

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

Burleigh v. Walden University, LLC and Laureate Education, Inc.
Case No. RG21106062
Superior Court of California, Alameda County

If you worked for Walden University as part-time faculty member who was classified as Contributing Faculty or paid according to the Faculty Compensation Schedule in California between January 25, 2017, and May 31, 2022, you are entitled to receive money from a class action settlement.

The California Superior Court, Alameda County, authorized this Class Notice.
This is not a solicitation from a lawyer.

**PLEASE READ THIS CLASS NOTICE CAREFULLY. THIS
PROPOSED SETTLEMENT AFFECTS YOUR LEGAL RIGHTS.**

- The Settlement resolves a class-action lawsuit, *Burleigh v. Walden University, LLC and Laureate Education, Inc.* (the “Lawsuit”), which alleges that Walden University, LLC and Laureate Education, Inc. (“Defendants”): (1) failed to pay Class Members for all hours worked, (2) failed to provide Class Members legally-compliant rest breaks, premium pay for missed rest breaks, and separate hourly pay for rest breaks taken, (3) failed to issue to Class Members accurate itemized wage statements, (4) failed to pay all wages owed upon discharge from employment, and (5) failed to reimburse Class Members for necessary business expenses.
- The Court has not made any determination of the validity of the claims in the Lawsuit. Defendants deny those claims and contend that they complied with all applicable laws.

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, 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, Phoenix Settlement Administrators, about why you object to the Settlement, and they will forward your concerns to counsel who will provide them to the Court. If the Court approves the Settlement despite your objection, you will still be bound by the Settlement. If you timely object, you or your attorney may also address the Court during the Final Approval hearing scheduled for JANUARY 17, 2023, in Department 21 of the Alameda County Superior Court.

- The Settlement fund will be used to settle claims of all Class Members. “Class Members” refers to all part-time faculty members who were classified as Contributing Faculty or paid according to the Faculty Compensation Schedule and who are or have been employed by Defendants in California from January 25, 2017, through May 31, 2022 (“Class Period”). The amount of Class Members’ individual settlements will be calculated pro rata in proportion to the amount each Class Member was paid during the Class Period under the Faculty Compensation Schedule. The Settlement fund will also be used to settle claims brought on behalf of the California Labor & Workforce Development Agency (“LWDA”) under the Private Attorneys General Act (“PAGA”) with respect to all part-time faculty members who were classified as Contributing Faculty or paid according to the Faculty Compensation Schedule and who are or have been employed by Defendants in California from January 26, 2020, through May 31, 2022 (“PAGA Period”).
- The Court has preliminarily approved this Settlement. A Final Approval hearing addressing the fairness, adequacy, and reasonableness of the Settlement is scheduled to be held on JANUARY 17, 2023, to determine whether the Settlement should receive the Court’s final approval. That date is subject to possible change by the Court without further Notice (see below for where to find more information).
- Lawyers for the Class Members will be asking the Court to award one-third (\$271,666.67) of the Gross Settlement Amount (\$815,000.00) as attorneys’ fees for investigating the facts, litigating the case, and negotiating the Settlement, as well as reasonable costs not to exceed \$25,000 incurred during the Lawsuit. They also will ask the Court to approve an incentive payment of \$7,500 to each of the two named Plaintiffs (*i.e.*, Class Representatives) who assisted in litigating this case for the benefit of all Class Members and who will also be providing Defendants with a general release of claims.

Any questions? Read on or visit <http://www.phoenixclassaction.com/>

BASIC INFORMATION

1. Why did I get this Class Notice package?!

Defendants’ records show that you work, or previously worked, for Defendants in California as a part-time faculty member who was classified as Contributing Faculty or paid according to the Faculty Compensation Schedule at some point between January 25, 2017, through May 31, 2022. 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.

2. What is this Lawsuit about?

Plaintiffs in this Lawsuit, Cheryl Burleigh and Chad Harris, alleged that during the Class Period, Defendants violated California law by failing to pay Class Members for all hours worked, failing to provide them with legally compliant rest breaks and rest-break premium pay, failing to pay all wages owed upon discharge from employment, failing to furnish accurate wage statements, and failing to reimburse necessary business expenses. Plaintiffs also alleged that Defendants owed PAGA Penalties for those violations of California law during the PAGA Period. As noted above,

Defendants deny each of these allegations and contend that Plaintiffs’ claims have no merit. A copy of the most recent version of the Complaint (and other documents, as discussed below) may be found at <http://www.phoenixclassaction.com/>

3. Why is this a class action?

In a class action, one or more people called class representatives make allegations on behalf of other people who they allege have similar claims. All these people comprise a class and are referred to as class members, except for those who decide to exclude themselves from the class in response to the class notice. In a class action, one court resolves the issues for all class members in a single case.

