

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF RIVERSIDE

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|---|---|--------------------------------|
| ADRIENNE TERRELL, KIMBERLY |) | CASE NO. RIC 428089 |
| DANSBY, TEYA HILL-BURKS, LAMONT |) | |
| HENRY, and SUSANNA MUNIZ, on behalf of |) | NOTICE OF PENDENCY AND |
| themselves and all others similarly situated, |) | SETTLEMENT OF CLASS ACTION, |
| |) | SETTLEMENT HEARING, CLAIM, AND |
| Plaintiffs, |) | EXCLUSION PROCEDURES |
| |) | |
| vs. |) | |
| |) | |
| CENTRAL FREIGHT LINES, INC., and DOES |) | |
| 1 through 50, inclusive, |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

DATE OF MAILING: SEPTEMBER 19, 2007

ATTENTION: CURRENT AND FORMER EMPLOYEES OF CENTRAL FREIGHT LINES, INC.

TO: ALL PERSONS WHO, AT ANY TIME FROM APRIL 4, 2001 TO THE ABOVE DATE OF MAILING, WERE EMPLOYED BY CENTRAL FREIGHT LINES, INC. IN CALIFORNIA ON A NON-EXEMPT BASIS.

PLEASE READ THIS NOTICE CAREFULLY. YOUR RIGHTS MAY BE AFFECTED BY LITIGATION NOW PENDING IN THE ABOVE-ENTITLED COURT.

YOU ARE HEREBY NOTIFIED that there is now pending in the Superior Court of the State of California, County of Riverside, an action (“the Litigation”) on behalf of all persons who were employed on a non-exempt basis by Central Freight Lines, Inc. in California, at any time between April 4, 2001 and the above date of mailing;

The Plaintiffs in the Litigation allege that Central Freight Lines, Inc. violated provisions of California Labor and Wage and Hour law by improperly adjusting recorded employee work hours, and by failing to timely provide meal periods to employees who worked shifts of over 5 hours, and second meal periods to employees who worked shifts of over 10 hours. Central Freight denies all of the allegations made by Plaintiffs in the complaint. Central Freight specifically denies that it violated California Labor law or Wage and Hour law or any related statute or regulation.

This Notice is not intended to be and should not be construed as an expression of any opinion by the Court with respect to the truth of the allegations in the Class Action or the merits of the claims or defenses asserted. This Notice does not imply that there has been or would be any finding of a violation of law or that recovery could be had in any amount if the Litigation were not settled. Further, Central Freight has expressly denied, and continues to deny, all allegations of liability arising out of any of the conduct, statements, acts, or omissions alleged in the Class Action. This matter is being settled by the Parties solely in order to limit further expense, inconvenience and distraction, and taking into account the uncertainty and risks inherent in any litigation.

This Notice is provided for the purpose of informing you of:

1. The pendency of the Litigation;
2. The conditional certification of two classes of which you may be a member;
3. The proposed Settlement of the Litigation;
4. The procedure for making a claim pursuant to the settlement; and,
5. Your right to, and procedures for, exclusion from the classes.

The two classes certified by the Court are as follows:

Class A: All full-time and part-time non-exempt employees of Central Freight who were employed in the State of California at any time from April 4, 2001 to the above date of mailing, and whose recorded work hours were adjusted, manually or automatically, on one or more occasions by “rounding” the start time or the end of a work period, or whose recorded work hours were adjusted, manually or automatically, on one or more occasions to reflect a clock out and clock in for a meal period;

Class B: All full-time and part-time non-exempt employees of Central Freight who were employed in the State of California at any time from April 4, 2001 to the above date of mailing, and worked one or more shifts of five hours or more in which a meal period was not taken in accordance with the applicable Industrial Welfare Commission (“IWC”) Order, and/or who worked one or more shifts of ten hours or more and did not take a second meal period in accordance with the applicable Industrial Welfare Commission (“IWC”) Order.

The Court has given preliminary approval to settlement of the Litigation, which provides for a total settlement in the amount of \$1,675,000.00, to be disbursed as follows: a fund will be created in the amount of \$97,601.00 for payment of Class A claims, and in the amount of \$780,899.00 for payment of Class B claims. The settlement provides that each person submitting a timely, valid claim, will receive a share of his or her respective fund in proportion to the claimant’s percentage of the total earnings that the members of the class earned during the relevant time period. The amount to be received by each individual will depend upon the earnings of that individual, and will vary from claimant to claimant. The settlement also provides for payment of an enhancement of \$28,000.00 to each of the five class representatives, and for attorneys fees of \$636,500.00 to Class Counsel.

Members of the Plaintiff Classes will not be personally responsible for any attorneys’ fees or costs of the Litigation unless they retain their own counsel, in which case such class members will be responsible for their own attorneys’ fees and costs.

