

**NOTICE OF PROPOSED CLASS ACTION SETTLEMENT AND HEARING DATE
FOR FINAL APPROVAL**

Parsons v. La Sierra University

(California Superior Court, County of Riverside Case No. CVRI2000104)

As a current or former Adjunct Faculty Member of La Sierra University in California, or a current or former employee who worked from home for La Sierra University in California, you are entitled to receive money from a class action settlement.

Please read this Notice carefully. This Notice relates to a proposed settlement of class action litigation. If you are a Class Member, it contains important information about your right to receive a payment from the Settlement fund.

You have received this Notice of Class Action Settlement because La Sierra University's ("Defendant" or "LSU") records show you are an "Adjunct Class Member" or a "Reimbursement Class Member" and therefore entitled to a payment from this class action Settlement. "Adjunct Class Member" refers to all current or former employees who performed the duties of an Adjunct Faculty for LSU in California, at any time between November 12, 2016 and October 14, 2021, while not classified as hourly non-exempt employees. "Reimbursement Class Member" refers to all individuals who worked remotely for LSU in California at any time between March 4, 2020 and October 14, 2021.

- The settlement resolves a class-action lawsuit, *Parsons v. La Sierra University* (the "Lawsuit"), which alleges that Defendant: (1) failed to pay Adjunct Class Members for all hours worked, (2) failed to provide Adjunct Class Members legally-compliant meal and rest breaks under California law, (3) failed to pay Adjunct Class Members all wages owed upon discharge from employment, (4) failed to furnish Adjunct Class Members accurate itemized wage statements, and (5) failed to reimburse Adjunct Class Members who taught courses online both before and during the Covid-19 pandemic for business expenses. The Lawsuit also alleges that Defendant failed to reimburse Reimbursement Class Members for business expenses related to working from home during the Covid-19 pandemic.

- On October 14, 2021, the Riverside County Superior Court granted preliminary approval of this class action Settlement and ordered that all Class Members be notified of the Settlement. The Court has not made any determination of the validity of the claims in the Lawsuit. The Court has determined only that there is sufficient evidence to suggest that the proposed settlement might be fair, adequate, and reasonable. Any final determination of those issues will be made at the final hearing. LSU vigorously denies the claims in the Lawsuit and contends that it fully complied with all applicable laws.

**Questions? Contact the Settlement Claims Administrator toll free at 1(888) 617-1625 or at
LSUSettlement@cptgroup.com**

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
DO NOTHING AND RECEIVE PAYMENT	Get a payment, and give up your legal rights to pursue claims released by the settlement of the Lawsuit.
OPT OUT OF THE SETTLEMENT	Exclude yourself from the Settlement, get no payment other than your share of PAGA civil penalties as described below, and retain your legal rights to pursue claims that would otherwise be released by the settlement of the Lawsuit.
OBJECT TO THE SETTLEMENT	If you do not opt out, you may write to the Settlement Administrator, CPT, Inc., about why you object to the settlement and they will forward your concerns to counsel which will then be provided to the Court. If the Court approves the Settlement despite your objection, you will still be bound by the Settlement. You or your attorney may also address the Court during the Final Approval hearing scheduled for March 1, 2022 at 8:30 a.m. in the Murrieta Courthouse of Riverside County Superior Court. You do not need to attend the hearing for your objection to be considered.

The Final Fairness and Approval Hearing on the adequacy, reasonableness, and fairness of the Settlement will be held at 8:30 a.m. on March 1, 2022, in Dept. S302, Southwest Justice Center, located at 30755-D Auld Road, Murrieta, CA 92563. You are not required to attend the Hearing, but you are welcome to do so.

Why Am I Receiving This Notice?

Defendant's records show that: (1) you currently work, or previously worked, for LSU in California as an Adjunct faculty member between November 12, 2016 and October 14, 2021 and/or (2) worked remotely for LSU in California between March 4, 2020 and October 14, 2021. You were sent this Class Notice because you have a right to know about a proposed settlement of a class action lawsuit, and about all of your options before the Court decides whether to finally approve the settlement. If the Court approves the settlement and then any objections and appeals are resolved, a "Settlement Administrator" appointed by the Court will make the payments described in this Notice. This Notice explains the Lawsuit, the settlement, your legal rights, what benefits are available, who is eligible for them, and how to get them.

