

WEBSITE NOTICE

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JASMINE WHITE, on behalf of herself and
others similarly situated,

Plaintiff,

v.

RBD STAFFING, INC. dba
SALESMAKERS, a Florida corporation,
and SPRINT/UNITED MANAGEMENT
CO., a Kansas corporation,

Defendants.

CASE No. 2:15-cv-08519-PSG (KSx)

NOTICE OF CLASS ACTION AND PROPOSED SETTLEMENT

This Notice relates to a proposed settlement of a class action lawsuit (“Lawsuit”) against Defendants RBD Staffing, Inc. dba Salesmakers, Inc. (“RBD”) and Sprint/United Management Company (“Sprint”), alleging violations of the Fair Credit Reporting Act (FCRA), 15 U.S.C. §§ 1681 *et seq.*, the Investigative Consumer Reporting Agencies Act, Cal. Civ. Code §§ 1786 *et seq.*, and the Unfair Competition Law, Bus. & Prof. Code §§ 17200, *et seq.*

If you applied for employment or were employed by RBD Staffing, Inc., doing business as Salesmakers, Inc., or one of its affiliates, between October 30, 2013, and July 21, 2016, you may be a Class Member in the Lawsuit and eligible to receive benefits under the settlement.

Please read this Notice carefully. Your legal rights will be affected regardless of whether you do or do not act.

What is the Lawsuit about? The Lawsuit alleges that Defendants failed to comply with federal and state regulations governing the acquisition of consumer reports and investigative consumer reports. Plaintiff further asserts that Defendants failed to provide proper pre-authorization disclosures and adverse action disclosures, and did not provide copies of consumer reports or advise Plaintiff and other similarly-situated individuals of their rights under the FCRA and state law prior to and/or after taking adverse action against them.

Defendants vigorously dispute their liability in this Lawsuit. RBD contends that all consumer reports were permissibly obtained and that it complied with all requisite notice, disclosure, and certification requirements. Similarly, Sprint denies liability claiming it did not conduct any background checks or procure any consumer reports with respect to Plaintiff or the putative classes defined below. However, the parties have decided to settle the case to avoid the ongoing cost of litigation.

What relief does the settlement provide? RBD has agreed to pay \$700,000 into a fund that shall be used, in part, to make payments to Class Members who file approved claims. The payment amount for Class Members who file approved claims will be calculated on a *pro rata* basis, which means it will depend on the total number of approved claims. Attorneys representing the Class Members will petition the Court for payment of the following from the fund: (1) reasonable attorneys’ fees and costs, and (2) an incentive award for the named Plaintiff representing the class.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT

SUBMIT A CLAIM FORM	If the Court grants final approval to the settlement, the only way to be eligible to receive a payment is to submit a Claim Form.	Deadline: June 22, 2017
EXCLUDE YOURSELF / OPT-OUT FROM THE LAWSUIT	This is the only option that allows you to retain your rights to sue Defendants for claims that would otherwise be released by the settlement of the Lawsuit.	Deadline: June 22, 2017
OBJECT	<p>Write to the Claims Administrator about why you object to (i.e., don't like) the settlement and think it shouldn't be approved.</p> <p>You must also mail your written objection to all counsel. The address for Class Counsel is Anthony J. Orshansky, Esq. and Justin Kachadoorian, Esq., CounselOne, P.C., 9301 Wilshire Boulevard, Suite 650, Beverly Hills, CA 90210. The address for RBD's Counsel is Tim L. Johnson, Esq., Ogletree, Deakins, Nash, Smoak & Stewart, P.C, 27th Floor, 4370 La Jolla Village Drive, Suite 990, San Diego, CA 92122. The address for Sprint/United Management Company's Counsel is Harold M. Brody, Esq. and Tracey L. Silver, Esq., Proskauer Rose LLP, 2049 Century Park East, 32nd Floor, Los Angeles, CA 90067.</p>	Deadline: June 22, 2017
GO TO THE "FINAL APPROVAL HEARING"	<p>The Court will hold a "Final Approval Hearing" to consider the settlement, the request for attorneys' fees and expenses of the lawyers who brought the Lawsuit ("Class Counsel"), and the request for a service award to the plaintiff who brought the Lawsuit ("Class Representative").</p> <p>You may, but are not required to, speak at the Final Approval Hearing about your written objection. If you intend to speak at the Final Approval Hearing, you must include your intention to do so in your written objection. Follow the procedure described above for providing your written notice to the Court as well as Class Counsel, RBD's Counsel, and Sprint's Counsel.</p>	July 10, 2017 at 1:30 p.m.
DO NOTHING	You will not receive a payment, even if the Court gives final approval to the settlement. You will also be giving up any claims you may have against Defendants (and the other released parties) that are released by the settlement of the Lawsuit.	No deadline

