

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF WASHINGTON**

***Renteria v. Stemilt AG Services LLC*, Case No. 2:20-cv-00392 SMJ (E.D. Wash.)  
**If you did piece-rate work for Stemilt between May 21, 2015 and May 17, 2018, PLEASE READ THIS NOTICE. You are entitled to receive a payment as part of a court settlement.****

*A court authorized this notice. This is not a solicitation from a lawyer.*

**ATTN: <<FullName>>**

- Three former farmworkers filed a lawsuit against Stemilt for allegedly engaging in unlawful wage and hour practices (the “Plaintiffs”). Stemilt denies these allegations.
- The parties have reached a proposed Class Action Settlement that will include a total payment by Stemilt of \$3 million.
- To qualify for a share of this settlement payment, you must have performed piece-rate work for Stemilt between May 21, 2015 and May 17, 2018, and not exclude yourself from this lawsuit.

**YOU HAVE UNTIL AUGUST 9, 2021 TO EITHER SUBMIT A SETTLEMENT CLAIM TO RECEIVE YOUR SHARE OF THE MONEY OR FILE AN OBJECTION TO THE SETTLEMENT. IF YOU DO NOT SUBMIT A CLAIM FOR YOUR MONEY BEFORE AUGUST 9, 2021, YOU WILL LOSE YOUR RIGHT TO RECEIVE MONEY FROM THIS CASE AND YOUR MONEY WILL BE REDISTRIBUTED TO OTHER WORKERS WHO FILE CLAIMS.**

**TO COMPLETE THE CLAIM FORM ONLINE, PLEASE GO TO THE SETTLEMENT ADMINISTRATOR’S WEBSITE AT [WWW.ARREGLOCONSTEMILT.COM](http://WWW.ARREGLOCONSTEMILT.COM) AND USE YOUR CPT ID: <<ID>> AND PASSCODE: <<PASSCODE>>**

- Your legal rights are affected whether you act or do not act. Please read this Notice carefully:

<b>YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT</b>	
<b>SUBMIT A CLAIM FORM</b>	The only way to get a settlement payment. The fastest way is to visit <a href="http://www.arregloconstemilt.com">www.arregloconstemilt.com</a> .
<b>ASK TO BE EXCLUDED</b>	Get no settlement payment. This option would allow you to sue Stemilt on your own for any legal claims in the case not barred by the statute of limitations.
<b>OBJECT</b>	Write to the Court if you do not like the settlement and explain why.
<b>GO TO A HEARING</b>	Ask to speak in Court about the fairness of the Class Action Settlement.
<b>DO NOTHING</b>	Get no payment. Give up rights relating to the legal claims in this Case.

- These rights and options – **and the deadlines** – are explained in this Notice.
- The Judge still has to decide whether to approve the Settlement. If he approves the Settlement, payments will be made after any appeals are resolved. Please be patient.

## BASIC INFORMATION

### 1. Why did I get this Notice?

A monetary settlement has been reached and you have been identified as part of the group that is entitled to receive monetary payments under the settlement. The Court has authorized the distribution of this Notice to you to inform you about your options before the Court decides whether to approve the Settlement. If the Court approves the Settlement, and after any appeals are resolved, payments will be made to eligible Settlement Class Members who have timely submitted the attached Settlement Claim Form.

This Notice explains the Case, the Class Action Settlement, your legal rights, what benefits are available, who is eligible for them, and how to get them.

### 2. What is the Case about?

The Plaintiffs claim that Stemilt violated wage laws when Stemilt failed to pay piece rate workers who worked between May 21, 2015 and May 17, 2018 for what is called “non-productive work time.” “Non-productive work time” is time spent performing activities outside the scope of piece-rate work while being paid on a piece-rate basis. Stemilt denies the Plaintiffs’ claims.

The Honorable Salvador Mendoza Jr. of the United States District Court for the Eastern District of Washington is overseeing this Case. The lawsuit is known as *Renteria v. Stemilt AG Services LLC*, Case No. 2:20-cv-00392 SMJ (E.D. Wash.), (the “Case”).