What Is This Case About?

Dean Parsons worked as an adjunct instructor for LSU in California. He is the "Plaintiff" in this case and is suing on behalf of himself and Adjunct Class Members for LSU's alleged failure to pay all wages due for all hours worked, failure to provide Adjunct Class Members with legally-compliant rest and meal breaks, failure to pay all wages owed upon separation from employment, failure to furnish timely and accurate wage statements, and failure to reimburse necessary business expenses in connection with teaching courses online both before and during the pandemic. Plaintiff also alleges that LSU failed to reimburse Adjunct Class Members and Reimbursement Class Members for their necessary business expenses in connection with working remotely from home during the Covid-19 pandemic.

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LSU denies all of the allegations made by Plaintiff and denies that it violated any law. The Court has made no ruling on the merits of Plaintiff's claims. The Court has only preliminarily approved a Class Action Settlement Agreement. The Court will decide whether to give final approval to the Settlement at the Final Fairness and Approval Hearing.

Summary of the Settlement Terms

Plaintiff and LSU have agreed to settle this case on behalf of the Class for the Gross Settlement Amount of \$550,000. The Gross Settlement includes: (1) Administration Costs up to \$20,000; (2) a service payment of up to \$10,000 to Plaintiff for his time and efforts in pursuing this case and in exchange for a general release of claims against LSU he has agreed to enter into; (3) fees of up to 1/3 of the Settlement Amount (\$183,333.33) and up to \$20,000.00 in litigation costs to Class Counsel; and (4) payment allocated to Private Attorney General Act ("PAGA") penalties in the amount of \$15,000 (with \$11,250 to be paid to the Labor and Workforce Development Agency ("LWDA") and 25% paid pro rata to those Adjunct Class Members who worked during the Adjunct PAGA Period (defined as October 20, 2019 to October 14, 2021 and Reimbursement Class Members who worked during the Reimbursement PAGA Period (March 4, 2020 and October 14, 2021. After deducting these sums, a total of approximately \$305,416.67 will be available for distribution to Class Members ("Net Settlement Amount"). In addition to the Gross Settlement Amount, Defendant will bear all employer-side payroll tax payments due and payable to federal and state tax authorities as a result of this Settlement.

Distribution to Class Members

The Net Settlement available for distribution to Class Members will be determined by deducting from the Gross Settlement Amount the combined total of any court-awarded attorneys' fees and costs, settlement administration costs, service award to the named Plaintiff, and the amount paid to the LWDA.

\$8,800 of the Net Settlement Amount shall be allocated to the Reimbursement Class and paid to Reimbursement Class Members on a per capita basis.

\$3,750 of the amount allocated to the PAGA claim ("PAGA Payment") shall be paid to Class Members who worked for LSU in California during the Adjunct / Reimbursement PAGA Periods ("PAGA Group"). PAGA Payment shares will be paid to the PAGA Group on a per capita basis. If you Opt Out from the Class, you will still receive your PAGA Payment share and will release the Released PAGA Claims.

The \$292,866.67 remaining from the Net Settlement Amount shall be allocated to the Adjunct Class and shall be paid to Adjunct Class Members pro-rata based on the number of credits that they taught during the Adjunct Class Period in proportion to the credits taught by all Adjunct Class Members. Adjunct Class Members' credits will be weighted as follows: the credits taught as part of a course that was solely online will be reduced by one-quarter (i.e. they will be multiplied by 0.75). Zero-credit courses will be treated as one-credit courses for the purposes of this calculation.

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Your Estimated Settlement Award

Defendant's records show that you <<Rei_Are_AreNot>> a member of the Reimbursement Class. Your share of the Net Settlement allocated to the Reimbursement Class is <<Reimbursement_estAmount>>.