These rights and options—**and the deadlines to exercise them**—are explained in more detail below.

The Court in charge of this Lawsuit has preliminarily approved the settlement and must decide whether to give final approval to the settlement. The relief provided to Class Members will be provided only if the Court gives final approval to the settlement and, if there are any appeals, after the appeals are resolved in favor of the settlement. **Please be patient.**

Why did I get this notice?

You received this Notice because a settlement has been reached in the Lawsuit. RBD's records show that it caused HireRight and/or backgroundchecks.com to conduct a background check on you in connection with your application for employment or employment.

This Notice explains the nature of the Lawsuit, the general terms of the proposed settlement, and your legal rights and obligations. To obtain more information about the settlement, including a copy of the settlement agreement, click www.RBDstaffingclassactionsettlement.com.

Why is this a class action?

In a class action lawsuit, one or more people called Plaintiffs (in this Lawsuit, Jasmine White) sue on behalf of other people who have similar claims ("Class Members"). For purposes of this settlement, one court will resolve the issues for all Class Members, except for those people who properly exclude themselves from settlement, as described in greater detail below.

Why is there a settlement?

The Court has **not** decided that the Plaintiff or Defendants should win this Lawsuit. Instead, both sides agreed to a settlement to avoid the costs and risk of further litigation.

In granting preliminary approval of the settlement, the Court appointed Plaintiff as Class Representative and the lawyers who brought this Lawsuit as Class Counsel.

How do I know if I am part of the settlement?

There are two separate classes: the "FCRA/California Pre-Authorization Class" and the "FCRA/California Adverse Lawsuit Class." You may qualify to be a member of both classes.

- **FCRA/California Pre-Authorization Class:** All persons residing in the United States who applied for employment or were employed by RBD Staffing, Inc., doing business as Salesmakers, Inc., or one of its affiliates, including those placed or considered for placement with Sprint/United Management Co., and on whom RBD Staffing, Inc., doing business as Salesmakers, Inc., or one of its affiliates, procured one or more background checks (including, as defined under California law, investigative background checks) through consumer reporting agencies HireRight and/or backgroundchecks.com between October 30, 2013, and May 23, 2016.

- **FCRA/California Adverse Lawsuit Class:** All persons residing in the United States who applied for employment or were employed by RBD Staffing, Inc., doing business as Salesmakers, Inc., or one of its affiliates, including those placed or considered for placement with Sprint/United Management Co., and against whom RBD Staffing, Inc., doing business as Salesmakers, Inc., or one of its affiliates, took adverse employment action between October 30, 2013, and July 21, 2016, based, in whole or in part, on information in a background check (including, as defined under California law, an investigative background check) procured through consumer reporting agencies HireRight and/or backgroundchecks.com.

THE PROPOSED SETTLEMENT

What relief does the settlement provide to the Class Members?

If the Court grants final approval to the settlement, and after any appeals are resolved, RBD has agreed to pay \$700,000 into a fund that shall be used, in part, to make payments to Class Members who file approved claims.

