

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT TACOMA**

TROY SLACK, JACOB GRISMER, RICHARD ERICKSON, SCOTT PRAYE, GARY H. ROBERTS, ROBERT P. ULRICH, HENRY LEDESMA, TIMOTHY HELMICK, DENNIS STUBER, ERIC DUBLINSKI, AND SEAN P. FORNEY Individually, and as Putative Class Representatives,

Plaintiffs,

v.

SWIFT TRANSPORTATION CO. OF ARIZONA, LLC,

Defendant.

No. 3:11-cv-05843-BHS

NOTICE OF PENDENCY OF CLASS ACTION

DO NOT CALL THE COURT

THIS NOTICE MAY AFFECT YOUR LEGAL RIGHTS. PLEASE READ IT CAREFULLY.

If you drove a truck for Swift Transportation Co. after July 18, 2008, as a dedicated driver assigned to a Washington position and/or terminal, a class action lawsuit may affect your rights.

A federal court authorized this Notice. This is not a solicitation from a lawyer.

Para una notificacion en Espanol, visite www.SwiftTransportationWADedicatedDriversClassAction.com.

You were provided a copy of this Notice because Swift Transportation Co. (“Swift”) records indicate that you were assigned to a Washington position and/or terminal and may have been a dedicated driver at some time after July 18, 2008, and may be a Class Member.

For purposes of this class action, “dedicated driver” means any current or former employee driver who, at any time after July 18, 2008, was assigned by Swift to a terminal and/or customer facility physically located in the state of Washington and, during that assignment, drove routes for a single specified customer account.

Drivers who were exclusively over-the-road drivers are expressly excluded from the Class.

- Troy Slack, Jacob Grismer, Richard Erickson, Scott Praye, Gary H. Roberts, Robert P. Ulrich, Henry Ledesma, Timothy Helmick, Dennis Stuber, Eric Dublinski, and Sean P. Forney (collectively referred to here as the “Class Representatives”) have sued Swift Transportation Co. claiming:
 - That Swift paid by the mile and failed to pay overtime, or the reasonable equivalent of overtime, to its Washington-based drivers as required by Washington State law for all hours worked over forty hours in a work week; and
 - That Swift failed to pay its Washington-based drivers for time spent in new driver orientation in a Washington location; and
 - That Swift unlawfully deducted portions of its Washington-based drivers’ mileage pay as a function of Swift’s Per Diem program.
- Swift denies Plaintiffs’ claims and maintains that its payment practices are lawful.
- The Court has conditionally ruled that this lawsuit may be maintained on behalf of a class consisting of all current and former Swift employee dedicated drivers who were assigned by Swift to a Washington position and/or terminal after July 18, 2008; and
 - Who were paid by the mile and worked in excess of forty hours in a week; or
 - Who participated in and completed Swift’s new driver Orientation Program in a Washington location; or
 - Who participated in Swift’s Per Diem program for mileage-based drivers.
- The Court also ruled that the Class Representatives and their attorneys can represent the Class Members.
- The Court has not decided whether Swift did anything wrong. There is no money available now and no guarantee there will be. Your legal rights are affected by this class action. You have a choice to make.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT	
DO NOTHING	<p>Stay in this lawsuit. Await the outcome. Give up certain rights.</p> <p>By doing nothing, you keep the possibility of getting money or benefits that may come from a trial or a settlement. But you give up any rights to sue Swift separately about the same legal claims in this lawsuit.</p>
ASK TO BE EXCLUDED	<p>Get out of this lawsuit. Get no benefits from it. Keep rights.</p> <p>If you ask to be excluded and money or benefits are later awarded in this lawsuit, you won’t share in those. But you keep any rights to sue Swift separately about the same legal claims in this lawsuit. To do so, however, you must hire your own attorney or file a lawsuit without an attorney.</p>

- Your rights and options are explained in this Notice. To ask to be excluded, you must act before **August 19, 2016**. Section 8 below explains how to opt out of the Class and this lawsuit.
- The Class Representatives and their attorneys must prove the claims against Swift. If money or benefits are obtained from Swift, and you do not exclude yourself from the Class, you will be notified about how to obtain a share. If the Class Representatives and their attorneys fail to prove their claims and you do not opt out, you will receive nothing.

