

SUPERIOR COURT FOR THE STATE OF CALIFORNIA COUNTY OF ORANGE

If Walmart obtained your consumer report for employment purposes in California between June 20, 2015 and December 11, 2017, a class action lawsuit may affect your rights.

*The Superior Court for the State of California, County of Orange has authorized this notice.
This is not a solicitation from a lawyer. You are not being sued, and this is not an advertisement.*

- A lawsuit entitled *Pitre v. Wal-Mart Stores, Inc.*, Case No. 30-2017-00927449-CU-OE-CXC was filed on June 20, 2017 (“Action”). The Action seeks statutory damages (penalties), punitive damages and attorneys’ fees on the basis of allegations that Wal-Mart Stores, Inc. (“Walmart”) allegedly violated the Fair Credit Reporting Act (“FCRA”) because Walmart’s disclosures given in connection with obtaining consumer reports from job applicants for employment purposes allegedly did not comply with applicable law (“Claims”).
- The Court has allowed the lawsuit against Walmart to proceed as a class action, with the class defined as all persons for whom Walmart obtained a consumer report for employment purposes in California during the period from June 20, 2015 until December 11, 2017 (the “Class”).
- The fact that this Action is proceeding as a class action is not a determination by the Court that Walmart has violated any laws. Walmart denies the allegations raised in the Action, and maintains that it has no liability for any of the Claims of the members of the Class.
- You have been identified as an individual who may fall into the Class. There is no money available now, and no guarantee there will be. However, your legal rights may be affected, and you have a choice to make:

Your Legal Rights and Options in this Lawsuit	
DO NOTHING	Stay in this lawsuit. Await the outcome. Give up certain rights. By doing nothing, you keep the possibility of getting money or benefits that may come from a trial or other resolution. But, you give up any rights to sue Walmart separately to allege claims like the legal claims asserted in this lawsuit. You will be bound by any judgment in the action whether favorable or not. You may also enter an appearance through your own attorney.
ASK TO BE EXCLUDED	Get out of this lawsuit. Get no benefits from it. Keep rights. If you ask to be excluded and money or benefits are later awarded, you won’t receive your share of that amount. But, you keep any rights to sue Walmart separately to allege claims like the legal claims asserted in this lawsuit. To exclude yourself (or to “opt out”) from the Class, you must submit a written statement requesting exclusion from the Class postmarked on or before December 15, 2022 . Your request must contain your full name and any other names you may have used with Walmart (e.g., if you changed your name following marriage or divorce), your home address, and your preferred telephone number (home or cell phone) and state that you wish to exclude yourself from the <i>Pitre v. Walmart</i> Action. You can: <ul style="list-style-type: none">• Mail your request for exclusion to: Pitre Notice Administration, c/o Phoenix Settlement Administrators at P.O. Box 7208, Orange, CA 92863;• Email your request to notice@phoenixclassaction.com; or• Fax your request to (949) 209-2503.

- To ask to be excluded, you must act before **December 15, 2022**.
- Lawyers must prove the claims against Walmart at a trial. If money or benefits are obtained from Walmart, you will be notified about how to ask for a share.
- **Any questions? Read on.**

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I. BASIC INFORMATION

1. Why did I get a postcard or email telling me about how to get this information?

You have received this Notice because Walmart's records indicate that you may be a member of the Class. This notice explains that the Court has allowed, or "certified," a class action lawsuit that may affect you. You have legal rights and options that you may exercise before the Court holds a trial. The trial is to decide whether the claims asserted against Walmart on your behalf have merit. Judge William Claster of the Superior Court for the State of California, County of Orange is overseeing this class action. The lawsuit is known as *Pitre v. Wal-Mart Stores Inc.*, Case No. 30-2017-00927449-CU-OE-CXC.