Defendant's records also show that you <<Adj_Are_AreNot>> a member of the Adjunct Class and taught a total of: <<TotalCredits>> during the Adjunct Class Period. Defendant's records show that <<OnlineCredits>> and a 0.75 multiplier has therefore been applied to these credits. Based on this information, your share of the Net Settlement allocated to Adjuncts is approximately << Adjunct_estAmount>>.

Finally, Defendant's records show that <<PAGA_Are_AreNot>> a member of the PAGA Group. Your share of the PAGA Payment is <<PAGA_estAmount>>.

If you believe this information is incorrect and wish to dispute it, you must mail a dispute to the Settlement Administrator no later than January 17, 2022. Please include any documentation you have that you contend supports your dispute.

Tax Reporting

For tax reporting purposes, the payments monies paid to the Adjunct Class will be allotted 20% to wages and 80% to penalties and interest. Payout to the Reimbursement Class will be allotted 100% to penalties.

Please consult a tax advisor regarding the tax consequences of your Settlement Award. This notice is not intended to provide legal or tax advice on your Settlement Share.

Claims That You Are Releasing Under the Settlement

Adjunct Released Claims: If finally approved by the Court, each Adjunct Class Member who does not request exclusion from the Settlement will be bound by all of the terms of the Settlement, and will release LSU from any and all claims stated in the complaint and those based solely upon the facts alleged in the complaint on their behalves, including claims for any alleged failure to pay all wages due (including minimum wage and overtime wages), failure to pay for all hours worked (including off-the clock and on-call work), failure to provide meal and authorize and permit rest periods, short/late meal and rest periods, failure to relieve of all duties during meal and rest periods, failure to reimburse business expenses, failure to timely pay wages and final wages, failure to furnish accurate wage statements including claims derivative and/or related to these claims, liquidated damages, and conversion of wages, up to and including the date of preliminary approval by the Court. This release shall apply to all claims arising at any point during the Adjunct Class Period.

Reimbursement Released Claims: If finally approved by the Court, each Reimbursement Class Member who does not request exclusion from the Settlement will be bound by all of the terms of the Settlement, and will release LSU from any and all claims stated in the complaint and those based solely upon the facts alleged in the complaint on their behalves including reimbursement-related claims. This release shall apply to all claims arising at any point during the Reimbursement Class Period.

**Questions? Contact the Settlement Claims Administrator toll free at 1(888) 617-1625 or at
LSUSettlement@cptgroup.com**

Your Options Under the Settlement

Option 1 – *Do Nothing and Receive Your Payment*

If you do not opt out, you are automatically entitled to your Settlement Check because you are a Class Member. If you do not dispute your pay checks calculation and do not opt out of the settlement, you will be bound by the settlement and receive a settlement payment. **In other words, if you are a Class Member, you do not need to take any action to receive the settlement payment set forth above.**

Plaintiff and all Class Members who do not submit a valid and timely opt out (pursuant to Section 2 below), will be deemed to have fully, finally, and forever released, settled, compromised, relinquished, and discharged the Released Parties (including LSU and any employees, officers, and directors) of all Released Claims they may have or had, as described above.

Option 2 – *Opt Out of the Settlement*

If you do not wish to participate in the Settlement, you may exclude yourself by completing the enclosed Exclusion Form and mailing it by U.S. First-Class Mail to the address listed on the Exclusion Form. If you Opt Out from the Class, you will still receive your PAGA Payment Share and will release the Released PAGA Claims.

The Exclusion Form must be postmarked or received by the Administrator not later than January 17, 2022. If you exclude yourself from the Settlement then you will get no payment, and retain your legal rights to pursue claims that would otherwise be released by the settlement of the Lawsuit.

Option 3 – *File an Objection to the Settlement*

If you wish to object to the Settlement, you may complete the enclosed Objection Form and mail it to the Administrator no later than January 17, 2022. Please note that you cannot both object to the Settlement and exclude yourself. If the Court overrules your objection, you will be bound by the settlement and will receive your Settlement Share.

Final Fairness Hearing

You may, if you wish, also appear at the Final Fairness and Approval Hearing set for March 1, 2022 at 8:30 a.m. in Dept S302, Southwest Justice Center, 30755-D Auld Road, Murrieta, CA 92563, and discuss your objections with the Court and the Parties at your own expense. You may also retain an attorney to represent you at the Hearing at your own expense.

