

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT

ASK TO BE INCLUDED	<p>If you choose to be included, you will share in any monetary recovery that might come from a trial or a settlement in this lawsuit. You give up any rights to sue Sabre on your own for the same claims in this lawsuit.</p> <p>If you want to be included, you must complete and return the “Consent to Join” form included with this Notice by no later than December 29, 2016. By doing so, you will “opt in” and become a member of the Collective. As a member of the collective, you may be entitled to the benefits obtained from the suit, though this may require that you provide documents and answer questions about your claim.</p>
DO NOTHING	<p>By doing nothing, you will not be included in the FLSA claims in this lawsuit. This means that you give up the possibility of a monetary recovery that may come from a trial or settlement of the FLSA claims if those bringing the lawsuit are successful.</p> <p>You keep any rights to sue Sabre separately about the same legal claims in this lawsuit. You should be aware that your time to bring FLSA claims is limited by a two- or three-year statute of limitations.</p>

1. Why did I get this Notice?

You are getting this Notice because Sabre’s records show that you were an operator between November 10, 2012 and the present.

2. What is this lawsuit about?

The lawsuit alleges that Sabre improperly classified Operators as exempt from the overtime protections of the FLSA, and failed to pay them overtime for hours worked over 40 in a workweek. Sabre denies the Plaintiffs’ claims, and contends that the operators are not and were not eligible for overtime. This lawsuit is known as *Nelson v. Sabre Companies LLC, et al.*, Case No. 1:15-CV-0314-BKS-TWD, and is pending before the Honorable Therese Wiley Dancks and Honorable Brenda K. Sannes, in the United States District Court for the Northern District of New York.

3. What is a Collective Action and who is involved?

In a Collective Action, one or more individuals can bring a lawsuit on behalf of others who are “similarly situated” to them. If you complete a Consent to Join form and join the case, you will become part of the “Collective.” Presently, there are 13 operators in the Collective. One Court will resolve the issues for the Collective.

4. Why is this lawsuit a Collective Action?

The Court has made a preliminary determination that the Plaintiffs may be similarly situated to other operators and authorized this case to proceed as a Collective Action under Section 216(b) of the FLSA. The Court may decide at a later point that the Plaintiffs are not similarly situated to other operators and the case will no longer proceed as a Collective Action.

5. The Court has not decided who is right.

The Court has not decided whether Sabre violated the law by classifying the Plaintiffs and other Operators as exempt from the overtime protections of the FLSA and failing to pay them for overtime. By allowing this case to proceed as a Collective Action, and issuing this Notice, the Court is not suggesting that the Plaintiffs will win or lose the case or that the members of the Collective will recover any damages.

6. What are the Plaintiffs asking for?

The Plaintiffs seek to recover unpaid overtime and an equal amount as liquidated damages, plus attorneys’ fees and costs, for themselves and the members of the Collective.

7. Can I join this Collective Action?

Yes, if you return the Consent to Join for by no later than December 29, 2016.

8. How do I ask to be included in the Collective?

Enclosed is a form called “Consent to Join.” **If you choose to join this lawsuit, it is extremely important that you read, sign, and promptly return the Consent to Join form.** An addressed and postage-paid envelope is enclosed for your convenience. Should the enclosed envelope be lost or misplaced, the Consent to Join Form must be sent to:

Nelson v. Sabre Collective Action
c/o RG/2 Claims Administration LLC
P.O. Box 59479
Philadelphia, PA 19102-9479
Facsimile: (215) 979-1695
Email: info@rg2claims.com

Alternatively, you may submit your form online at www.sabrewages.com. The signed Consent to Join form must be postmarked, emailed, faxed, or electronically signed **by December 29, 2016**.

9. What happens if I do nothing at all?

If you do nothing, you will not be entitled to share in any amounts recovered by the Plaintiffs for the FLSA claims in this case and will not be affected by any decision regarding those claims, whether favorable or unfavorable. You will also be free to hire your own lawyer and file your own FLSA lawsuit. You should be aware that your time to bring FLSA claims is limited by a two- to three-year statute of limitations.