2. What is this lawsuit about?

Randy Pitre, Cassandra Walters and Desirae Wilson sued Walmart on behalf of themselves and all other similarly situated persons for whom a background check was performed in connection with their applications for employment. The Action seeks statutory damages (penalties), punitive damages and attorneys' fees on the basis of allegations that Walmart's disclosures given in connection with obtaining consumer reports from job applicants for employment purposes allegedly violated the Fair Credit Reporting Act. Walmart denies any liability or wrongdoing and contends it has complied with all applicable laws.

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

In a "class action," one or more persons called the "Named Plaintiff(s)" (in this case, Randy Pitre and Desirae Wilson) file a lawsuit on behalf of a group of people with similar claims against the same defendant(s). This group of people is referred to as the "Class," and each member is referred to as a "Class Member." Walmart is the defendant in this case. The court overseeing the class action resolves the issues for everyone in the Class—except for those people who choose to exclude themselves from the Class.

4. Why is this lawsuit a class action?

The Court in this Action decided that this lawsuit can proceed as a class action because it meets the requirements of Code of Civil Procedure § 382. The fact that this Action is proceeding as a class action is not a determination by the Court that Walmart has violated any laws. More information about why the Court is allowing this lawsuit to proceed as a class action can be found in the Court's Order Certifying the Class, which is available on www.phoenixclassaction.com/.

II. THE CLAIMS IN THE LAWSUIT

5. What does the lawsuit complain about?

In the lawsuit, the Named Plaintiffs say that Walmart's disclosures given in connection with obtaining consumer reports from job applicants for employment purposes do not comply with applicable law. You can read the Named Plaintiffs' Amended Complaint on www.phoenixclassaction.com/. Named Plaintiffs' allegations under the California Consumer Credit Report Agencies Act and the Unfair Competition Law have been dismissed.

6. How does Walmart answer?

Walmart denies the allegations raised in the Action, and maintains that it has no liability for any of the Claims of the members of the Class. Walmart's Answer to the Amended Complaint is also available on www.phoenixclassaction.com/.

7. Has the Court decided who is right?

The Court hasn't decided whether Walmart or the Named Plaintiffs are right. By establishing the Class and issuing this Notice, the Court is not suggesting that the Named Plaintiffs will win or lose at trial.

8. What are Plaintiffs asking for?

The lawsuit seeks statutory penalties, punitive damages, attorneys' fees, along with any other relief awardable and awarded by the Court.

9. Is there any money available now?

No money or benefits are available now because the Court has not yet decided whether Walmart did anything wrong, and the two sides have not settled the case. There is no guarantee that money or benefits ever will be obtained. If they are, you will be notified about how to ask for a share.

III. WHO IS THE CLASS?

You need to decide whether you are affected by this lawsuit.

10. How do I know if I am a class member?

The Court has defined the class as follows:

From June 20, 2015 to December 11, 2017, all persons for whom [Walmart] obtained a consumer report for employment purposes in California.

11. I'm still not sure if I am a class member.

If you are still not sure whether you are a Class Member, you can ask for free help. You can call the Administrator **Phoenix Settlement Administrators** at **(800) 523-5773**.

IV. YOUR RIGHTS AND OPTIONS

You have to decide whether to do nothing and stay in the Class or ask to be excluded before trial, and you must decide now.

12. What happens if I do nothing at all?

You don't have to take any action if you want to remain a class member and keep the possibility of getting money or benefits from this lawsuit. By doing nothing, you are staying in the Class. If you remain in the Class and the Named Plaintiffs obtain money or benefits, either as a result of the trial or a settlement, you will be notified. If you do nothing now, regardless of whether the Named Plaintiffs win or lose, you will not be able to sue, or continue to sue, Walmart—as part of any other lawsuit—about the claims that are the subject of this lawsuit. You will be bound by any Judgment in the action, whether favorable or not. You may if you so desire enter an appearance through counsel.

13. Why would I ask to be excluded?

You have the option to exclude yourself as a Class Member – also called “opting out of the class” – by sending a request to the Notice Administrator to opt out of the lawsuit as explained in Section 14 below.