4. Why is there a settlement?

The Parties disagree on the probable outcome of the case with respect to liability and damages. Plaintiffs believe that the claims asserted against Defendants are valid and could be proved if the case went to trial. Defendants believe that Plaintiffs' claims have no merit, and that Plaintiffs would not prevail if the case went to trial. Defendants further contend that, other than in the context of this Settlement, the case is not suitable for class treatment. The Court has not decided in favor of Plaintiffs or Defendants. There has been no trial in this case. Instead, both sides recognize the risks, expenses, and disruption that are associated with continued litigation, and they have therefore chosen to resolve their differences by entering into this Settlement. The Parties entered into this Settlement after arm's length negotiations using the services of an experienced and neutral mediator. Plaintiffs and Class Counsel believe that this Settlement is fair and reasonable and is in the best interests of all Class Members.

5. What is a class action settlement?

In a class action, the Court must decide whether to grant final approval of the terms of the Settlement described below as fair and reasonable to the Class. Once approved, the Settlement will affect all Class Members who do not opt out. This Class Notice explains your legal rights, the terms of the Settlement, what you must do to participate or opt out, and the amount of money you may get. Please read this entire Class Notice carefully.

6. How do I know if I am a Class Member?

If you fit the following description, then you are a Class Member: All part-time faculty members who were classified as Contributing Faculty or paid according to the Faculty Compensation Schedule and who are or have been employed by Defendants in California at any time between January 25, 2017, and May 31, 2022.

7. Are there exceptions to being included?

You are not a Class Member if you were not employed by Defendants in California as a part-time faculty member who was classified as Contributing Faculty or paid according to the Faculty Compensation Schedule during the Class Period. You can also choose to be excluded from this Settlement by opting out of this Settlement in the manner described below.

8. I'm still not sure if I am a Class Member. What should I do?

You may contact the Settlement Administrator for further information, or you may also contact Class Counsel at the phone number provided in Section 22 of this Notice. Or you can do nothing, and if you are entitled to a payment, you will be paid. Be mindful, however, that if this Class Notice reaches you and the address where you now live is different, you should contact the Settlement Administrator and provide updated information so that any future correspondence or the settlement check itself reaches you and is not returned as an address unknown.

9. What does the Settlement provide?

The Parties have agreed to settle the Lawsuit for a "Gross Settlement Amount" of Eight Hundred and Fifteen Thousand Dollars (\$815,000). The Settlement is "non-reversionary," which means that the entire Gross Settlement Amount will be paid out, subject to various Court-approved deductions listed below in this Section, and none of the funds will revert to Defendants. In addition to the Gross Settlement Amount, Defendants will bear all employer-side payroll tax payments due and payable to federal and state tax authorities as a result of this Settlement. The Gross Settlement Amount shall be deemed in satisfaction of claims for: (1) unpaid wages, rest-break premiums, unreimbursed business expenses, penalties, interest, and/or other amounts to be paid to Class Members; (2) attorneys' fees not to exceed one-third of the Gross Settlement Amount and costs of Class Counsel not to exceed \$25,000; (3) a service payment not to exceed \$7,500 to each of the two named Plaintiffs (\$15,000 total); (4) all costs of third-party settlement administration not expected to exceed \$20,000; and (5) payment to the LWDA of \$18,750 as its share of \$25,000 allocated to penalties under PAGA (California Labor Code §§ 2698 *et seq.*).

10. How will Settlement payments to Class Members be calculated?

The funds payable to Class Members will be divided up pro rata using the following formula:

From the Gross Settlement Amount, payments will be made to Class Counsel, the Class Representatives, the LWDA for its share of PAGA Penalties, and the Settlement Administrator. What remains after these payments is called the "Net Settlement Amount." Its amount will depend on the final Court-approved amounts of the deductions just listed. The Net Settlement Amount shall be paid on a proportional basis to each Class Member based on the amount paid to each Class Member during the Class Period under the Faculty Compensation Schedule. In addition, the employees' share of PAGA Penalties included in the Net Settlement Amount

will be paid on a proportional basis to each Class Member who worked during the PAGA Period based on the amount paid to each Class Member under the Faculty Compensation Schedule during the PAGA Period.

11. How much will I get from the Settlement?

Defendants' records indicate that you were paid << >> as a part-time faculty member who was classified as Contributing Faculty or paid according to the Faculty Compensation Schedule during the Class Period, and that you were paid << >> during the PAGA Period. Based on these records, your estimated settlement payment as a Class Member would be \$<<EstimatedAward>>.