Attorneys representing the Class Members will petition the Court for payment of the following from the fund: (1) reasonable attorneys' fees and costs, and (2) an incentive award for the named Plaintiff representing the class.

The payment amount for Class Members who submit approved claims will be calculated on a *pro rata* basis, which means it will depend on the total number of approved claims. Class Members in the FCRA/California Pre-Authorization Class who are also Class Members in the FCRA/California Adverse Lawsuit Class will receive double the settlement amount payment if they submit valid claims.

Will the Class Representative receive any compensation for her efforts in bringing this Lawsuit?

The Class Representative will request a service award of up to \$5,000 for her services as class representative and her efforts in bringing and helping to prosecute the Lawsuit. The Court will make the final decision as to the amount to be paid to the Class Representative.

HOW TO REQUEST PAYMENT – SUBMITTING A CLAIM FORM

How can I get a payment?

To qualify for payment, Class Members must submit a Claim Form. A Claim Form is accessible by clicking www.RBDstaffingclassactionsettlement.com. Read the instructions on the Claim Form carefully, fill out all the information requested, and submit it electronically by 11:59 p.m. Pacific Time on June 22, 2017.

When will I get a payment if I submit a Claim Form?

If a Class Member submits a timely and valid Claim Form by June 22, 2017, and the Court gives final approval to the settlement, Class Members who have submitted valid claims will receive their payments about 30 days after the Court grants final approval of the settlement, assuming that no one files an appeal challenging the settlement.

THE LAWYERS REPRESENTATION

Do I have a lawyer in this case?

The Court has ordered that CounselOne, PC (“Class Counsel”) shall represent the interests of all Class Members. If you want to be represented by your own lawyer, you may hire one at your own expense.

How will Class Counsel be paid?

Class Counsel will ask the Court for an award of attorneys' fees of up to 30 percent of the gross settlement amount, as well as actual costs of up to \$10,000. The Court will make the final decision as to the amounts to be paid to Class Counsel. Class Counsel's request for fees and costs will be posted on the Settlement Website no later than June 8, 2017. The approved attorneys' fees and costs will be deducted from the gross settlement amount.

DISMISSAL OF ACTION AND RELEASE OF ALL CLAIMS

What do Class Members give up to obtain relief under the settlement?

If the settlement is approved, the Court will enter a Final Order and Judgment dismissing the Lawsuit “with prejudice” (i.e., meaning that it cannot be filed again).

Upon the entry of the Final Order and Judgment, Plaintiff and all Class Members who have not effectively opted-out of the settlement shall fully release and discharge Defendants (as defined herein) from any and all claims, debts, liabilities, demands, obligations, guarantees, costs, expenses, attorney fees, penalties, damages, or causes of action which relate to or arise out of the allegations asserted in the operative complaint in the Lawsuit and any and all related claims, including but not limited to claims for violations of the FCRA and ICRAA and each and

every claim that could have been alleged against Defendants arising out of the facts, circumstances, and primary rights in the Lawsuit. Plaintiff and Class Members do not release claims for unemployment compensation, disability, workers' compensation, discrimination, retaliation, and other claims unrelated to the Lawsuit. The time period covered by this release is from October 30, 2013 to May 23, 2016.

In addition, Class Members who have not effectively opted-out of the settlement will release all known and unknown claims against Defendants pursuant to California Civil Code § 1542 that have been alleged or could have been alleged arising out of the facts, circumstances, and primary rights in the Lawsuit. Section 1542 of the California Civil Code provides as follows:

A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM OR HER MUST HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR.

Unless you exclude yourself, you will remain in the settlement, and that means that you cannot sue, continue to sue, or be part of any other lawsuit about the released claims. It also means that all of the Court's orders will apply to you and legally bind you.

If you exclude yourself from the settlement, you would retain the right to bring a claim against Defendants, but you would not have representation provided for you through this lawsuit, and would be responsible for hiring your own attorney at your own expense.

