

**NOTICE OF A COLLECTIVE ACTION LAWSUIT
AND YOUR OPPORTUNITY TO JOIN**

This Notice and its contents have been authorized by the United States District Court, Western District of Washington, the Honorable Ronald B. Leighton, U.S. District Judge, presiding.

The Court is not endorsing the merits of this lawsuit or advising you to participate in this lawsuit. No determination has been made in this case that anything is owed to you.

TO: All Retail Sales Representatives–Snacks, Retail Sales Representatives–Morning Foods, and Territory Managers, and RSR-DSDs who have worked for Kellogg at any point since February 26, 2010.

This Notice informs you of the Court’s conditional certification of this Collective Action. You may be entitled to participate in the Collective Action, and this Notice advises you of how your rights may be affected by this lawsuit, and instructs you on how to participate in the lawsuit if you choose to do so.

You are being asked to decide whether you would like to join a Collective Action raising overtime claims under a federal law called the Fair Labor Standards Act (“FLSA”). Please read this Notice carefully, as your rights may be affected by how you proceed.

BASIC CASE INFORMATION

Plaintiff Patty Thomas was employed by Kellogg Company and Kellogg Sales Company (collectively “Kellogg”) as a Retail Sales Representative and Territory Manager. She, and three other named plaintiffs, brought this action on behalf of all current and former Retail Sales Representatives and Territory Managers employed by Kellogg. Plaintiffs claim that Kellogg failed to pay for overtime hours worked. Kellogg does not admit Plaintiffs’ allegations. **Even though you may have been paid a salary or labeled a sales employee you may still be entitled to unpaid overtime wages. If you signed a severance agreement that releases claims against Kellogg, or if you signed a declaration, you still have the right to file a Consent to Sue and seek unpaid overtime FLSA claims in this case.**

This lawsuit seeks payment from Kellogg of alleged unpaid overtime wages plus an additional amount of damages equal to the back pay owed (known as “liquidated damages,”) as well as all costs and attorneys’ fees. For further information, visit www.getmansweeney.com.

You are not required to have proof of your hours of work in order to join this case.

**The law strictly prohibits retaliation or discrimination
against any employee for participating in this litigation.**

FEDERAL LAW

If you wish to participate in this Collective Action lawsuit, you must file a written “Consent to Sue” form. A “Consent to Sue” form is enclosed for your convenience.

If you do not sign and send in the “Consent to Sue” form **by April 5, 2014**, you may not be permitted to participate in this case and cannot recover any damages in this case, if the Plaintiffs prevail.

If you choose to join the suit, you will be bound for the FLSA claims by the final decision in the case, whether it is favorable or unfavorable.

If you do not wish to be a part of this lawsuit, no action is required.

If You Wish to Be Part of this Lawsuit, You Must Mail, Email or Fax the Enclosed Consent Form To:

**Getman & Sweeney, PLLC
9 Paradies Lane, New Paltz, NY 12561
Fax: (866) 543-9619
kweiss@getmansweeney.com**

The Last Day To Mail The Consent Form Is April 5, 2014.

Federal law includes a statute of limitations that provides you may recover back wages going back two or three years from the time you file a consent to sue depending on whether Kellogg acted willfully. Any claims past the statute of limitations are lost.

If you join the case, the Plaintiffs' Counsel below will litigate this case on your behalf.

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Matt Dunn
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If you join this case, you do not have to pay for the legal services in the case. If the action is successful, the attorneys will receive the greater of the awarded attorneys' fees or one-third of the total amount of any recovery to the Plaintiffs. In addition, costs expended by attorneys will be deducted from the settlement or judgment amount on a pro rata basis with all other Plaintiffs.

You have a right to consult with another attorney about this matter if you wish, but you will have to retain that attorney on your own and bear any costs involved in that representation.

YOUR OPTIONS REGARDING THIS NOTICE	
To bring an overtime claim under the Fair Labor Standards Act	Fill out the consent form and return it by fax or regular mail to Getman & Sweeney, PLLC by April 5, 2014.
To not participate in this aspect of the case	Do not reply to this Notice.

Dated: February 4, 2014