Class Members who do not opt out will be paid their share of the Net Settlement Amount. 33% of each Settlement Payment will be designated as alleged unpaid wages, for which an IRS Form W-2 shall be issued. 67% of each Settlement Payment will be designated as interest and penalties for which an IRS Form 1099 shall be issued as may be required. Class Members who opt out will still be paid their share of PAGA Penalties, for which an IRS Form 1099 shall be issued as may be required.

If you believe that you were paid a different amount (*i.e.*, a different total amount paid to you under the Faculty Compensation Schedule during the Class Period and/or PAGA Period) than indicated by the numbers above, you may dispute your Settlement Payment calculation by providing written documentation to the Settlement Administrator supporting your position on or before OCTOBER 25, 2022. Your dispute must contain: your full name, address, signature, last four digits of your Social Security number, and the case name and number, as well as facts supporting your dispute, along with any supporting materials confirming that the payment amounts attributed to you are incorrect. If you do not dispute your calculation and do not opt out of the Settlement, you will receive a Settlement Payment based on the above amounts and will be bound by the Settlement. The Settlement Administrator's determination of disputes will be final and non-appealable. **If you are a Class Member, you do not need to take any action to receive the Settlement Payment calculated as set forth above.**

12. When would I get my payment?

As set forth in Section 18, below, the Court will hold a hearing on JANUARY 17, 2023, to decide whether to approve the Settlement. If the Court approves the Settlement, after that there may be appeals if anyone has filed a timely objection. It is always uncertain how and when objections and appeals will be resolved. To check on the progress of the Settlement, you may call the Settlement Administrator at Telephone: (800) 523-5773, or contact Class Counsel (*see* Section 22, below, for contact info). *Please be patient.*

13. What claims am I releasing if I participate in the Settlement?

Class Members who participate in the Settlement will release Defendants, and all of their predecessors, successors, affiliates, subsidiaries, parent companies, assigns, and related entities, and their respective officers, directors, employees, administrators, fiduciaries, trustees, agents, and benefit plans ("Released Parties") from any and all claims, debts, liabilities, demands, obligations, guarantees, costs, expenses, attorneys' fees, damages, actional or causes of action which are alleged, or could have been alleged based on the facts and claims asserted in the Complaint, and arising during the Class Period, including without limitation to, claims for restitution and other equitable relief, claims for unpaid wages, rest break penalties, waiting time penalties, unfair business practices, failure to provide accurate wage statements, failure to reimburse business expenses, declaratory relief, injunctive relief, claims for penalties of any nature whatsoever arising out of the Released Claims, or any other benefit claimed on account of allegations and claims which are related to the allegations and claims asserted in the Complaint filed in this Lawsuit and thus could have been asserted. This release shall apply to claims arising at any point during the Class Period. The release shall exclude claims for vested benefits, wrongful termination, unemployment insurance, disability, workers' compensation, and claims outside of the Class Period. In addition, the claims of the LWDA for civil penalties under PAGA pertaining to all Class Members (including those who opt out) shall be released during the PAGA Period based on the claims asserted or other claims that could have been brought based on the facts alleged in the Plaintiffs' PAGA Notices.

14. Do I have a lawyer in this case?

The Court has appointed two law firms, Hammond Law, P.C. and The Jhaveri-Weeks Firm, P.C. ("Class Counsel"), to represent you and all the other Class Members in this Lawsuit. Class Counsel will be compensated from the Gross Settlement Amount as discussed in this Class Notice. If you want to be represented by your own lawyer, you may hire one at your own expense.

15. How will the lawyers be paid?

Class Counsel will ask the Court to approve payment of one-third of the Gross Settlement Amount (\$271,666.67) to them for attorneys' fees, as well as costs in an amount not to exceed \$25,000. If Defendants discover that there are more Class Members than currently understood, the Gross Settlement Amount, and the requested one-third attorneys' fees award, may increase accordingly. The fees approved by the Court will pay Class Counsel for investigating the facts, litigating the case, and negotiating and finalizing the Settlement. Defendants have agreed not to oppose Class Counsel's application for these fees and expenses. The Court may choose to award less than the amount requested by Class Counsel. The requested payments to the Representative Plaintiffs and to the Settlement Administrator would also come from the balance of the Gross Settlement Amount and must be approved by the Court.

