

DESMOND, MARCELLO & AMSTER
6060 Center Drive, Suite 825
Los Angeles, California 90045

Re: Jeanine Phillips v. ProCare One Nurses, LLC, et al.

To Whom It May Concern:

You are receiving this letter because you are a current or former nurse who worked for ProCare One Nurses, LLC sometime between January 1, 2001 and September 19, 2003. This letter is to inform you of a lawsuit that has been filed against ProCare by Jeanine Phillips, a nurse employee. The case is entitled Jeanine Phillips v. ProCare Nurses, LLC et al., Orange County Superior Court Case No. 030000425.

In her lawsuit, Ms. Phillips alleges that several of ProCare's pay practices violated California law. Ms. Phillips is seeking to have this lawsuit certified as a class action.

ProCare denies Ms. Phillips' allegations and believes that its pay practices comply with California law.

This lawsuit is currently assigned to Judge Ronald Bauer of the Orange County Superior Court. At this point, Judge Bauer has made no decision regarding whether this case may proceed as a class action and has made no decision regarding the merits of the case.

The attorneys involved in this case would like to speak with you to investigate the allegations set forth in this lawsuit. The areas of inquiry on which the attorneys seek information include the following:

- Whether you were properly paid overtime when you worked for ProCare;
- Whether you received a lower hourly rate when you worked a 12-hour shift as compared to when you worked an 8-hour shift;
- Whether your paystubs were understandable;
- Whether you were permitted to take 10-minute breaks every 4-hours worked in a day;

- Whether you were permitted to take an unpaid 30-minute off-duty meal break when you worked more than 5-hours in a day;
- Whether you were permitted to take an unpaid second 30-minute off-duty meal period when you worked more than 10-hours in a day; and
- Whether you were paid holiday pay or different hourly rates based on the hospital you were assigned to.

In order to protect your privacy, ProCare has not provided your name or contact information to Ms. Phillips or her counsel. Instead, the parties have agreed to have a third party, Desmond, Marcello & Amster, send out this jointly drafted notice to all current and former nurse employees who were employed with ProCare during the relevant time period.

If you would like to participate or have questions regarding this action, you may contact either plaintiff's counsel or defendant's counsel at the numbers listed below. However, you are not required to do so. There will be no adverse consequences for any employee who properly exercises his or her legal rights in connection with this lawsuit, regardless of whether you choose to participate. If you do not wish to participate and do not wish to be contacted in the future, we are sorry to have bothered you.

**Defendant ProCare One Nurses, LLC
is represented by:**

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**Plaintiff Jeanine Phillips
is represented by:**

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Sincerely,

Desmond, Marcello & Amster