### 3. Can Stemilt retaliate against me for participating in this settlement?

No. It is against the law for Stemilt to retaliate against any worker who participates in this case or the settlement.

### 4. Why is there a Settlement?

The Court did not decide in favor of the Plaintiffs or Stemilt. Instead, both sides agreed to a Settlement. This allows the parties to avoid the cost of a trial, and the people affected will be entitled to compensation. The Plaintiffs and the attorneys think the Settlement is best for everyone in the Settlement Class.

## WHO IS IN THE SETTLEMENT

### 5. How do I know whether I am part of the Settlement?

The Judge has decided that everyone who was employed by Stemilt AG Services between May 21, 2015 to May 17, 2018 and was paid on a piece-rate basis can receive benefits from the Settlement.

If the Judge gives final approval, all eligible workers who file a claim before **August 9, 2021** and have not asked to opt out (exclude themselves) from the Settlement Class can receive money from this Settlement.

For more information, call 1-888-672-0822 or visit [www.arregloconstemilt.com](http://www.arregloconstemilt.com).

## THE TERMS OF THE SETTLEMENT

### 6. What are the basic terms of the Settlement?

If the Judge gives final approval the most important terms of the Settlement are as follows:

**Settlement Fund:** Stemilt will pay a total settlement payment of **\$3,000,000**, and it is expected that at least **\$2,072,000** of this settlement payment will be used to compensate eligible workers who submit valid and timely settlement claims. The amount for each worker will depend on how many hours they worked doing piece-rate work between May 21, 2015 and May 17, 2018. The amount of your estimated settlement payment, if 100% of Settlement Class Members submit valid and timely Settlement Claim Forms, is shown on the Settlement Claim Form that accompanies this Notice of Settlement. Your estimated settlement payment was calculated based on a detailed analysis of your time records at Stemilt, which includes your hours worked and job codes. If less than 100% of Settlement Class Members submit valid and timely Settlement Claim Forms, your actual settlement payment may be higher than the estimated amount because the settlement funds will be distributed between fewer Settlement Class Members. However, your settlement payment will be capped at a maximum of five times the estimated settlement amount provided above.

Workers in the United States will be mailed a settlement check to the address they provide when they complete and submit their Settlement Claim Form. Workers in Mexico will be able to withdraw their settlement award funds from Bansefi bank using instructions to be provided by Centro de los Derechos del Migrante, Inc. (“CDM”). If any settlement payments have not been claimed within one hundred eighty (180) days after distribution, those funds will be considered “Residual Funds” and distributed to organizations whose missions align with the workers’ claims in the Action, and which are selected by mutual agreement of the Parties or designated by the Judge.

**Service Awards:** Subject to Court approval, the three named Plaintiffs will also receive \$ 6,000 each for the time they spent working on the Case with the attorneys, and for their service on the Case as class representatives.

**Attorneys’ Fees and Costs:** Subject to approval by the Court, \$750,000 (25% of the Settlement Fund) will be used to compensate the law firms of Frank Freed Subit & Thomas LLP and Columbia Legal Services for their attorneys’ fees and \$10,000 will be used to reimburse the attorneys for costs they have paid or will incur.

**Settlement Administration:** Subject to approval by the Court, no more than \$150,000 will be used to pay for the expenses of providing notice to eligible workers, processing settlement payments, and handling tax reporting requirements.

**Release of Claims:** Upon the Effective Date, the three Plaintiffs and each Settlement Class Member who has not submitted a valid and timely written request to be excluded from the Settlement Class will release Stemilt from any and all claims for unpaid hours worked during the Settlement Class Period that were or could have been asserted in this Action by Plaintiffs and the members of the Settlement Class based on the allegations asserted in Plaintiffs’ May 21, 2018 Complaint for Unpaid and Wrongfully Withheld Wages and that arose from May 21, 2015 through May 17, 2018. The Released Claims do not include any claims asserted against Stemilt in the Amended Complaint for Damages filed in Gomez Garcia v. Stemilt Ag Services LLC, Case No. 20-cv-00254-SMJ (E.D. Wash. 2020).