16. How can I opt out of this Settlement?

You can opt out of this Settlement and retain your rights instead of receiving a payment under this Settlement. To do so, you must prepare and submit in writing a signed and dated statement that you want to be excluded from the Settlement. You must include: your full name, signature, address, last four digits of your Social Security number, the case name and the case number, and a clear statement that you seek to be excluded from the Settlement. Your written statement must be mailed to the Settlement Administrator, Phoenix Settlement Administrators, and be postmarked no later than OCTOBER 25, 2022, or it will not be considered, and you will still remain a Settlement Class Member and be bound by the Settlement. Phoenix Settlement Administrators address is listed in Section 23, below. You cannot opt out of the settlement of PAGA claims, so even if you opt out of this class action Settlement, you will still receive a payment for your share of PAGA penalties, if any, and the LWDA's claim for PAGA penalties pertaining to you will still be settled and released.

17. How do I tell the Court that I do not agree with the Settlement?

If you do not opt out, you can object to the Settlement if you do not agree with it. You should give reasons why you think the Court should not approve the Settlement and the Court will consider your views. To object, and to have the Court hear your views, you should send a letter saying that you object to the Settlement and give your reasons. Be sure to include your full name, address, last four digits of your Social Security number, case name and case number, and a clear statement of the reasons for your objection to the Settlement and indicate whether you intend to appear at the Final Approval hearing. Your objection is to be mailed to the Settlement Administrator, Phoenix Settlement Administrators, and must be postmarked no later than OCTOBER 25, 2022. Phoenix Settlement Administrators address is listed in Section 23, below.

The Court will hold a hearing to decide whether to approve the Settlement. You may attend and you may ask to speak, but you do not have to appear at the hearing.

18. When and where will the Court decide whether to approve the Settlement?

The Court has scheduled a Final Approval hearing on JANUARY 17, 2023, at 10:00 a.m. in Department 21 of the Alameda County Superior Court. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. If there are objections and they have been properly submitted, the Judge will consider them. The Judge will listen to people who attend the hearing and who do not opt out. The Court will also decide how much to award Class Counsel for their attorneys' fees and litigation costs. At or after the hearing, the Court will decide whether to approve the Settlement. We do not know how long this decision will take. This hearing may be rescheduled by the Court without further notice to you. If you wish to confirm the date of the hearing, you may contact Phoenix Settlement Administrators or Class Counsel, or view the Court's electronic docket for this case as explained below in Section 22.

19. Do I have to come to the hearing?

No. Class Counsel will answer any questions that the Judge may have. But you are welcome to attend. If you sent an objection, you do not have to come to court to talk about it. As long as you mailed your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but that is not required.

20. May I speak at the hearing?

If you wish to speak at the Final Approval hearing, you may appear in person or by telephone at the scheduled hearing either yourself or through an attorney at your own expense, provided you notify the Court of your intent to do so. You cannot speak at the hearing if you have excluded yourself from the Settlement. To learn how to appear by telephone at the hearing, you may contact Class Counsel or the Settlement Administrator (*see* Sections 22 and 23 below), or you may visit the Court's website and online docket for this case to view any instructions by the Court for appearing at the hearing telephonically (*see* Section 22 for how to access the online docket).

21. What happens if I do nothing at all?

You will be a member of the Settlement Class. You will receive a Settlement Payment calculated as explained in Section 11, above, and you will be bound by the release set forth in Section 13, above. Once the Settlement is finally approved by the Court, and the necessary deadlines have passed, you will be mailed your Settlement check.

GETTING MORE INFORMATION

22. Are there more details about the Settlement?

This Class Notice summarizes the proposed Settlement. You may call or contact the Settlement Administrator or Class Counsel if you would like more information about the Lawsuit. The Complaint, Motion for Preliminary Approval, and Settlement Agreement may be also obtained on the Settlement website here: <http://www.phoenixclassaction.com/> The pleadings and other records in this Lawsuit may be examined online on the Alameda County Superior Court's website at <https://eportal.alameda.courts.ca.gov/?q=Home>. After arriving at the website, create a free account, login to your account, select "Document Downloads," and enter the case number (RG21106062). Images of every document filed in the case may be purchased at a minimal charge. You may also view images of every document filed in the case free of charge by using one of the computer terminal kiosks available at each court location that has a facility for civil filings. Class Counsel may be reached at:

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23. How do I get more information?

You may visit <http://www.phoenixclassaction.com/>, call the Settlement Administrator at (800) 523-5773, or Class Counsel above, or write to the Settlement Administrator at P.O. Box 7208 Orange, CA 92863.

PLEASE DO NOT CONTACT THE COURT OR DEFENDANTS WITH INQUIRIES.