HOW TO EXCLUDE YOURSELF FROM THE SETTLEMENT
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How do Class Members exclude themselves from the settlement?

Persons who fall within the definition of the Class Members who do not want to be a part of the settlement must complete an Opt-Out Form and submit it electronically to the Claims Administrator on or before June 22, 2017.

If you submit a valid Opt-Out Form by the above deadline, you will not be a part of the settlement, will not be eligible to make a claim for payment, will not be bound by the Final Order and Judgment entered in the Lawsuit, and will not be precluded from bringing any individual claim against Defendants based on the conduct complained of in the Lawsuit.

You cannot submit both a Claim Form and an Opt-Out Form from the settlement because only Class Members are entitled to any monetary payment under the settlement. For any person who submits both a Claim Form and an Opt-Out Form, only the last one submitted will be effective. For example, if a person submits a Claim Form and then submits an Opt-Out Form, he or she will be excluded from the settlement class, and the Claim Form will be ignored.

HOW TO OBJECT TO THE SETTLEMENT
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How do I tell the Court that I do not like the settlement?

The Court will hold a Final Approval Hearing to determine whether the settlement is fair, reasonable, and adequate, and to also consider Class Counsel's request for an award of attorneys' fees and costs, and a service award to the Class Representative.

If you have not submitted a valid Opt-Out Form and wish to object to the settlement or to the award of attorneys' fees, costs, or service award, you must submit a written objection to the Claims Administrator no later than June 22, 2017.

Written objections must be signed by the objector and must include: (1) the name of the Lawsuit and case number, “*White, et al. v. RBD Staffing, Inc., et al.*, Case No.: 2:15-cv-08519-PSG (KSx)”; (2) the objector’s name, address, telephone number, and email address; (3) the basis upon which the objector claims to be a Class Member; (4) the grounds for the objection, including supporting law or evidence, if any; (5) the name and contact information of attorneys representing, advising, or assisting the objector in connection with the objection or who may profit from the pursuit of the objection; and (6) a statement indicating whether the objector intends to appear at the Final Approval Hearing personally or through counsel.

You may, but need not, submit your written objection through an attorney of your choice. If you do make your objection through an attorney, you will be responsible for your own attorney’s fees and costs. Objections filed by attorneys registered for e-filing with this Court on behalf of Class Members must be filed through the Court’s electronic court filing (“ECF”) system located at <https://ecf.cacd.uscourts.gov>.

You must also mail your written objection to the counsel below on the date you submit it to the Claims Administrator:

Class Counsel

Anthony J. Orshansky, Esq.
Justin Kachadoorian, Esq.
CounselOne, P.C.
9301 Wilshire Boulevard, Suite 650
Beverly Hills, CA 90210

RBD’s Counsel

Tim L. Johnson, Esq.
Ogletree, Deakins, Nash, Smoak & Stewart, P.C.
4370 La Jolla Village Drive, Suite 900
San Diego, CA 92122

Sprint’s Counsel

Harold M. Brody, Esq.
Tracey L. Silver, Esq.
Proskauer Rose LLP
2049 Century Park East, 32nd Floor
Los Angeles, CA 90067

The date of an objection is deemed to be the date on which it is filed with the Court. For the purposes of ECF transmission, transmission must be complete by 11:59 p.m. (Pacific Time) on June 22, 2017.

IF YOU DO NOT TIMELY MAKE YOUR OBJECTION, YOU WILL BE DEEMED TO HAVE WAIVED ALL OBJECTIONS AND WILL NOT BE ENTITLED TO SPEAK AT THE FINAL APPROVAL HEARING.

You are not required to appear at the Final Approval Hearing. But if you file and mail a timely objection that complies with this section, you may appear at the Final Approval Hearing either in person or through an attorney of your own choice hired at your expense to object to the fairness, reasonableness, or adequacy of the settlement, or to the award of attorneys’ fees and costs or to the service award to the Plaintiff.