1. Why did I get this Notice?

Swift's records show that you may be included in the class. This Notice explains that the Court has allowed the lawsuit to proceed as a class action lawsuit. There has been no determination of the merits of the lawsuit. You have legal rights and options, explained above, that you must act on by **August 19, 2016**. Judge Benjamin H. Settle of the United States District Court Western District of Washington at Tacoma is overseeing this class action. The lawsuit is called *Troy Slack, et al., v. Swift Transportation Co. of Arizona, LLC*, NO. 3:11-cv-05843-BHS.

2. What is this lawsuit about?

The Class Representatives claim that Swift failed to pay overtime, or the reasonable equivalent of overtime, to its Washington-based dedicated drivers for work over 40 hours per work week as required by Washington State law, or that Swift failed to pay its Washington-based dedicated drivers for time spent during orientation in a Washington location, or that Swift unlawfully deducted portions of its Washington-based drivers' mileage pay as a function of Swift's per diem program.

The lawsuit seeks money for damages Class Members allegedly suffered as a result. Swift denies that it did anything wrong or that it is liable for any damages. No decision has been made about who is right: Class Representatives or Swift. The Class Representatives will have to prove the Class Members' claims at a trial.

3. What is a class action?

In a class action lawsuit, one or more people called "Class Representatives" sue on behalf of themselves and other people who have similar claims. Together these people are called a "Class" or "Class Members." One court resolves the issues for everyone in the Class, except for those who ask to be excluded.

4. Who represents you?

If you do not exclude yourself from the Class, you will be represented by attorneys of Hagens Berman Sobol Shapiro LLP, 1918 Eighth Ave Suite 3300, Seattle, WA 98101, phone: (206) 623-7292, as "Class Counsel." Other lawyers may also be involved in the case. The Court also approved the Class Representatives to represent you as Class Representatives on one or more of the claims. If the Class Representatives prevail on behalf of the Class on any of the claims, Class Counsel may ask the Court for fees and expenses. You will not have to pay any of these fees and expenses directly. If the Court grants their request, the fees and expenses may either be deducted from any money obtained for the Class or may be paid separately by Swift. In no event will individual Class Members be obligated to pay any judgment, Court costs, or lawyers' fees for participating in this lawsuit. You may hire your own lawyer to represent you in this class action, but if you do, you will be responsible individually for that lawyer's fees and any expenses.

5. What happens if I do nothing at all?

If you do nothing, you are choosing to stay in the Class. This means you will be legally bound by all orders and judgments of the Court, whether favorable or not, and you will not be able to sue or continue to sue Swift about the legal claims in this case separately. If money or benefits are awarded or obtained, you will be notified and given instruction on how to share in the money and/or benefits.

6. What happens if I ask to be excluded?

If you exclude yourself, you cannot get any money or benefits from this lawsuit if they are awarded or obtained, but you will keep any rights to sue Swift for the same claims in a different lawsuit, now or in the future. If you exclude yourself, you will not be bound by any orders or judgments in this case.

7. Will I be retaliated against for remaining in this lawsuit?

Federal and state law prohibit Swift from discharging or in any other manner discriminating against you because you joined this lawsuit or in any other way have exercised your rights under state and federal laws.

8. How do I ask the Court to exclude me from the Class?

To ask to be excluded from the Class, send a letter postmarked by **August 19, 2016**, to *Troy Slack, et al. v. Swift Transportation Co. of Arizona, LLC* Administrator, c/o KCC Class Action Services, P.O. Box 6002, Larkspur, CA 94977-6002. Your letter must state that you want to be excluded from *Troy Slack, et al., v. Swift Transportation Co. of Arizona, LLC*, Case No. 3:11-cv-05843-BHS and include your name, address, and signature.

Swift is represented by Williams, Kastner & Gibbs PLLC, 601 Union Street, Suite 4100, Seattle, WA 98101-2380, phone: (206) 628-6600. If you exclude yourself from the Class, you may contact Swift's counsel to discuss this case. If you do not exclude yourself from the Class, you should not contact Swift or its counsel directly about this case.

9. How do I get more information?

Go to www.SwiftTransportationWADedicatedDriversClassAction.com or call 877-369-4086 or write to *Troy Slack, et al. v. Swift Transportation Co. of Arizona, LLC*, c/o KCC Class Action Services, P.O. Box 6002, Larkspur, CA 94977-6002.