

If you are or were an hourly employee at Wal-Mart in Washington State

**at any time from September 10, 1997 to February 3, 2009,
a proposed class action settlement may affect your rights.**

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You may be affected by the proposed settlement of a class action lawsuit alleging that Wal-Mart hourly employees in Washington were not paid for all the time they actually worked. The lawsuit is titled *Barnett v. Wal-Mart Stores, Inc., et al.*, Case No. 01-2-24553-8 SEA, and is pending in the King County, Washington Superior Court. This Notice summarizes your rights and options under the settlement. More information is included in a detailed notice available at the website below.

Are you affected?

This proposed Settlement affects you if you now work or previously worked as an hourly employee at a Wal-Mart Store, Supercenter, Distribution Center, or Sam's Club in the State of Washington at any time from September 10, 1997 to February 3, 2009 (the "Settlement Class").

What is this case about?

The Plaintiffs in this lawsuit claim that Wal-Mart and Sam's Club failed to compensate their hourly employees for missed and interrupted rest breaks and meal periods and for time they worked when they were not clocked into Wal-Mart's timekeeping system. The Plaintiffs assert that they and the other employees are entitled to payment as a result of these allegations. Wal-Mart and Sam's Club deny the Plaintiffs' allegations. The Court has not decided whether the Class or Wal-Mart is right. The Plaintiffs and their attorneys have concluded that the proposed Settlement is in the best interest of the Settlement Class members.

Who represents you?

The Court has designated Debra Barnett, Georgie Knoles and Bella Blaubergs to represent the Settlement Class as Class Representatives. The Court has also appointed the law firms of Lieff Cabraser Heimann & Bernstein, LLP, Terrell Marshall & Daudt, PLLC and Tousley Brain Stephens, PLLC to represent the Class Representatives and the Settlement Class as Class Counsel.

What does the Settlement provide?

The proposed Settlement provides both monetary and injunctive relief. For monetary relief, the Settlement provides that Wal-Mart will pay an amount up to \$35 million, and a minimum amount of \$17.5 million. To be eligible to receive any compensation, a Settlement Class member must submit either: (a) Claim Form A, which provides for an automatic, fixed payment based on length of employment at a Washington Wal-Mart; (b) Claim Form B, which provides payment up to a maximum amount based on length of employment at a Washington Wal-Mart and answers to questions regarding work experience with respect to missed or interrupted rest breaks; or (c) Claim Form C, which provides for payment

up to a maximum amount based on length of employment at a Washington Wal-Mart and your answers to questions regarding work experience with respect to missed or interrupted rest breaks, interrupted meal periods and off-the-clock work. The proposed Settlement also provides for certain injunctive relief as described in the Settlement Agreement.

What are your options?

You can exclude yourself from the Settlement Class by sending an Exclusion Letter postmarked by June 27, 2009 as described in the detailed Notice. If you exclude yourself, you can pursue claims against Wal-Mart individually, but you will give up the right to any benefits under the proposed Settlement and may not object to the Settlement.

You can stay in the Settlement Class and be eligible to receive benefits. If you do not exclude yourself from the Settlement Class you will remain a Class Member and be eligible to submit a Claim Form postmarked by August 19, 2009 for monetary benefits. If you choose this option, you will be legally bound by the terms and conditions of the Settlement, including the release of claims against Wal-Mart. If you remain in the Settlement Class, you also have the right to file a written objection and appear before the Court to challenge the Proposed Settlement.

You can find more information regarding the Exclusion, Claims and Objections procedures in the detailed Notice.

What about your job at Wal-Mart?

Wal-Mart has agreed that store, district, and regional-level managers and employees will not be told whether you choose to stay in or exclude yourself from the Settlement Class. Wal-Mart cannot legally retaliate against you -- that is, they cannot fire you, reduce your salary, or demote you -- for participating or not participating in the Settlement.

When will the Court approve the Proposed Settlement?

The Court will hold a Final Fairness Hearing on July 20, 2009 to determine whether the proposed Settlement should be approved as fair, and what amounts to award Class Counsel. The Court will also consider objections during this Hearing.

How can you get more information?

If you have questions or want a detailed notice or other documents regarding this lawsuit and your rights, visit the Settlement website at www.walmartwageswa.com, call toll free 1-877-867-6208, or write to Barnett Claims Administrator, c/o Rust Consulting, Inc., P.O. Box 1986, Faribault, MN 55021-6182.