

Collective Action Notice

Robert Geiser et al. v. The Salvation Army, Eastern Territory

Authorized by the U.S. District Court

Were you a participant at a Salvation Army ARC in Connecticut, Delaware, northeast Kentucky, Maine, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Puerto Rico, Rhode Island, the U.S. Virgin Islands, or Vermont between Sept. 20, 2019 and Sept. 11, 2023?

There is a lawsuit that you may be entitled to join.

The lawsuit seeks to recover unpaid minimum wages for work performed by program participants at The Salvation Army's Adult Rehabilitation Centers (ARCs).

To be part of this lawsuit, you should:

1. Read this notice.
2. Respond by Sept. 11, 2023 by filling out a form by mail or online or at your ARC.

- You can learn more at: <https://www.SalvationArmyARCLawsuit.com> .
- *Si inglés no es su primer idioma, comuníquese con los abogados que se enumeran a continuación para obtener ayuda en la traducción de este aviso.*
- Questions? Contact: Simpluris, the third-party administrator, at (833) 215-5915 or SalvationArmyARCLawsuit@simpluris.com.

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About This Notice

Why did I get this notice?

This notice is to tell you about a collective action lawsuit, which also includes other wage and hour class claims, *Robert Geiser et al. v. The Salvation Army*, brought on behalf of participants in The Salvation Army's Adult Rehabilitation Center Program in the Eastern Territory (Connecticut, Delaware, northeast Kentucky, Maine, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Puerto Rico, Rhode Island, and the U.S. Virgin Islands, Vermont) from September 20, 2019 to September 11, 2023. **You received this notice because you may be part of the group of such participants, called the "collective."** This notice gives you a summary of the minimum wage lawsuit against The Salvation Army, explains that The Salvation Army denies these claims and is defending the lawsuit, and explains your legal rights to help make an informed decision about whether you want to join and how to do so.

You should read the entire document. If you have questions or need assistance, please see <https://www.SalvationArmyARCLawsuit.com> or contact Simpluris, the third-party administrator, at (833) 215-5915 or SalvationArmyARCLawsuit@simpluris.com.

The Court has authorized the issuance or publication of this Notice of the lawsuit via a third-party administrator. Out of concern for your privacy, your name has not been shared with the lawyers representing the Plaintiffs. Your name will not be disclosed to anyone by the third-party administrator.

This is not a solicitation from a lawyer.

Learning About the Lawsuit

What is this lawsuit about?

Where can I learn more and sign up?
SalvationArmyARCLawsuit.com

Robert Geiser, Shaun Halloran, Avery Acker, Christina Aquilino, and Joshua Fraser filed a lawsuit in 2022 claiming that The Salvation Army improperly failed to pay ARC participants minimum wage for the time engaged in work therapy programs in violation of federal wage and hour law and other state minimum wage laws. The

Salvation Army denies that it owes wages to participants of the ARC program and is defending the lawsuit.

The lawsuit is on behalf of any ARC participant who:

- (a)** enrolled in an ARC in Connecticut, Delaware, northeast Kentucky, Maine, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Puerto Rico, Rhode Island, the U.S. Virgin Islands, or Vermont *since September 20, 2019; AND*
- (b)** did not enroll in the ARC to comply with a court order or as a condition of probation, parole, or community supervision (*more explanation below*); **AND**
- (c)** elects to join the lawsuit.

This Notice is about federal claims only.

The Salvation Army denies the claims in the lawsuit. It maintains that the ARCs provide a spiritually-based residential rehabilitation program, and that participants in these programs are not “employees” and are thus not entitled to wages for time engaged in work therapy.

If you received this Notice directly, it was because The Salvation Army’s records indicate that you were at an ARC in one of the above states during the period at issue.

Some people who attended an ARC since September 20, 2019 are not part of this case. If your only enrollment in an ARC since September 20, 2019 was to comply with a court order or a condition of probation, parole, or community supervision, you cannot join this case. You participated in an ARC to comply with a court order or a condition of probation, parole, or community supervision if (1) the court or parole/probation/community supervision office required that you participate in the ARC or a rehabilitation program like it and (2) the court or parole/probation/community supervision office had the power to send you to jail or prison or to remove you from a diversion program if you failed to complete the ARC program or a rehabilitation program like it.

In simple terms, you are not part of this case if you enrolled in the ARC to avoid being sent to jail or prison or being prosecuted for a crime. If you have any questions about whether you can be part of this case, you can contact the attorneys for the Plaintiffs, whose contact information is listed below.

The Court has authorized the issuance or publication of this Notice of the lawsuit through a third-party administrator. The Court has not yet decided who is right and who is wrong. Your legal rights may be affected, and you have a choice to make *now*.

What do I do next?