If you or your attorney intend to appear at the Final Approval Hearing, you must state in your written objection that you and/or your attorney intend to appear and speak at the Final Approval Hearing.

What is the difference between excluding myself and objecting to the settlement?

Objecting is simply telling the Court that you don’t like something about the settlement. You can object only if you stay in the settlement class. Excluding yourself is telling the Court that you don’t want to be part of the settlement class. If you exclude yourself, you have no basis to object because the settlement no longer affects you.

FINAL APPROVAL HEARING

What is the Final Approval Hearing?

The Court has preliminarily approved the settlement and will hold a hearing to decide whether to give final approval to the settlement. The purpose of the Final Approval Hearing will be for the Court to determine whether the settlement should be approved as fair, reasonable, adequate, and in the best interests of the Class; to consider the award of attorneys' fees and expenses to Class Counsel; and to consider the request for a service award to the Class Representative.

When and where is the Final Approval Hearing?

The Court will hold the Final Approval Hearing at 1:30 p.m. on July 10, 2017 at U.S. Courthouse, 350 West 1st Street, Los Angeles, CA 90012, Courtroom 6A, 6th Floor. The hearing may be postponed to a different date or time or location without notice. Please check <http://www.cacd.uscourts.gov/judges-schedules-procedures> for any updates about the settlement generally or the Final Approval Hearing specifically. If the date or time of the Final Approval Hearing changes, an update to the Settlement Website will be the only way you will be informed of the change.

May I speak at the hearing?

At that hearing, the Court will be available to hear any objections and arguments concerning the fairness of the settlement.

You may attend, but you do not have to. As described above, you may speak at the Final Approval Hearing only if (a) you have timely mailed your objection to the Claims Administrator and timely mailed your written objection to Class Counsel and counsel for RBD and Sprint, and (b) followed the procedures set forth above for notifying the Court and the parties that you intend to speak at the Final Approval Hearing.

If you have requested exclusion from the settlement, however, you may not speak at the Final Approval Hearing.

GETTING MORE INFORMATION & UPDATING INFORMATION

How do I get more information?

To see a copy of the Settlement Agreement (which defines capitalized terms used in this notice and provides a brief summary of what has happened in the Lawsuit), the Court's preliminary approval order, Class Counsel's application for attorneys' fees and costs, and the operative complaint filed in the Lawsuit, please click www.RBDstaffingclassactionsettlement.com.

Alternatively, you may contact the Claims Administrator at: *White, et al. v. RBD Staffing, Inc., et al.* Settlement, c/o CPT Group, Inc., 50 Corporate Park, Irvine, CA 92606.

The above description of the Lawsuit is general and does not cover all of the issues and proceedings that have occurred. In order to see the complete file for the Lawsuit, you should visit the website of the Administrative Office of the U.S. Courts, PACER Service Center, located at <http://pacer.psc.uscourts.gov/>. You may also visit or call the Clerk's office at the United States District Court for the Central District of California, U.S. Courthouse, 350 West 1st Street, Los Angeles, CA 90012. The Clerk will tell you how to obtain the file for inspection and copying at your own expense.

You may also contact Class Counsel by calling (310) 277-9945.

What if my address or other information changes after I submit a Claim Form?

If, after you submit a claim form, you change your postal or email address, it is your responsibility to inform the Claims Administrator of your updated information. You may do so either by mail or email at the addresses below:

White, et al. v. RBD Staffing, Inc., et al. Settlement
c/o CPT Group, Inc.
50 Corporate Park
Irvine, CA 92606
RBDsettlementadministrator@cptgroup.com

DO NOT ADDRESS ANY QUESTIONS ABOUT THE SETTLEMENT OR THE LITIGATION TO RBD, SPRINT, THE CLERK OF THE COURT, OR THE JUDGE.

Dated: March 8, 2017

By: Order of the United States District Court for the
Central District of California
HONORABLE PHILLIP S. GUTIERREZ
JUDGE OF THE U.S. DISTRICT COURT