TO MAKE A CLAIM AND RECEIVE A SETTLEMENT AWARD CHECK:

If you have received this Notice, your employment records indicate that you may be a member of either Class A, Class B, or both. However, Central Freight has the right to dispute the claims of those employees who have previously filed a wage claim for wages allegedly owed on account of improper adjustment of time records and/or missed meal periods of the time period of April 4, 2001 through the date of this mailing, and those claims may be denied in their entirety. The Superior Court will make the conclusive determination as to any disputes regarding class membership, as well as the validity of claims. ***If you wish to remain a member of the Class(es) and receive a settlement award check***, you must complete and return the enclosed Claim Form, which must be post-marked no later than 30 days from the date of mailing of this Notice. **With rare exceptions, all that is required of you is to complete and return the claim form, and you will receive a check for your settlement award.** If you fail to complete and return the Claim Form within the foregoing time, you will be barred from participating in the settlement.

Complete and return the Claim Form to the following:

Central Freight Litigation
Desmond, Marcello & Amster
6060 Center Drive, Suite 825
Los Angeles, California 90045

TO EXCLUDE YOURSELF FROM THE SETTLEMENT AND CLASS:

If you *wish to be excluded from* the Plaintiff Classes, you will ***not*** receive a settlement award. ***To be excluded***, you must timely deliver a written request for exclusion to ***all*** of the following addresses:

The Court:

Clerk of the Court, Department 8
Riverside County Superior Court
4050 Main Street
Riverside, California 92501

Class Counsel:

Counsel, Central Freight Litigation
RASTEGAR & MATERN, ATTORNEYS AT LAW, A P.C.
1010 Crenshaw Boulevard, Suite 100
Torrance, California 90501
(310) 218-5500

Defense Counsel:

Counsel, Central Freight Litigation
CHAMBLEE & RYAN, P.C.
2777 N. Stemmons Frwy., Suite 1157
Dallas, Texas 75207

Claims Administrator:

Central Freight Litigation
Desmond, Marcello & Amster
P.O. Box 451999
Los Angeles, California 90045
(310) 216-1400

Such request must refer to Terrell v. Central Freight Lines, Inc., Riverside County Superior Court Case No. RIC 428089, provide the name, address, and telephone number of the person requesting exclusion, and clearly state that such person requests exclusion from the Plaintiff Classes.

A request will not be deemed timely, and you will not be excluded from the Plaintiff Classes unless the request is actually received by the Clerk of the Court, Class Counsel, Defense Counsel, and the Claims Administrator within 30 days of the date of mailing of this Notice.

If you request exclusion, you will be responsible for handling your own case, and/or securing your own legal representation.

To protect your interests, you must either submit a Claim Form, or request exclusion from the Class. If you do nothing, you will be bound by the settlement agreement (*i.e.*, if you fail to submit a Claim Form, ***and*** fail to exclude yourself from the Classes, you will be barred from participating in the settlement, and you will also lose any right to pursue your claims independently of the Litigation). If you validly and timely request exclusion from the Classes, you will be excluded from the Plaintiff Classes, ***will not receive a settlement award***, and will not be bound by the settlement. If you remain a member of the Classes, you will be waiving your right to bring further claims against Central Freight Lines, Inc. as set forth in the Settlement Agreement and Stipulation, whether or not you submit a Claim Form and receive a monetary payment.

A Final Settlement Approval Hearing will be scheduled in Department 8 of the above-entitled Court, located at 4050 Main Street, Riverside, California 92501, on November 8, 2007. You may object to this settlement by delivering a written statement objecting to the settlement to ***all*** of the following, at the addresses above: The Court, Class Counsel, and Defense Counsel. Such objection must be received by the Court, Class Counsel, and Defense Counsel no later than 30 days from the date of mailing of this Notice. No Class Member shall be entitled to be heard at the Final Settlement Approval Hearing (whether individually or through separate counsel), or to object to the settlement, and no written objections or briefs submitted by any Class Member shall be received or considered by the Court at the Final Settlement Approval Hearing, unless written notice of the Class Member's intention to appear at the hearing and copies of any written objections or briefs, shall have been delivered to the Court, Class Counsel, and Defense Counsel no later than 30 days following the mailing of this Notice. You may not object to this settlement if you exclude yourself from the Class.

If the proposed settlement is approved by the Court, a Judgment will be entered by the Court which will dismiss with prejudice the Class Action against Central Freight. The Judgment will resolve the Released Claims to the extent provided in the Settlement Agreement and permanently bar all members of the Settlement Class from prosecuting any and all Released Claims against Central Freight and other related persons or entities.

You may direct any questions you have concerning the matters contained in this Notice to the Claims Administrator at the address and telephone number provided above.

The pleadings and other records in this Litigation may be examined and copied during the regular business hours of the Court between 8:30 a.m. and 4:30 p.m. in the Civil Records Department of Riverside Superior Court, located at 4050 Main Street, Riverside, California 92501.

IT IS ILLEGAL FOR ANY EMPLOYER TO RETALIATE AGAINST YOU FOR MAKING A CLAIM OR OTHERWISE PARTICIPATING IN THIS CLASS ACTION.

PLEASE DO NOT TELEPHONE THE COURT OR THE OFFICE OF THE CLERK.

BY ORDER OF THE RIVERSIDE COUNTY SUPERIOR COURT
HONORABLE THOMAS CAHRAMAN