Read this notice to understand the lawsuit and to determine if you are a collective member. Then, decide if you want to:

<p>ASK TO BE INCLUDED IN THE LAWSUIT</p>	<p><i>What This Means:</i></p> <ul style="list-style-type: none"> You keep the possibility of getting money or benefits that may come from a victory at trial or settlement of the federal minimum wage claims in this case. If the Plaintiffs are successful on the federal minimum wage claims, you will be notified about how to 	<p><i>Next Steps:</i></p> <ul style="list-style-type: none"> If you want to be included, you must complete and submit the enclosed "Consent to Join" form by mail, email, or online, or if you are a current ARC participant, by dropping the form in your ARC's "dropbox" for Consent to Join forms by September 11, 2023.
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	<p>ask for a share of any money obtained.</p> <ul style="list-style-type: none"> • If The Salvation Army prevails in the lawsuit, you will get no money and you will be bound by the judgment in the case as to the federal wage claims. 	
<p>DO NOTHING</p>	<p><i>What This Means:</i></p> <ul style="list-style-type: none"> • You will not be included in federal minimum wage claims (FLSA) in this lawsuit. • You give up the possibility of getting money or benefits that may come from a trial or settlement in this lawsuit if the Plaintiffs are successful on their federal minimum wage claims. • If The Salvation Army prevails in the lawsuit, you will not get any money and you will not be bound by the judgment in the case as to the federal wage claims. 	<p><i>Next Steps:</i></p> <ul style="list-style-type: none"> • You have not asserted a claim. The limitations period on any federal wage claim continues to run.

How do I join the lawsuit?

You can join the lawsuit in multiple ways.

You can complete the enclosed/attached Consent to Join form and mail it in the pre-paid envelope, email to SalvationArmyARCLawsuit@simpluris.com, or fax it to (714) 917-7455.

You may also have received this form by email and/or text message.

If you received this Notice by email and/or text, you can sign the Consent to Join form and submit it electronically by following the prompts in the email and/or text message you received.

If you are a current ARC participant, your ARC will have a “dropbox” in a common area of your ARC that will be labeled “Salvation Army ARC Lawsuit.” If you do not have access to a mailbox while attending an ARC, you should return your Consent to Join form to the dropbox, and it will be mailed for you.

A copy of this Notice and the Consent to Join Form can also be found at www.SalvationArmyARCLawsuit.com. The Plaintiffs’ lawyers, identified below, will file your Consent to Join form with the Court, so please review it to be sure that all information is correct before you sign it.

What happens if I join the lawsuit?

The parties agreed to toll the statute of limitations (meaning, stop the clock on your claims) from August 15, 2022 until May 5, 2023. After May 5, 2023, the limitations period on your federal wage claim is running until your Consent to Join form is filed with the Court. If you choose to join this lawsuit, and the Plaintiffs prevail, you may be able to recover damages (meaning, unpaid minimum wages) if you were improperly denied minimum wages within three years and 266 days of the date you file your Consent to Join form. If you join this lawsuit, you will be bound by the outcome of the Plaintiffs’ federal minimum wage claims. This means that if the Plaintiffs win their federal minimum wage claims or obtain a settlement, you may receive a payment. If the Plaintiffs lose their federal minimum wage claims, you will not receive any money under the federal wage claims. If you join this lawsuit, you may also be required to provide information or documents, sit for a deposition, or testify in court.

Can The Salvation Army retaliate against me for joining the lawsuit?

Federal law prohibits The Salvation Army from taking any action against you because you decided to join the lawsuit.

How will I know you received my Consent to Join form?

The Plaintiffs' lawyers will contact you to confirm you joined the case. If you join the lawsuit and are not contacted in a reasonable period of time after sending in your Consent to Join form, please contact the Plaintiffs' lawyers (contact information below).

Do I have a lawyer in this lawsuit?

If you join the lawsuit by submitting a Consent to Join form, you will be agreeing to representation by the following lawyers, unless you decide to hire your own counsel or proceed pro se:

salvationarmy@cohenmilstein.com
202-848-1212

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How will the lawyers get paid?

You don't have to directly pay the lawyers. The lawyers are being paid on a contingency fee and/or statutory fee basis, which means that if there is no recovery, there will be no attorneys' fees. If there is a recovery, the attorneys will receive their fees and costs from The Salvation Army and/or may receive a percentage of any money awarded by the Court or obtained through a settlement. If the Plaintiffs lose the lawsuit, you will not have to pay the lawyers out of your own pocket.

What are the most important dates?

Your deadline to submit a Consent to Join form: **September 11, 2023**. If you do not postmark (if by mail), email, or submit online, or, if you are a current ARC participant, submit via your ARC's dropbox, the Consent to Join Form by September 11, 2023, you may not be able to join the lawsuit's federal claims.

What happens if I do not join the lawsuit?

If you do not file a form to join the lawsuit, you will not be bound by the result of the Plaintiffs' federal minimum wage claims. This means that regardless of the result of those claims, you are free to do nothing or file your own federal minimum wage claims, either on your own behalf or through an attorney.

The federal minimum wage law has a maximum statute of limitation of three years. This means that there is a time limit within which you can pursue your claim.

If The Salvation Army prevails in the lawsuit, you will not get any money and you will be bound by the judgment in the case as to the federal wage claims. If you choose not to join this lawsuit or if you choose to file your own lawsuit, some or all of your potential claims may be barred by the applicable statute of limitations, depending on when you file any such lawsuit.

Key Resources

How I get more information?

This Notice is a summary of the lawsuit. For more information or to get answers to your questions:

- Contact Simpluris, the third-party administrator, at (833) 215-5915 or SalvationArmyARCLawsuit@simpluris.com.
- Visit the case website at <https://www.SalvationArmyARCLawsuit.com>

THIS NOTICE AND ITS CONTENT HAVE BEEN AUTHORIZED BY THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK, THE HONORABLE JESSE FURMAN, UNITED STATES DISTRICT COURT JUDGE. THE COURT HAS MADE NO DECISION IN THIS CASE ABOUT THE MERITS OF PLAINTIFFS' CLAIMS OR DEFENDANT'S DEFENSES. DO NOT CONTACT THE COURT IN CONNECTION WITH THIS NOTICE.