## HOW YOU CAN GET A SETTLEMENT PAYMENT – SUBMITTING A CLAIM FORM

### 7. How can I get a settlement payment?

To get a settlement payment, you **must** submit a **Settlement Claim Form**. There are three ways to submit a Settlement Claim Form: (1) You can submit a Settlement Claim Form online at [www.arregloconstemilt.com](http://www.arregloconstemilt.com); (2) you can complete and sign this Settlement Claim Form and return it to the settlement administrator by mail using the envelope enclosed with this notice; or (3) you can complete and sign this Settlement Claim Form and return it in person in one of the drop boxes at the Stemilt ranch addresses provided on the Settlement Claim Form.

You may only submit **one** Settlement Claim Form using **one** of the methods listed above (online, mail, or in person at a drop box).

A Settlement Claim Form is attached to this Notice. Read the instructions carefully. If you need a new Settlement Claim Form, you may call **1-888-672-0822** or visit [www.arregloconstemilt.com](http://www.arregloconstemilt.com).

**TO COMPLETE THE CLAIM FORM ONLINE, PLEASE GO TO THE SETTLEMENT ADMINISTRATOR’S WEBSITE AT [WWW.ARREGLOCONSTEMILT.COM](http://WWW.ARREGLOCONSTEMILT.COM) AND USE YOUR CPT ID: <<ID>> AND PASSCODE: <<PASSCODE>>**

### 8. When would I get my settlement payment?

The Judge will hold a hearing on September 9, 2021 at 1:30 p.m. to decide whether to approve the settlement. If the Judge approves the settlement, the parties will then have to wait to see whether there is an appeal. This will take at least 30 days and, if there is an appeal, can take more than a year to resolve. In the event of an appeal, information regarding the appeal’s progress will be made available at [www.arregloconstemilt.com](http://www.arregloconstemilt.com). If there are no objections and no appeal, we expect settlement payments will go out within a month of the Judge’s final approval of the Settlement. Please be patient.

### THE LAWYERS REPRESENTING YOU

### 9. Do I have a lawyer in this case?

The Judge has decided that lawyers from the law firm of Frank Freed Subit & Thomas LLP and Columbia Legal Services are qualified to represent you and all other affected farmworkers. These lawyers are called “Settlement Class Counsel.” You will not be charged for these lawyers because they will be paid from the settlement funds. If you want to be represented by your own lawyer, you may hire one at your own expense.

### EXCLUDING YOURSELF FROM THE SETTLEMENT

### 10. How do I exclude myself from the Settlement?

If you fit the definition of a Settlement Class Member and want to exclude yourself (opt out) from the Settlement Class, you **must** mail a letter to the Settlement Administrator requesting exclusion from the Settlement Class, **postmarked no later than August 9, 2021**. An exclusion request must: (1) be in writing,

For more information, call 1-888-672-0822 or visit [www.arregloconstemilt.com](http://www.arregloconstemilt.com).

(2) state your current address; (3) contain the following statement: “I request that I be excluded from the Settlement Class in the case of Renteria v. Stemilt AG, LLC”; (4) be mailed to the Settlement Administrator at Renteria v. Stemilt Settlement Administrator c/o CPT Group, Inc., 50 Corporate Park, Irvine, CA 92606; and (5) be postmarked by **August 9, 2021**. If you exclude yourself from the Settlement Class (i.e., opt out), you will not receive any payment from the Settlement. You will also not be entitled to object to the Settlement. If you exclude yourself, you will not be bound by the terms of the Settlement, including the Release described in Section 6, above. This means you will retain the right at your own expense, to pursue any claims you may have against Stemilt that arose during the Settlement Class Period between May 21, 2015 and May 17, 2018.

