

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

**If you are or were a medical courier employed by
Medical Logistics Solutions, LLC, Network Global Logistics, LLC or Action Couriers, Inc.
between February 9, 2013 and the present, please read this notice. A collective action
lawsuit may affect your rights.**

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

NOTICE OF COLLECTIVE ACTION LAWSUIT

Re: Lawsuit Regarding Claims for Alleged Unreimbursed Expenses/Unpaid Wages

- **Medical couriers** have sued Medical Logistics Solutions, LLC, Network Global Logistics, LLC or Action Couriers, Inc. (collectively “MLS”), claiming they fail to fully reimburse them for automobile expenses, which has reduced the wages paid by MLS to its medical couriers below the minimum wage.
- The Court has authorized mailing of this notice to current and former MLS medical couriers who worked for MLS between February 9, 2013 and the present.
- You have been identified as a person potentially eligible to join this lawsuit.
- You are eligible to join this lawsuit if you believe you were not fully reimbursed for automobile expenses such that the wages paid by MLS less unreimbursed expenses fell below the minimum wage.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT	
ASK TO BE INCLUDED	If you choose to be included in this case, you keep the possibility of getting money or benefits from a trial or a settlement of wage and hour claims, and you give up any rights to separately sue MLS in another action. <u>If you wish to be included, you must complete the Consent to Join form at the end of this Notice.</u>
DO NOTHING	By doing nothing, you give up the possibility of getting money or benefits from a trial or settlement of federal wage and hour claims in this lawsuit. You keep any rights to sue MLS separately about the same legal claims in an independent action, but the statute of limitations continues to run on any claims you may have.

1. Why did I get this notice?

MLS’s records show that you currently or previously worked for MLS as a medical courier. The Court has authorized mailing of this notice regarding a collective action lawsuit that may affect you. You have legal rights and options that you may exercise in this case. The Honorable Judge

Marcia S. Krieger and the Honorable Magistrate Judge Michael J. Watanabe of the United States District Court for the District of Colorado are overseeing this collective action. The lawsuit is called *Drollinger v. Network Global Logistics, LLC, et al.*, Case No. 1:16-cv-00304-MSK-MJW.

2. What is this lawsuit about?

This lawsuit is about whether MLS is failing to pay minimum wage by not fully reimbursing its medical couriers for all automobile expenses incurred in performing their jobs.

3. What is a collective action and who is involved?

In a collective action lawsuit, one or more people sue on behalf of other people who have similar claims. The medical couriers who sued – and all those who return the attached Consent to Join form – are called the Plaintiffs. Medical Logistics Solutions, LLC, Network Global Logistics, LLC or Action Couriers, Inc. are called the Defendants. One court resolves the issues for everyone who joins the case.

4. Why is this lawsuit a collective action?

The Plaintiff who filed this lawsuit alleges there is a group of “similarly situated” current or former medical couriers employed by MLS.

5. What is the position of MLS?

MLS denies that it improperly paid or reimbursed any current or former employees.

6. Has the Court decided who is right?

The Court has not decided whether MLS or the Plaintiffs are correct. By authorizing this notice, the Court is not suggesting that the Plaintiffs will win or lose the case.

7. What are the Plaintiffs asking for?

Plaintiffs are seeking to recover unreimbursed automobile expenses to the extent that those unreimbursed expenses caused medical couriers’ wages to fall below the federal minimum wage. Plaintiffs also seek “liquidated damages,” which doubles the amount of any recovery. In addition, Plaintiffs seek recovery of costs and attorneys’ fees from MLS.

8. Can I join this lawsuit?

You have been identified as potentially eligible to join this lawsuit. If you were not fully reimbursed for automobile expenses by MLS, which caused your wages to fall below the federal minimum wage, you are potentially eligible to join this lawsuit. Current and former employees are eligible to join.

9. I’m still not sure if I am included.

If you are still not sure whether you are included, you can get free help by contacting the lawyers in this case who are representing the named Plaintiff using the contact information listed below. Otherwise, you may seek legal advice from any attorney of your choice at your own expense.

10. What happens if I join the lawsuit?

If you choose to join this lawsuit, and are ultimately determined by the Court to be a Plaintiff, you will be bound by any ruling, settlement or judgment, whether favorable or unfavorable, on the federal claims asserted. You will also be bound by, and will share in, any settlement of the federal

claims that may be reached on behalf of all Plaintiffs. When joining this lawsuit, you must either: (a) designate the named Plaintiff as your representative, and to the fullest extent possible, to make decisions on your behalf concerning the case, the method and manner of conducting the case, the entering of an agreement with Plaintiffs' counsel regarding payment of attorneys' fees and court costs, the approval of settlements, and all other matters pertaining to this lawsuit; or (b) indicate your choice to represent yourself or be represented by a different attorney. If you choose to represent yourself or be represented by a different attorney, you will be responsible for your own costs and attorney's fees. While this suit is pending, you may be asked to provide information to counsel for the parties.

11. What happens if I do nothing at all?

If you choose not to join this lawsuit, you will not be directly affected by any ruling, judgment or settlement rendered on the federal claims asserted in this case, whether favorable or unfavorable. You will not be entitled to share any amounts recovered by Plaintiffs as part of this lawsuit. You also will be free to independently retain your own counsel and file your own individual lawsuit, subject to any defenses that might be asserted. You should be aware that Fair Labor Standards Act claims are limited to a two- or three-year statute of limitations, and delay in joining this case, or proceeding separately, may result in some or all of your claims expiring as a matter of law.