10. What happens if I join the Collective?

If you choose to join the Collective, you will be bound by and share in any ruling, settlement or judgment, whether favorable or unfavorable. By joining this lawsuit, you agree to have the Plaintiffs and their counsel act as your representatives and make decisions on your behalf concerning the case. Decisions made and agreements entered into by the Plaintiffs will be binding on you if you join the lawsuit, including approving any settlement, entering into an agreement with counsel regarding payment of attorneys' fees and costs, and deciding all other matters pertaining to this lawsuit.

11. Can Sabre and/or my current employer retaliate against me if I join the lawsuit?

No. It is a violation of federal law for any employer or Sabre to fire, discipline, or retaliate against you in any manner for taking part in this case.

12. Do I have a lawyer in this case?

If you choose to join this lawsuit, you will be represented by the attorneys who represent the Plaintiffs, listed below. You may write, email, or call these lawyers with any questions.

Elmer R. Keach III, Esq.
Maria K. Dyson, Esq.
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Fax: 412.281.4229
arihn@peircelaw.com

13. How will the lawyers be paid?

The Plaintiffs have entered into contingency fee agreements with their attorneys, which means that if the Plaintiffs do not win, there will be no attorneys' fees or costs chargeable. Under the fee agreement, in the event there is a recovery, Plaintiffs' counsel will apply to the Court for a portion of any settlement obtained or money judgment entered in favor of Plaintiffs. Fees may be part of a settlement obtained or money judgment entered in favor of Plaintiffs, or may be ordered by the Court to be separately paid by Sabre, or may be a combination of the two.

14. Who represents Sabre?

Sabre is represented by the attorneys listed below:

Shauna Johnson Clark
Kimberly Cheeseman
NORTON ROSE FULBRIGHT US LLP
Fulbright Tower
1301 McKinney, Suite 5100
Houston, TX 77010-3095

John Scalia
Andrew C. Smith
Matthew D. Stockwell
PILLSBURY WINTHROP SHAW PITTMAN
1200 17th Street, N.W.
Washington D.C. 20036
1540 Broadway
New York, NY 10036

**CONSENT TO BECOME PARTY PLAINTIFF IN COLLECTIVE ACTION
UNDER SECTION 16(b) OF THE FAIR LABOR STANDARDS ACT, 29 U.S.C. § 216(b).**

1. I consent to be a party plaintiff in a lawsuit against Sabre Companies LLC and Sabre Energy Services LLC (“Sabre”) in order to seek redress for violations of the Fair Labor Standards Act, pursuant to 29 U.S.C. § 216(b).

2. By signing and returning this consent form, I designate Nicholas Migliaccio and Jason S. Rathod of Migliaccio & Rathod LLP, 412 H Street N.E., Suite 302, Washington DC 20002, D. Aaron Rihn and the lawyers at Robert Peirce & Associates, P.C., 2500 Gulf Tower, 707 Grant Street, Pittsburgh, PA 15219-1918, Elmer R. Keach and Maria K. Dyson, Law Offices of Elmer Robert Keach III, P.C., One Pine Plaza Suite 109, Albany, NY 12205, and Gary E. Mason at Whitfield Bryson & Mason LLP, 5101 Wisconsin Ave. N.W., Suite 305, Washington, D.C. 20016 to represent me in this case.

3. I also consent to join any separate or subsequent action to assert the claims brought in this suit if the Court determines that my claims cannot be maintained on a collective basis in this action.

Full Legal Name (please PRINT clearly)

Signature

Date

Street Address (with apartment number, if applicable)

City, State, Zip Code

Home Phone Number

Cell Phone Number

Email Address
(we will use this as our primary method to contact you)

Emergency Contact Name
(in case we lose contact with you)

Emergency Contact Phone Number

If you have received a paper form of this Notice and wish to electronically sign the Opt-In Consent form, please email Plaintiffs’ Counsel and we will send you the form via email for electronic signature, or visit www.sabrewages.com to electronically sign this firm.