

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

NOTICE OF PROPOSED FAIR LABOR STANDARDS ACT COLLECTIVE ACTION

TO: Certain former and current hybrid/remote workers employed in Pennsylvania by Capital Management Services, L.P. and Center One, LLC from February 20, 2021 to present.

RE: Lawsuit for Denied Wages and Unpaid Overtime Wages

DATE: March 14, 2025

Purpose of this Notice

The purpose of this Notice is to inform you of the existence of a proposed collective action under the federal Fair Labor Standards Act ("FLSA"), to notify you of your rights as a prospective member of this proposed collective action, and to provide you with instructions on the procedure for participating in this proposed collective action if you so desire. This Notice is only for the purpose of determining if you want to join this suit and telling you how you may join.

This Notice is not a guarantee the court will rule in favor of the Plaintiff. The court has not yet made any determination on the merits of Plaintiff's claims.

Protection Against Retaliation by Employer

If you choose to participate in this lawsuit, the federal Fair Labor Standards Act prohibits your employer from discriminating or retaliating against you for choosing to take part in this lawsuit.

Description of the Lawsuit

A lawsuit has been filed in the United States District Court for the Western District of Pennsylvania, captioned *Fulton v. Capital Management Services LP, et al.*, Civil Action No. 2:22-CV-823-MRH. The lawsuit claims that the Defendants failed to pay actual wages and overtime pay to its Workers who worked more than 40 hours per week. The lawsuit claims that the Defendants should have to pay for all time worked by employees prior to the start of their shifts during which they were required to log in to company software. The lawsuit claims that the Defendants should have paid overtime pay to all of its Workers for work actually performed in excess of 40 hours in a given week. The lawsuit seeks, among other things, to recover overtime pay under the federal FLSA for Workers who worked more than 40 hours per week for the Defendants. The Defendants deny the claims asserted by Plaintiff.

How to Join the Suit

The lawsuit described above is brought as a proposed FLSA collective action on behalf of all current and former hybrid/remote workers employed in Pennsylvania by Capital Management Services, L.P. and Center One, LLC from February 20, 2021 to present who were not properly compensated for time spent logging in to the companies' systems prior to their shift. You may opt in if you wish.

YOUR LEGAL RIGHTS AND OPTION IN THIS LAWSUIT

If you believe that you fit within this description, you may choose to be included in this suit. If you do so, you will have the possibility of getting money or benefits from a trial or settlement. And you will give up any rights to separately sue Capital Management Services L.P. and Center One, LLC for the same legal claims in this lawsuit.

If you wish to be included, you must complete the attached "Consent to Opt-In" form at the end of this Notice and return it by mail or electronically no later than 90 days from the date of this Notice. You may also complete the Consent to Opt-In electronically at www.loancareotcase.com.

If you do not file a Consent to Join form as instructed, you give up the possibility of getting money or benefits from a trial or settlement of the FLSA claims in this case. You will keep any rights to sue Capital Management Services, L.P. and Center One, LLC separately about the same legal claims in this lawsuit, but the statute of limitations for your FLSA claim continues to run and may expire before you commence your own action.

If you chose not to file a Consent to Join form, you will not be affected by any judgment, favorable or unfavorable in this matter. If you choose not to join this suit, you are free to file your own suit.

If you do join this lawsuit by filing a Consent to Opt-In form, you will be bound by the judgment of the Court on the FLSA issues in this case, whether it is favorable or unfavorable. If you chose to join this suit, you may be required to provide information, to sit for a deposition and/or testify at a court proceeding.

If at the end of the case, the Court concludes that the Defendants were the prevailing party, the Defendants may request that the Court award court costs to them and against the Plaintiffs in this case. Plaintiffs could oppose any such request. Those court costs could include fees for transcripts and printing, witness fees, certain copying costs, docket fees and the fees of any court-appointed experts. They could not include the Defendants' attorneys or expert fees. Whether any such court costs would be awarded would be determined by the Court at the appropriate time.

You can join this lawsuit electronically by visiting the website:

www.loancareotcase.com



For More Information

You may, but are not required to, contact the following to obtain additional information about this suit:

Loancare OT Case
P.O. Box 2006
Chanhassen, MN 55317-2006
Email: loancareotcase@noticeadministrator.com

You may also consult an attorney of your own choosing, at your own expense.

Please do not contact the Court or the Clerk for legal advice.