

TO: All current and former non-exempt, hourly employees directly involved with patient care, including but not limited to nurses, nursing staff, nursing assistants, nurse aides, technicians, clerks, nonexempt therapists, or other non-exempt employees with similar job duties employed at any facility owned/operated by Defendants (Acadia LaPlace Holdings, LLC and Ochsner-Acadia, LLC) during the time period three years prior to the filing of the original Complaint (May 22, 2017) until resolution of this action.

RE: FAIR LABOR STANDARDS ACT (“FLSA”) MINIMUM WAGE AND OVERTIME ACTION FILED AGAINST ACADIA LAPLACE HOLDINGS, LLC AND OCHSNER-ACADIA, LLC

1. INTRODUCTION

The purpose of this Notice is to: (i) inform you of the existence of a collective action lawsuit against Acadia LaPlace Holdings, LLC and Ochsner-Acadia, LLC for overtime compensation alleging violations of the Fair Labor Standards Act (“FLSA”), (ii) to advise you of how your rights might be affected by this lawsuit, and (iii) to instruct you on the procedure for making a claim in this action, if you choose to do so.

2. DESCRIPTION OF THE LAWSUIT

A lawsuit was filed against Acadia LaPlace Holdings, LLC and Ochsner-Acadia, LLC by Amy Hamm (“Plaintiff”) on behalf of herself and all other similarly situated patient care workers. Specifically, the lawsuit contends that Acadia LaPlace and Ochsner-Acadia failed to properly record all hours worked for unpaid meal periods and that Defendants owe those workers overtime for time they worked in excess of 40 hours per week. Defendants deny the allegations, and contend that they properly paid all non-exempt patient care workers.

3. NO RETALIATION PERMITTED

The law prohibits retaliation against current or former employees who exercise their rights under the FLSA. Thus, Defendants are prohibited from retaliating against you in any manner, including reducing hours worked, assigning unfavorable shifts, taking adverse employment action against you, or firing you, because you have joined and/or participated in this lawsuit.

4. HOW TO PARTICIPATE IN THIS LAWSUIT

Enclosed you will find a form entitled “Consent to Join” (“Consent Form”). You **must file a Consent Form to join this lawsuit**. You may join, or “opt in” to, this lawsuit by submitting your “Opt-in Consent Form to the Claims Administrator by: (1) visiting the following website AcadiaHealthcare.ilymgroup.com and submitting your completed Consent Form electronically, (2) emailing your completed Consent Form to claims@ilymgroup.com, or (3) mailing your completed Consent Form to ILYM Group, Inc. at the following address:

ACADIA HEALTHCARE FLSA LITIGATION
c/o ILYM Group, Inc.
P.O. Box 2031
Tustin, CA 92781

The Consent Form **MUST** be received in sufficient time for Plaintiffs’ Counsel to file it with the Court on or before **December 27, 2022**.

If you choose to join this lawsuit, you will be bound by the judgment or any settlement of this action. If you choose to file a Consent Form, your continued right to participate in this suit may depend on a later determination by the Court that you and the Plaintiff are actually “similarly situated” in accordance with federal law and that your claim has been filed within the applicable time limits.

If you complete the enclosed Consent Form, you will be designating Plaintiff and her attorneys to act on your behalf and to represent your interests. Plaintiff’s counsel has taken this case on a contingency basis and/or statutory basis. This means that if there is no recovery, you will not have to pay attorneys’ fees out of your own pocket. Should there be a recovery, Plaintiff’s Counsel will seek to recover their attorneys’ fees and costs from Defendants. Plaintiff’s Counsel will also receive a part of any settlement obtained or money judgment entered in favor of the members of the similarly-situated workers, the specific amount of which would be set by the Court.

5. EFFECT OF JOINING THIS SUIT

If you choose to join this suit, you will be bound by the judgment or settlement, whether it is favorable or unfavorable as to claims made in this action under the FLSA. You may also be required to answer written questions, provide documents and record, and give in-person testimony in a deposition or at trial. If the Court or jury rules in favor of Acadia LaPlace and Ochsner-Acadia, you will not be entitled to any relief under the FLSA for having joined this action. By joining this lawsuit, you may designate the Named Plaintiff and her attorneys as your agents to make decisions on your behalf concerning the litigation. If you desire, however, you also may retain a different lawyer to represent you and have that lawyer enter an appearance in this lawsuit on your behalf, or you may choose not to retain a lawyer and represent yourself in this action within the applicable statute of limitations period.

6. YOUR TIME TO JOIN IS LIMITED

The Consent Form must be returned within sixty (60) days from the date this notice was mailed, *i.e.*, postmarked no later than **December 27, 2022**.

7. EFFECT OF NOT JOINING THIS LAWSUIT

If you do not file a Consent Form to join this case, you will not participate in this FLSA lawsuit and will not be bound by any judgment or settlement of the FLSA claims. If you so choose, you may pursue your FLSA claim on your own, and you may select your own counsel. The pendency of this current lawsuit, however, will not stop the running of your time limit as to any minimum wage and/or overtime claims you might have under the FLSA unless you join this lawsuit by returning the Consent Form. In other words, you may lose some or all of your rights if you do not act now.

8. NO OPINIONS EXPRESSED AS TO THE MERITS OF THE CASE

This Notice is for the sole purpose of determining the identity of those persons who may be entitled to and wish to participate in this case, and any potential judgment or settlement. The Court has expressed no opinion regarding the merits of Plaintiffs’ claims or the Defendants’ liability, if any, and individual claims may be subject to later dismissal if the Court ultimately finds that the claims lack merit or that they cannot be litigated on a collective basis, or for other reasons. There is no assurance at this time that any relief will be granted, nor if granted, the nature and amount of relief.

9. LEGAL COUNSEL

The Attorneys representing Plaintiff, and the non-exempt patient care workers who join this case are as follows:

<p>Carolyn H. Cottrell Ori Edelstein Jordyn D. Rystrom Emmert SCHNEIDER WALLACE COTTRELL KONECKY LLP 2000 Powell Street, Suite 1400 Emeryville, CA 94608 Telephone: (415) 421-7100 Fax: (415) 421-7105 ccottrell@schneiderwallace.com oedelstein@schneiderwallace.com jemmert@schneiderwallace.com</p>	<p>Joseph C. Peiffer Daniel Centner PEIFFER WOLF CARR KANE & CONWAY, APLC 1519 Robert C. Blakes, Sr. Drive New Orleans, LA 70130 Telephone: (504) 523-2434</p>
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10. Where Can I Get More Information?

If you have questions about this Notice, or if you did not receive this Notice and you believe that you are or may be one of the workers affected, you should contact Plaintiff's Counsel.

This Notice is only a summary. For more detailed information, you may review the Lawsuit and other documents for this case at the Notice website, which can be accessed at AcadiaHealthcare.ilymgroup.com.

PLEASE DO NOT CONTACT THE COURT, THE CLERK OF THE COURT, OR THE JUDGE FOR INFORMATION ABOUT THE LAWSUIT. THIS NOTICE AND ITS CONTENTS HAVE BEEN AUTHORIZED BY THE COURT, BUT THE COURT HAS MADE NO DECISION IN THIS CASE ABOUT THE MERITS OF PLAINTIFF'S CASE OR DEFENDANTS' DEFENSES.