

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MISSOURI

JILL HODAPP v. REGIONS BANK

Case No. 4:18-cv-01389

IMPORTANT NOTIFICATION TO POTENTIAL CLASS MEMBERS

Please read carefully. Your legal rights may be affected.

**THIS IS NOT AN ADVERTISEMENT. THIS IS AN OFFICIAL LEGAL NOTICE
MAILED PURSUANT TO A FEDERAL COURT ORDER.**

TO: Any individuals who worked for Regions Bank (“Regions Bank”) as a non-exempt, hourly employee who performed opening procedures at a Regions Bank branch location at any time from August 21, 2015 to the present date.

RE: YOUR RIGHT TO JOIN A LAWSUIT ALLEGING THAT REGIONS BANK FAILED TO PAY ITS HOURLY EMPLOYEES FOR PERFORMING PRE-SHIFT SECURITY PROCEDURES.

RESPONSE DUE: May 3, 2019

- **Your legal rights may be affected whether you act or don’t act.** Read this notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT	
Submit a Consent Form	By submitting a Consent Form, you will be electing to join the lawsuit as a collective action member. Your claims will be adjudicated in the lawsuit. You will be bound by any settlement or judgment, whether favorable or unfavorable. Should the employees prevail or settle, you may be entitled to compensation. Should the employees lose, you will not receive compensation and your claims will be extinguished. The only way to participate in this action is to complete a Consent Form, a copy of which is enclosed with this notice.
Do Nothing	By doing nothing, you will be electing not to join the lawsuit as a collective action member. You will not be bound by any judgment or settlement reached on the FLSA claims. This means that if the employees win or settle their FLSA claims, you will not be eligible to share in the monetary award; if the employees lose, you will not be bound by that judgment.

I. INTRODUCTION

This notice is being sent to you by Order and under supervision of the United States District Court for the Eastern District of Missouri. The purpose of this notice is: (1) to inform you of the existence of a collective action lawsuit filed against Regions Bank; (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. You have been sent this notice because Regions Bank’s employment records indicate that you may be an eligible class member.

II. DESCRIPTION OF THE LAWSUIT

Jill Hodapp (the “Representative Plaintiff”), filed suit against Regions Bank on behalf of herself and all other hourly employees who work or worked for Regions Bank in the United States at any time from August 21, 2015 to the present who performed branch-opening security procedures (“Branch Non-Exempt Employees”). The Representative Plaintiff contends that Regions Bank failed to pay overtime wages to employees for time spent performing required branch opening procedures, which Regions required employees to perform prior to clocking in. The Representative Plaintiff contends this practice violated the Fair Labor Standards Act (“FLSA”), a federal law. The Representative Plaintiff has sued Regions Bank to recover all wages due on behalf of all eligible Branch Non-Exempt Employees during the statute of limitations period. The Representative Plaintiff is also seeking liquidated damages (double damages), attorneys’ fees, and costs.

Regions Bank denies the allegations in Plaintiff’s lawsuit and contends Plaintiff and all employees she seeks to represent have been paid everything they are owed under the wage laws. Regions Bank further disputes that this lawsuit should be treated as a collective action.

THIS IS **NOT** AN ADVERTISEMENT.

If you join this litigation, and the Bank Branch Employees prevail on their claims, you will be only eligible to recover damages you incurred during the applicable statute of limitations under FLSA, which will be based upon the date you file your Consent Form. Accordingly, you should act promptly as any delay in joining this case may result in your claim being partially or completely extinguished due to the applicable statute of limitations.

III. HOW TO JOIN THIS LAWSUIT

You may join this lawsuit by completing an online form at <http://www.joinbanklawsuit.com>. In the alternative, you may complete the enclosed "FLSA Consent" Form ("Consent Form") and returning it in the mail in the enclosed, pre-stamped and self-addressed envelope. You may also join the lawsuit by completing the Consent Form and faxing it to 1-856-685-7417 or emailing it to dkim@swartz-legal.com.

IV. NO RETALIATION PERMITTED

You will not be retaliated against for joining this lawsuit. Under federal law, it is illegal for Regions Bank to terminate you or to retaliate against you in any way for joining this lawsuit. Regions Bank has confirmed that it will not take any retaliatory measures against any Bank Branch Employees who join this lawsuit.

V. EFFECT OF JOINING OR NOT JOINING THIS LAWSUIT

If you join the lawsuit, you will receive money if Plaintiffs are successful or a settlement is reached which provides money to class members. You will be bound by any judgment of the Court, whether it is favorable or unfavorable to you. You will also be bound by any settlement agreement that may be reached and approved by the Court. Your decision to join the lawsuit is no guarantee that you will recover any money from Regions Bank.

While the lawsuit is pending, you may or may not be required to participate in this lawsuit. This includes answering written questions and possibly testifying at a deposition. The attorneys listed below will represent you without personal charge to the extent you are selected to participate in any such activity. If you decide not to participate, you may be dismissed from the lawsuit.

If you do not file a Consent Form to join the collective action, you will be choosing not to bring FLSA claims against Regions Bank in this lawsuit. Consequently, you will not be bound by any judgment or settlement reached on the FLSA claims. This means that if the employees win or settle their FLSA claims, you will not be eligible to share in the monetary award; if the employees lose, you will not be bound by that judgment. If you so choose, you may pursue your claim on your own. The pendency of this lawsuit, however, will not stop the running of the statute of limitations as to such claims unless you opt in by returning the Consent Form. If you do not want to pursue your rights under the FLSA, you are not required to take any action at all.

VI. 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 lawsuit and any potential judgment or settlement. The Court has expressed no opinion regarding the merits of the Representative Plaintiff's claims or Regions Bank's defenses, 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 class-wide basis.

VII. QUESTIONS REGARDING THIS NOTICE

If you have any questions regarding this notice, you can contact Justin L. Swidler, Esq. or Matthew D. Miller, Esq. of Swartz Swidler, LLC, the attorneys representing the class of employees. Their phone numbers are listed below. You can also receive more information regarding this notice and the lawsuit at <http://www.joinbanklawsuit.com>. **You should not contact the Court.**

VIII. LEGAL COUNSEL

If you choose to join this case by filing a Consent Form, you will be agreeing to representation by Plaintiff's attorneys, identified below:

Justin L. Swidler, Esq.
Matthew D. Miller, Esq.
Swartz Swidler, LLC
1101 Kings Hwy N, Ste. 402
Cherry Hill, NJ 08034

Website: <http://www.swartz-legal.com>
Phone: 1-856-685-7420
Fax: 1-856-685-7417
Toll Free: 1-877-529-9501
E-mail: mmiller@swartz-legal.com

Plaintiff's attorneys have taken this case on a contingency fee. They may be entitled to receive attorneys' fees and costs from Regions Bank should there be a recovery or judgment in favor of the Plaintiff. If there is a recovery, Plaintiff's attorneys will apply to receive 1/3 of any settlement obtained or money judgment entered in favor of all members of the class, or Regions Bank will pay their fees separately. If there is no recovery or judgment in Plaintiff's favor, Plaintiff's attorneys will not seek any attorneys' fees or costs from anyone.