

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

HOPE M. CARR, DWIGHT BRYANT,)
JR., ALLEN S. MOBLEY, JR., MARK)
W. CLARK, JR., AND PAUL LOY,)
on behalf of themselves and other persons)
similarly situated,)
)
Plaintiffs,)
)
v.)
)
AUTOZONERS, LLC; AND)
AUTOZONE STORES, INC.,)
)
Defendant.)

Case No. 5:15-cv-00356-AKK

NOTICE OF PENDING FAIR LABOR STANDARD ACT LAWSUIT

TO: (1) All individuals who currently hold or previously held the position of Store Manager with AutoZone excluding those store managers from California and Puerto Rico from February 27, 2012 to the present and (2) all individuals who were employed as Store Managers from July 16, 2008 to February 27, 2012, who filed opt-in consents in the case of Michael L. Taylor v. AutoZone, Inc., Case No.: 3:10-cv-08125-FJM in the United States District Court for the District of Arizona.

RE: *Carr, et al. vs. AutoZoners, LLC; and AutoZone Stores, Inc.*

I. INTRODUCTION

The purpose of this Notice is (1) to inform you of the existence of a lawsuit; (2) to advise you of how your rights may be affected by this lawsuit; and (3) to instruct you on the procedure for joining this lawsuit, should you choose to do so.

II. DESCRIPTION OF THE LAWSUIT

This lawsuit is brought as a collective action against AutoZoners, LLC and AutoZone Stores, Inc. (“Defendants”) by Hope M. Carr, Dwight Bryant, Jr., Allen S. Mobley, Jr., Mark W. Clark, Jr., and Paul Loy, who are current and former Store Managers of AutoZone (“Plaintiffs”). Plaintiffs allege that they and other similarly situated Store Managers, regularly worked in excess of 40 hours per week, were classified as “exempt” employees, and were not paid overtime for hours worked in excess of 40 per week. Plaintiffs all claim that these practices are a result of a common policy of AutoZone, that these practices violate the FLSA and that these alleged violations are willful. Since the filing of the lawsuit by the Plaintiffs, 53 other Store Managers have joined the lawsuit. Defendants deny all of Plaintiffs’ allegations. The Court has not ruled on the validity of the Plaintiffs’ claims or Defendant’s denials.

III. NO RETALIATION PERMITTED

The Fair Labor Standards Act prohibits employers from discriminating or retaliating against any person who filed a lawsuit or complaint for overtime compensation, testifies in a lawsuit under the Fair Labor Standards Act, or otherwise participates in a proceeding to recover overtime compensation under the Fair Labor Standards Act.

IV. TO JOIN THIS LAWSUIT

If you are or have been employed by AutoZoners, LLC or AutoZone Stores, Inc. as a Store Manager (excluding those store managers from California or Puerto Rico) at any time from February 27, 2012 to the present and wish to join this lawsuit, **you must sign, date, and mail the attached Consent to Join Collective Action Form no later than October 4, 2017.** You may submit the Consent form by mail to Carr, et al. v. AutoZone Stores, Inc., et al., c/o Simpluris, Inc., P.O. Box 26170, Santa Ana, CA 92799.

If you were employed as a Store Manager at any time from July 16, 2008 to February 27, 2012 and filed an opt-in consent in the case of Michael Taylor v. Autozone, Inc., Case No.: 3:10-cv-08215-FJM in the United States District Court for the District of Arizona, and wish to join this lawsuit, **you must sign, date and mail the attached Consent to Join Collective Action Form no later than October 4, 2017.** You may submit the Consent form by mail to Carr, et al. v. AutoZone Stores, Inc., et al., c/o Simpluris, Inc., P.O. Box 26170, Santa Ana, CA 92799.

V. WHAT HAPPENS IF YOU JOIN THIS LAWSUIT

If you choose to join this lawsuit, you will be bound by the judgment, whether it is favorable or unfavorable, and bound by any settlement of this lawsuit that later may be approved by the Court as fair and reasonable. That means that if the Plaintiffs win, you may be eligible to share in the monetary reward; if the Plaintiffs lose, no money will be awarded to you and you will not be able to file another lawsuit regarding the disputed hours worked. While this lawsuit is pending, you may be required to provide information, appear for deposition, and/or testify in court.

VI. WHAT HAPPENS IF YOU DO NOT JOIN THIS LAWSUIT

If you choose not to join this lawsuit, you will not be affected by any judgment or any settlement rendered in this lawsuit, whether favorable or unfavorable to the class. If you choose not to join this lawsuit, you retain any rights that you may have under the Fair Labor Standards Act.

VII. NO OPINION EXPRESSED AS TO THE MERITS OF THE CASE

This Notice is for the purpose of determining the identity of those persons who wish to be involved in this lawsuit. Although the United States District Court for the Northern District of Alabama, Northeastern Division, has authorized the sending of this notice, the Court expresses no opinion regarding the merits of Plaintiffs' claims or Defendants' defenses. This Notice should not be taken as an indication that you should or should not join this lawsuit.

VIII. LEGAL REPRESENTATION IF YOU JOIN THE LAWSUIT

The name and address of the plaintiffs' attorneys are:

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