked for Humana at any time between January 1, 2015 and October 13, 2015 and worked overtime hours for which you did not receive appropriate overtime pay, you are eligible to participate in the lawsuit. **To join the lawsuit, you must sign and return the enclosed Consent to Sue Form to**:

## BOHRER BRADY, LLC 8712 Jefferson Highway, Suite B Baton Rouge, Louisiana 70809

Fax: (225) 231-7000; Email: shannon@bohrerbrady.com

The Consent Form must be postmarked on or before January 20, 2020 in order for you to participate. Individuals who timely return an executed consent will join the lawsuit upon the filing of their consent forms with the Court by Plaintiff's counsel. If you do not wish to be part of this lawsuit, you do not need to do anything. The decision to join is entirely yours. If you do not join, you are not bound by any ruling or judgment. If you choose to join this lawsuit, you will be bound by the terms of any judgment entered, whether favorable or unfavorable.

## YOUR RIGHTS AND OBLIGATIONS IF YOU JOIN THE LAWSUIT

If you choose to join this lawsuit by filing a Consent Form, you designate Plaintiff's counsel to represent your interests, and you will be subject to the same contingency fee agreement that Plaintiff has entered into. You will not be required to pay any attorneys' fees to the Plaintiffs' lawyers. You may also hire your own attorney to represent in this case at your own expense, or you may pursue a separate lawsuit if you choose.

If you join this lawsuit you may be required to provide documents and other information and/or testimony about your employment.

### **IMMIGRATION STATUS**

Your immigration status does not affect your entitlement to participate in this lawsuit.

#### NO RETALIATION

The law prohibits retaliation against employees for exercising their rights under the FLSA. Therefore, you may not be discharged or subjected to discrimination in any manner because of your exercise of rights under the FLSA, including by joining this lawsuit.