

# EXHIBIT C

## **NOTICE OF COLLECTIVE ACTION SETTLEMENT**

TO: NAME  
ADDRESS  
ADDRESS

Settlement Website:  
Password/Claim Number:

*The Court authorized this Notice of Collective Action Settlement and Settlement Award check.  
This is not a solicitation. This is not a lawsuit against you, and you are not being sued.*

### **PLEASE READ THIS NOTICE CAREFULLY BEFORE RESPONDING**

#### **1. What is the Lawsuit About?**

The United States District Court for the Western District of Tennessee (“Court”) presides over this Lawsuit, which was filed on April 1, 2021 by named Plaintiff Timothy Coleman (“Named Plaintiff”) against JARS TD, Inc., Amazon.com, Inc., Amazon Logistics, Inc., and Amazon.com Services, Inc. (“Defendants”).

Named Plaintiff brought the Lawsuit as a “collective action” on behalf of himself and other individuals who performed work as a Delivery Associate and were paid by JARS to deliver packages for customers of Amazon.com in the United States at any time between October 29, 2018 through April 30, 2022 (the “Covered Period”) (altogether, the “Settlement Collective Members”). Our records indicate that you are a potential Settlement Collective Member. As explained below, Named Plaintiff alleged that he and the Settlement Collective Members were not paid for all hours worked, including overtime compensation to which they were entitled under the law.

Defendants deny that JARS failed to pay these individuals the full amount of compensation they were owed, deny any wrongdoing, and deny any and all liability and damages to anyone with respect to the allegations made in the lawsuit. Amazon specifically denies that it is the employer or joint employer of Delivery Associates.

#### **2. Why did I get this notice?**

While Defendants deny the Lawsuit’s allegations, and further deny that they have any liability at all, the Parties negotiated and reached a settlement that fully and finally resolves the Lawsuit’s allegations without the time and expense that would be associated with further litigation (the “Settlement”).

You received this Collective Action Settlement Notice (“Notice”) because records show you performed work as a Delivery Associate and were paid by JARS to deliver packages for customers of Amazon.com in the United States at any time between October 29, 2018 through April 30, 2022. This makes you a Potential Settlement Collective Member covered by the Lawsuit for the purposes of the Settlement.

As a potential Settlement Collective Member, you have the right to learn about the Settlement and, if you choose, to participate in it. You can participate in the Settlement by completing and submitting the Consent Form to opt into the Lawsuit.

### **3. What does the Settlement Provide?**

The Court preliminarily approved the Settlement on [insert date], 2024.

Defendants have agreed to pay a Total Maximum Settlement Amount of \$560,000. The Total Maximum Settlement Amount will be used to make individual settlement payments to Opt-In Plaintiffs in accordance with a distribution formula that has been approved by the Court.

Under the Settlement, if you complete and submit the Consent Form, you will be entitled to a settlement check in the gross amount of not less than [\$---], calculated based on Defendants' records of your work hours. One-half of your payment is considered wages for which ordinary payroll and income taxes will be withheld. The other one-half of your payment is for alleged liquidated damages, from which no payroll or income taxes will be withheld. You will **not** pay any additional attorneys' fees or expenses out of your payment.

The Parties separately negotiated a General Release with Named Plaintiff in exchange for which he will receive an additional settlement payment of \$10,000.00.

### **4. Why is there a settlement?**

*The settlement is a compromise.* It allows the Parties to avoid the costs and risks of further litigation or arbitration, and provides money to Opt-In Plaintiffs without delay. In reaching this Settlement, Defendants have not admitted that they violated any laws and the Court did not decide in favor of the Plaintiff or Defendants.

### **5. What do I give up by participating in the Settlement?**

If you participate in the Settlement by completing and submitting the Consent Form and becoming an Opt-In Plaintiff, once the Court grants final approval of the Settlement, you release Defendants; their parent companies, subsidiaries, affiliates, business units, members, shareholders; and their predecessors and successors, officers, directors, agents, employees, and assigns of all Fair Labor Standards Act ("FLSA") claims, and state, municipal, or local wage and hour claims that accrued to the Settlement Collective Members against the Released Parties while working to deliver packages to Amazon customers in the United States while being paid by JARS at any time between October 29, 2018 through April 30, 2022, including but not limited to claims under the FLSA, Florida state law, or any other federal, state or local wage and hour law, pertaining to the alleged failure to pay for all hours worked, claims for unpaid wages (including overtime compensation), claims for working through meal or rest periods, and related claims for liquidated damages, interests, penalties, fees or costs, that were or could have been asserted in the Lawsuit based upon the facts alleged in the operative complaint ("Released Claims").

The Released Claims will be effective after the Court grants final approval of the Settlement. To the fullest extent allowed by law, if you opt-in to the Settlement and after it is finally approved, you are prohibited from asserting any Released Claims, and from commencing, joining in, prosecuting, or voluntarily assisting in a lawsuit or adversarial proceeding against the Released Parties based on the Released Claims. You also agree to not opt-in, withdraw any opt-in, and dismiss any action or dismiss yourself from any action where you are a claimant, plaintiff, or appellant against the Released Parties. You also agree to opt-out of any actions if you become aware of such actions against Released Parties. This prohibition does *not* prevent you from testifying in any legally compelled proceeding through service of a subpoena or other government or legal process.

If you choose not to opt-in to the Settlement, you retain your right to pursue claims raised in the Lawsuit in a separate legal action.

#### **6. How do I participate in the Settlement?**

To participate in the Settlement, you must complete, sign, and return the enclosed Consent to Join form (“Consent”) by [deadline]. **All Consent forms must be postmarked or transmitted electronically by [deadline].** However, if your notice packet was returned as undeliverable, you have until the later of or 45 days after your Notice packet is re-mailed to return your Consent.

#### **7. Do I have a lawyer in this case?**

The Court has designated the following law firm to serve as “Plaintiff’s Counsel” and represent the interests of Named Plaintiff and the potential Settlement Collective Members:

Andrew R. Frisch  
Paul M. Botros

**MORGAN & MORGAN, PA**  
8151 Peters Road, Suite 4000  
Plantation, Florida 33324  
[afrisch@forthepeople.com](mailto:afrisch@forthepeople.com)  
[pbotros@forthepeople.com](mailto:pbotros@forthepeople.com)  
954-327-5352

#### **8. How Will the Attorneys for the Settlement Collective Be Paid?**

You do not have to separately pay the attorneys who represent the Settlement Collective Members. The Parties separately negotiated an attorneys’ fee and cost payment to Plaintiffs’ Counsel. Subject to Court approval, Plaintiff’s Counsel will receive \$430,000.00 of the Settlement Fund, as approved by the Court, for all past and future attorneys’ fees and reasonable costs incurred or that will be incurred in this Litigation through final approval of the Settlement as set for in the Agreement.

#### **9. Who May I Contact If I Have Further Questions?**

IF YOU NEED MORE INFORMATION OR HAVE ANY QUESTIONS, you may contact the Settlement Administrator at the telephone number or email address listed below or Plaintiffs' Counsel listed above. Please refer to the Amazon/Optimal Settlement.

[INSERT]

[INSERT]

[INSERT]

This Notice only summarizes the Lawsuit, the Settlement and related matters. For more information, you may inspect the Court's files at the Office of the Clerk for the Western District of Tennessee, Memphis Division, located, 167 N. Main Street, Room 242, Memphis, TN 38103, from 8:30 a.m. to 4:30 p.m., Monday through Friday, except for Federal holidays.