**Questions? Contact the Settlement Claims Administrator toll free at 1(888) 617-1625 or at
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Additional Information

This Notice of Class Action Settlement is only a summary of this case and the Settlement. For a more detailed statement of the matters involved in this case and the Settlement, you may visit <https://www.cptgroupcaseinfo.com/LaSierraSettlement/>, call the Settlement Administrator at 1(888) 617-1625, or Class Counsel at:

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50 Corporate Park
Irvine, CA 92606
Phone: 1(888) 617-1625
Email: LSUSettlement@cptgroup.com
<https://www.cptgroupcaseinfo.com/LaSierraSettlement/>

You may also refer to the pleadings, the Settlement Agreement, attached as **Exhibit 1** to the Declaration of Julian Hammond in Support of Plaintiff's Motion for Preliminary Approval filed on August 11, 2021, the Amendment to the Settlement Agreement, attached as **Exhibit 1** to the Supplemental Declaration of Julian Hammond in Support of Plaintiff's Motion for Preliminary Approval filed on September 23, 2021 and other papers filed in this case, which may be inspected at the Office of the Clerk of Riverside County Superior Court, located at 30755-D Auld Road, Murrieta, CA 92563, during regular business hours of each court day. You may also access these records online by visiting: <https://epublic-access.riverside.courts.ca.gov/public-portal/>; clicking on "Case Number Search"; and entering the case number (CVRI2000104).

All inquiries by Class Members regarding this Notice of Class Action Settlement and/or the Settlement should be directed to the Settlement Administrator or Class Counsel.

**PLEASE DO NOT CONTACT THE CLERK OF THE COURT, THE JUDGE,
LSU, OR LSU'S ATTORNEYS WITH INQUIRIES.**

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REQUEST FOR EXCLUSION FROM CLASS ACTION

Parsons v La Sierra University
(California Superior Court, County of Riverside Case No. CVRI2000104)

USE AND RETURN THIS FORM ONLY IF YOU WISH TO EXCLUDE YOURSELF FROM THE CLASS SETTLEMENT.

If you wish to exclude yourself from the class settlement, you must read and sign the following statement and postmark and mail this form to the Settlement Administrator on or before January 17, 2022 to the following address:

Parsons v. La Sierra University
c/o CPT Group, Inc.
50 Corporate Park
Irvine, CA 92606
Phone: 1(888) 617-1625

DO NOT SUBMIT THIS EXCLUSION FORM IF YOU WISH TO PARTICIPATE IN THIS SETTLEMENT. DO NOT FILE THIS EXCLUSION FORM WITH THE COURT.

I do not wish to participate in this class action and choose to exclude myself from this settlement. I understand that by excluding myself, I will be unable to receive any benefits under the Settlement.

Signature

Date

Print Name

Address

City, State, Zip Code

If you do not wish to exclude yourself from the class settlement, you do not need to take any action. If the proposed settlement receives final approval from the Court, you will receive a check by U.S. Mail.

OBJECTION TO CLASS ACTION SETTLEMENT AGREEMENT

Parsons v La Sierra University
(California Superior Court, County of Riverside Case No. CVRI2000104)

USE AND RETURN THIS FORM ONLY IF YOU WISH TO OBJECT TO THE CLASS SETTLEMENT. DO NOT SUBMIT THIS FORM IF YOU WISH TO BE EXCLUDED FROM THE SETTLEMENT.

If you wish to object to the class settlement, you must state the nature of and basis for your objection and sign below, and postmark and mail this form to the Settlement Administrator on or before January 17, 2022, to the following address:

Parsons v. La Sierra University
c/o CPT Group, Inc.
50 Corporate Park
Irvine, CA 92606
Phone: 1(888) 617-1625

I object to the proposed Settlement for the following reason(s): _____

Signature

Date

Print Name

Address

City, State, Zip Code

If you do not wish to object to the class settlement, you do not need to take any action. If the proposed settlement receives final approval from the Court, you will receive a check by U.S. Mail.

Questions? Please Call 1(888) 617-1625