## OBJECTING TO THE SETTLEMENT

### 11. If I don’t like the Settlement, how do I tell the Court?

If you are a Settlement Class Member, have not excluded yourself from the Settlement, and do not like the Settlement or the fee request, you can object. You must do so in writing and you must state the reasons why you think the Court should not approve the Settlement. If you object, be sure to include your name, address, and telephone number, the name of the Case (Renteria v. Stemilt AG Services LLC, Case No. 2:20-cv-00392 SMJ (E.D. Wash.)), the reasons you object to the Settlement, and your signature. You must mail copies of the objection to the Court, Settlement Class Counsel, and Defendant’s counsel at the following addresses **postmarked no later than August 9, 2021**:

COURT ATTORNEYS	FARMWORKERS’ ATTORNEY	STEMILT’S
Hon. Salvador Mendoza, Jr. U.S. District Court for Eastern District of Washington 825 Jadwin Avenue, Suite 190 Richland, WA 99352	Marc Cote Frank Freed Subit & Thomas LLP 705 Second Avenue, Suite 1200 Seattle, WA 98104	Bob Siderius, Jr. Stephanie Stauffer Jeffers Danielson Sonn & Aylward 2600 Chester Kimm Road Wenatchee, WA 98801

## THE COURT’S FAIRNESS HEARING

### 12. When and where will the Court decide to approve the Settlement?

The Judge will hold a Fairness Hearing at September 9, 2021 at 1:30 p.m., at the United States Courthouse at 825 Jadwin Avenue, Suite 190, Richland, Washington 99352. If there are objections, the Court will consider them. Judge Mendoza will listen to people who have asked to speak at the hearing (see Section 14). After the hearing, the Court will decide whether to finally approve the Settlement, including Settlement Class Counsel’s request for attorneys’ fees, costs, Settlement Administration Expenses, and Service Awards for the named Plaintiffs. We do not know how long that decision will take.

Please note that depending on conditions and closures at the courthouse related to COVID-19, the Court may hold the Fairness Hearing via telephone or videoconference. Please contact the Settlement Administrator or Settlement Class Counsel for additional information before the date of the hearing.

### 13. Do I have to come to the hearing?

No. The Settlement Class Counsel will answer any questions Judge Mendoza may have. But you are welcome to attend at your own expense. If you send an objection, you do not have to come to court to talk about it. As long as you mailed your written objection on time, the Judge will consider it. You may also pay your own lawyer to attend, but that is not necessary.

### 14. May I speak at the hearing?

You may ask the Judge for permission to speak at the Fairness Hearing. To do so, you should send a letter saying it is your “Notice of Intention to Appear in Renteria v. Stemilt AG Services LLC, Case No. 2:20-cv-00392 SMJ.” Be sure to include your name, address, phone number, and your signature on the Notice. Your Notice of Intention to Appear should be **postmarked no later than August 9, 2021**, and be sent to the Court, the attorneys for the Plaintiffs, and Stemilt’s attorneys at the three addresses set forth below:

COURT ATTORNEYS	FARMWORKERS’ ATTORNEY	STEMILT’S
Hon. Salvador Mendoza, Jr. U.S. District Court for Eastern District of Washington 825 Jadwin Avenue, Suite 190 Richland, WA 99352	Marc Cote Frank Freed Subit & Thomas LLP 705 Second Avenue, Suite 1200 Seattle, WA 98104	Bob Siderius, Jr. Stephanie Stauffer Jeffers Danielson Sonn & Aylward 2600 Chester Kimm Road Wenatchee, WA 98801

### IF YOU DO NOTHING

### 15. What happens if I do nothing at all?

If you fail to submit a Settlement Claim Form **postmarked no later than August 9, 2021**, you will **not** receive a share of the Settlement. If you do nothing – that is, if you do not mail, submit online, or personally deliver a timely Settlement Claim Form or request for exclusion – you will **not** be entitled to a share of the Settlement, but you will still be bound by the terms of the Settlement, including the Release described in Section 6, above.

### GETTING MORE INFORMATION

### 16. Are there more details about the Settlement?

This Notice summarizes the proposed Settlement. More details are in the Settlement Agreement. You can see a copy of the Settlement Agreement by visiting the website [www.arregloconstemilt.com](http://www.arregloconstemilt.com), which has a copy of the Settlement Agreement posted. The Plaintiffs’ motion for final approval of the Settlement Agreement, including a request for attorneys’ fees, costs, Settlement Administration Expenses, and Service Awards for the three named Plaintiffs will be available for you to review on September 9, 2021 at [www.arregloconstemilt.com](http://www.arregloconstemilt.com).