12. How do I ask to be included in the case?

Enclosed is a form called "Consent to Join." If you choose to join this lawsuit, **it is extremely important that you read, sign and promptly return the Consent to Join Form.** An addressed and postage paid envelope is enclosed for your convenience. Should the enclosed envelope be lost or misplaced, return the Consent to Join Form to:

MLS Litigation
Paul McInnes LLP
601 Walnut St., Suite 300
Kansas City, Missouri 64106

The signed Consent to Join form must be postmarked by June 6, 2017. **If your signed Consent to Join form is not postmarked by June 6, 2017, you may be prohibited from participating in any recovery obtained against MLS in the federal claims asserted in this lawsuit.**

13. Do I have a lawyer in this case?

If you choose to join this lawsuit, you must choose to be represented by (a) Jack McInnes of Paul McInnes LLP and by Mark Potashnick of Weinhaus & Potashnick, or (b) indicate within your Consent to Join form your choice to represent yourself or to be represented by a different attorney. If you choose to represent yourself or be represented by a different attorney, you will be responsible for your own costs and attorney's fees.

14. Should I get my own lawyer?

If you choose to opt-in to the lawsuit by promptly returning a signed Consent to Join form and choose to be represented by the named Plaintiff's attorneys, you do not need to hire your own lawyer because they will be working on your behalf. Otherwise, you may indicate within your Consent to Join form your choice to represent yourself or to be represented by a different attorney. But if you choose to represent yourself or be represented by a different attorney, you will be responsible for your own costs and attorney's fees.

15. How will the lawyers be paid?

The named Plaintiff has entered into a contingency fee agreement with Plaintiffs' counsel, which means that if you are represented by the named Plaintiff's attorneys and do not win, there will be no attorneys' fees or costs chargeable to you. Under the fee agreement with the named Plaintiff's attorneys, in the event there is a recovery, Plaintiffs' counsel will receive a percentage of any settlement obtained or money judgment entered in favor of all Plaintiffs they represent in this litigation. Alternatively, the Court may be asked to determine the amount of fees. The fees may be part of a settlement obtained or money judgment entered in favor of Plaintiffs, or may be ordered by the Court to be separately paid by MLS, or may be a combination of the two. A copy of the contingency fee agreement executed by the named Plaintiff may be obtained upon request from Plaintiffs' counsel identified below. If you choose to represent yourself or be represented by a different attorney, you will be responsible for your own costs and attorney's fees.

16. Are there more details available?

Yes. If you have any questions or require additional information, please contact any of the following individuals who are counsel to the Plaintiffs in this lawsuit:

Jack McInnes, Attorney
Paul McInnes LLP
601 Walnut Street, Suite 300
Kansas City, Missouri 64106
(816) 984-8100
mcinnes@paulmcinnes.com

Mark Potashnick, Attorney
Weinhaus & Potashnick
11500 Olive Blvd., Suite 133
St. Louis, Missouri 63141
(314) 997-9150 ext. 2
markp@wp-attorneys.com

PLEASE DO NOT CONTACT THE COURT CLERK REGARDING THIS MATTER

**UNITED STATES DISTRICT COURT
DISTRICT OF COLORADO**

Civil Action No. 1:16-cv-00304-MSK-MJW

ASHLEY DROLLINGER, individually and on behalf of other similarly situated persons,

Plaintiff,

v.

NETWORK GLOBAL LOGISTICS, LLC, *et al.*,

Defendants.

CONSENT TO BECOME A PARTY PLAINTIFF
Fair Labor Standards Act of 1938, 29 U.S.C. § 216(b)

I WANT TO JOIN THE LAWSUIT, *Drollinger v. Network Global Logistics, LLC, et al.*, seeking unpaid wages against Network Global Logistics, LLC, Medical Logistics Solutions, LLC, Action Couriers, Inc. and/or any other related entities, and any subsequent action seeking the same relief.

I choose to be represented by the Named Plaintiff's attorneys in this case, Paul McInnes LLP and Weinhaus & Potashnick, and other attorneys with whom they may associate, for purposes of this lawsuit. I also designate the Named Plaintiff(s) in this case to make all decisions on my behalf concerning the method and manner of conducting the case including settlement, the entering of an agreement with Plaintiffs' counsel regarding payment of attorneys' fees and court costs, and all other matters pertaining to this lawsuit; OR

I choose to be represented by attorney _____ of the law firm of _____, whose address is _____, and whose telephone number is _____. I understand and agree that I will be responsible for all costs and attorney's fees incurred in pursuing my claim; OR

I choose to represent myself. I understand and agree that I will be responsible for all costs and fees incurred in pursuing my claim.

PLEASE ONLY CHECK ONE BOX ABOVE.

Date: _____

Signed: _____
 «FirstName» «LastName»

CONTACT INFORMATION SHEET

Name: _____

Any other name(s) you used during your employment: _____

Address: _____

City: _____ State: _____ Zip: _____

Last 4 digits of SSN: _____

Telephone number: _____

Email address: _____

Date of Birth: _____

Alternate Contact Information (in case you move or we cannot reach you):

Name: _____ Phone Number: _____

Address: _____

Employment:

Please fill out the table below regarding your work history with the defendant:

Start Date	End Date	City, State	Facility or Branch Name	Reimbursement Rate per delivery	Average number of miles for one delivery round trip

Year/Make/Model of vehicle(s) you drove on deliveries during the last three years only: _____

Did you keep track of the miles you drove and the number of deliveries you made each day?

Yes No (It is NOT a requirement. You are eligible to join even if you have no documents.)

To join the lawsuit, please return both the signed Consent to Become Party Plaintiff form and this information sheet

Una versión en español: www.paulmcinnes.com