



PHOENIX
SETTLEMENT ADMINISTRATORS

CLASS ACTION SETTLEMENT SOLUTIONS
P.O. Box 7208, Orange, CA 92863 Telephone (800) 523-5773

**IMPORTANT NOTICE REGARDING YOUR RIGHTS RELATING TO THE
DISCLOSURE OF YOUR NAME AND CONTACT INFORMATION**

David Kelley et al. v. Oil Changer, Inc.
(Case Number: HG21091500, Superior Court, Alameda County)

**Below please find a corrected notice in the above-referenced action,
as the previous notice did not contain website information. Further,
this corrected notice contains an additional opt-out method (via
email), if you choose to do so.**

Why am I receiving this letter?

David Kelley (“Plaintiff”), a former employee of Oil Changer, Inc. (“Oil Changer”), filed a proposed class action and Private Attorneys General Act (“PAGA”) lawsuit on behalf of himself and former and current California employees of Oil Changer. In the lawsuit, Plaintiff contends, on behalf of himself and the proposed California class and/or PAGA Affected Employees, that Oil Changer failed to do the following: (1) provide proper wage statements (aka pay stubs), (2) pay all regular, minimum and overtime wages, (3) provide compliant meal and rest periods or premium pay for missed meal and rest periods, (4) timely pay all wages during employment and when employment ended, (5) reimburse business expenses, such as gas and mileage, and (6) maintain required records. Plaintiff seeks, on behalf of himself, the proposed California class and/or PAGA Affected Employees, unpaid wages, unreimbursed expenses, premium pay, statutory penalties and civil penalties.

Oil Changer denies each of Plaintiff’s allegations, is defending the case, and maintains it has complied with all requirements under the law.

The court has not made any legal determinations concerning any of the issues in the case, the court has not determined whether the claims or defenses have any merit or as to whether the case should proceed as a class action.

Why am I being contacted?

As part of this process, the Plaintiff’s attorneys would like to receive your name, home address, home telephone number(s), and email address(es) (“contact information”), including such information on your wage and time entry records, so they may gather information and communicate with you about the claims alleged in the case. The parties have agreed to send you this letter through a neutral third-party administrator, Phoenix Settlement Administrators, so you can decide whether to authorize disclosure of your contact information. You may choose not to have this information provided to Plaintiff’s attorneys on the grounds of privacy.

What are my choices?

1. Do Nothing. If you do nothing, your name, address, telephone number and email address and unredacted employment records will be provided to the Plaintiff’s attorneys. The Plaintiff’s attorneys will not and cannot use your information or unredacted documents for any purpose other than investigation of this case, determining whether you suffered violations and/or providing information to you, without your further consent.

2. **Opt-Out of Releasing Your Contact Information.** If you do not want your name, address, telephone number or email address and unredacted employment records to be provided to Plaintiff’s attorneys, you must: send a notice to Phoenix Settlement Administrators stating “I want to opt-out of having my name and contact information released to Plaintiff’s attorneys in *Kelley. v. Oil Changer, Inc.*” The notice must be mailed or e-mailed to Phoenix Settlement Administrators by **January 30, 2023** to the following address: Phoenix Settlement Administrators, P.O. Box 7208, Orange, CA 92863; KelleyvsOilChanger@phoenixclassaction.com.

Note: Oil Changer or its attorneys may also wish to contact you as well to assist in their own investigations regarding this case. You are under no obligation to speak with Oil Changer, Plaintiff, or their attorneys. Oil Changer will not retaliate against you or take any adverse actions against you based on any decision by you to provide or refuse to provide your name and contact information to the attorneys for Plaintiff or to refuse to assist Oil Changer or its attorneys in this matter. If you decide to withhold your name and contact information at this time, that decision will have no impact on any right you may have to participate in this case in the event it is later certified as a class action.

QUESTIONS?

Phoenix Settlement Administrators has been employed by the parties as a neutral to provide this Notice to you. If you have any questions regarding this Notice, you may contact Phoenix Settlement Administrators at (800) 523-5773 or view the website <https://www.phoenixclassaction.com/kelley-v-oil-changer/>. Regardless of your decision, you are also free to contact the attorneys for either party to obtain additional information regarding the lawsuit

Should you choose to contact either party’s counsel, the contact information for Plaintiff’s attorneys and Oil Changer’s attorneys are listed below.

Plaintiff’s Attorneys	Defendant’s Attorneys
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