If you exclude yourself from the Class, you won't get any money or benefits from this lawsuit even if the Named Plaintiffs obtain them as a result of the trial or a settlement with Walmart. You also will not be legally bound by the Court's orders or any judgment reached in this class action.

If you exclude yourself, you will also keep any right you may have to bring your own lawsuit against Walmart concerning the claims alleged in this Action. If you start your own lawsuit against Walmart after you exclude yourself, you'll have to hire and pay your own lawyer. If you do exclude yourself so you can start or continue your own lawsuit against Walmart, you should talk to your own lawyer soon about the applicable statute of limitations.

14. How do I ask to be excluded from the Class?

To exclude yourself (or to “opt out”) from the Class, you must submit a written statement requesting exclusion from the Class postmarked on or before **December 15, 2022**. Your request must contain your full name and any other names you may have used with Walmart (e.g., if you changed your name following marriage or divorce), your home address, and your preferred telephone number (home or cell phone) and state that you wish to exclude yourself from the *Pitre v. Walmart* Action. You can:

- Mail your request for exclusion to: Pitre Notice Administration, c/o Phoenix Settlement Administrators at P.O. Box 7208, Orange, CA 92863;
- Email your request to notice@phoenixclassaction.com; or
- Fax your request to (949) 209-2503.

Remember: Your opt out statement must be postmarked, faxed, emailed, or submitted no later than **December 15, 2022**.

V. THE LAWYERS REPRESENTING YOU

15. Do I have a lawyer in this case?

The Court approved the law firm of Setareh Law Group as Class Counsel, meaning they are the lawyers representing you and all Class Members in this case. Setareh Law Group is located at 9665 Wilshire Blvd., Suite 430, Beverly Hills, CA 90212. The Class is also represented by Robinson Calcagnie Inc. Robinson Calcagnie is located at 19 Corporate Plaza Drive, Newport Beach, California 92660. You do not need to hire your own lawyer to remain in the Class and pursue the claims described in this Notice, but, if you wish, you may hire a different lawyer at your own expense.

16. How will the lawyers be paid?

If Class Counsel get money or benefits for the Class, they may ask the Court for fees and expenses. You won't have to pay these fees and expenses personally. If the Court grants the request, fees and expenses would be either deducted from money obtained for the Class or paid separately by Walmart.

VI. THE TRIAL

No trial date has yet been set in this action.

17. How and when will the Court decide who is right?

As long as the case isn't resolved before trial, Class Counsel will have to prove the claims at a trial. During the trial, a Jury or the Judge will hear all of the evidence to help them reach a decision about whether the Named Plaintiffs or Walmart is right about the claims in the lawsuit. There is no guarantee that the Named Plaintiffs will win or get any money for the Class.

18. Do I have to come to the trial?

You do not need to attend the trial. Class Counsel will present the case for the Named Plaintiffs, and Walmart will present the defenses. You or your own lawyer are welcome to come at your own expense.

19. Will I get money after the trial?

If the Named Plaintiffs obtain money or benefits as a result of the trial or otherwise, you will be notified about that. There is no guarantee that the Named Plaintiffs will win at trial or resolve the case.

VII. GETTING MORE INFORMATION

20. Are there more details about the Lawsuit?

This Notice summarizes the current status of the lawsuit and your need to decide whether to remain a Class Member or exclude yourself. For a more detailed statement of the matters involved in the Action, you may refer to the pleadings and other papers filed in the Action, many of which may be inspected at the website of Class Counsel (www.setarehlaw.com). Any questions regarding this Notice and/or the Lawsuit should be directed to the Notice Administrator at (800) 523-5773 or to Class Counsel at:

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thomas@setarehlaw.com

Do not call the Court with questions about this Notice. If you have questions or want more information, please contact the Notice Administrator at (800) 523-5773 or Class Counsel (at the address, e-mail address, or number listed above), visit Class Counsel's website, or visit this dedicated website created to provide information about this lawsuit, www.phoenixclassaction.com/.