

NOTICE OF PENDENCY OF CLASS/COLLECTIVE ACTION AND PROPOSED SETTLEMENT

Debi Mishra v. Cognizant Technology Solutions U.S. Corporation, et al., (Case No. 2:17-cv-01785)

TO: ALL CURRENT AND FORMER EMPLOYEES OF DEFENDANTS WHO WERE ELIGIBLE TO RECEIVE TRU UP PAYMENTS AT ANY TIME BETWEEN AUGUST 25, 2014 THROUGH JUNE 1, 2020.

The United States District Court for the Eastern District of California conditionally certified the above-listed class (the "FLSA Class") and preliminarily approved a settlement ("Settlement") of the lawsuit against Cognizant Technology Solutions U.S. Corporation and Cognizant Technology Solutions (collectively, "Defendants"). You received this Notice because Defendants' records indicate you are a class member. This Notice describes the claims, the Settlement, and your rights as a class member. **Please read the entire Notice.**

A. DESCRIPTION OF LAWSUIT:

Representative Plaintiff Debi Mishra ("Plaintiff") contends that Defendants failed to pay overtime to the FLSA Class, in violation of the federal Fair Labor Standards Act (FLSA). You may choose to opt in (described below) and become a member of the FLSA class. Defendants deny all liability.

B. ATTORNEYS FOR THE PARTIES

Attorneys for Plaintiffs:

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Attorneys for Defendants:

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C. SUMMARY OF SETTLEMENT:

1. Defendants will pay the non-reversionary amount of \$5,726,000.00 which includes Plaintiff's attorneys' fees (up to 25% of Settlement amount), actual litigation costs, a service payment to the named Plaintiff (up to \$10,000), Settlement Administration costs, and Settlement Awards to class members.
2. The amount that will be paid per eligible Workweek to each FLSA Class Member shall be calculated by dividing 2.8% of the Net Settlement Amount (after deducting the fees, costs, penalties, and expenses described above) by the total number of eligible weeks worked by all FLSA Class Members.

YOUR ESTIMATED SETTLEMENT AWARD IS LISTED ON THE ENCLOSED "GREEN SHEET."

You must take action within 60 days of the mailing date of this notice and "Opt-In" to receive the compensation available to you in this settlement. If you do nothing, you will not receive any of the compensation available to you, and you will not be part of this settlement.

D. TO DISPUTE THE LENGTH OF ELIGIBLE EMPLOYMENT REFLECTED BY DEFENDANTS' RECORDS:

The amount of your Settlement Award will be based on the number of Workweeks you were eligible for Tru Up payments during your employment with Defendants between August 25, 2014 and June 1, 2020, which is listed on the enclosed Green Sheet. If you dispute the number of Workweeks, you must submit a written, signed challenge along with any supporting documents, if you have them, to the Settlement Administrator at the address provided on the Green Sheet by August 5, 2020.

E. TO CLAIM YOUR SETTLEMENT AWARD AND OPT INTO THE FLSA CLASS:

To receive the settlement funds available to you, you must opt into this lawsuit. You may opt in by completing an online form at www.cognizanttechsettlement.com. You may also opt in by filling out the "Opt In Form" in this packet, and mailing it to the Claims Administrator as instructed. If you opt in to the FLSA Award, you will be: (1) consenting to join the FLSA Class Settlement; (2) consenting to representation by Plaintiff's Counsel; and (3) releasing Defendants and other Releasees from the Released FLSA Claims (as defined in Section F). You may also review the full contents of the release in the Settlement Agreement (which is available online at www.cognizanttechsettlement.com.)

If you opt in, the Settlement Administrator will mail you a check with your Settlement Award. ***Alternatively, you may elect to receive your payment electronically by visiting the Settlement Administrator's website at www.cognizanttechsettlement.com and providing the relevant information requested by the Settlement Administrator to process the electronic payments.***

IF YOU DO NOT WANT TO PARTICIPATE IN THE SETTLEMENT, DO NOT OPT IN - NO ACTION IS REQUIRED TO EXCLUDE YOURSELF FROM THIS SETTLEMENT. If you do not opt in, you will not be eligible to receive a Settlement Award but will retain whatever rights you may have against Defendants and may be represented by the attorney of your choice.

F. RELEASED CLAIMS:

a) "**Released FLSA Claims**" shall mean any and all claims that were asserted in the First Amended Complaint (available online at www.cognizanttechsettlement.com) or that could have been asserted based on the misconduct alleged in the First Amended Complaint, or in any complaints in this action preceding said First Amended Complaint, for any of the following based on the conduct alleged in the First Amended Complaint or in any complaints in this action preceding the First Amended Complaint: non-payment of wages, minimum wages, overtime wages (including, but not limited to regular rate calculations), or any other wage-related or recordkeeping-related claims; liquidated damages; attorneys' fees, costs and expenses; pre- and post-judgment interest; or damages or relief of any kind arising from the allegation that Class Members were not properly compensated for all time worked on a daily, weekly, or monthly basis, including, but not limited to the Fair Labor Standards Act, 29 U.S.C. § 201, et seq., (FLSA) and related regulations (including, but not limited to, 29 C.F.R. §§ 778.106, 778.108, 778.109, 778.207, 778.316, 778.317, 778.500, 778.502), and any other similar state or federal law, at any time through June 1, 2020.

b) "**Releasees**" means Defendants and all of their respective past, present, and future direct and indirect affiliates, parents, subsidiaries, predecessors, successors and assigns, and all of their respective past, present, and future partners, principals, officers, directors, employees, attorneys, insurers, representatives and agents, whether acting as agents or in individual capacities, and this Agreement shall inure to the benefit of and shall be binding and enforceable by all such entities and individuals.

G. FINAL APPROVAL HEARING ON SETTLEMENT:

The Final Approval Hearing will be held on November 12, 2020, at 2:00pm in Courtroom 2 at the Sacramento Courthouse of the United States District Court, Eastern District, located at 501 "I" Street, Sacramento, CA 95814 and may be continued without further notice.

D. ADDITIONAL INFORMATION:

This notice summarizes the proposed settlement. For the precise terms and conditions of the settlement, please see the settlement agreement available at www.cognizanttechsettlement.com, by contacting Plaintiff's counsel at the address listed above, by accessing the Court docket in this case through the Court's Public Access to Court Electronic Records (PACER) system at <https://ecf.cand.uscourts.gov>, or by visiting the office of the Clerk of the Court for the United States District Court for the Eastern District of California located at 501 "I" Street, Sacramento, CA 95814 between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays. Any questions should be directed to the Settlement Administrator at ILYM Group, Inc. P.O. Box 2031 Tustin, CA 92781, 888.250.6810 or Plaintiff's counsel at the address listed above. If your address changes, or is different from the address on the envelope enclosing this Notice, please promptly notify the Settlement Administrator. **PLEASE DO NOT CALL OR WRITE THE COURT OR CLERK'S OFFICE TO INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIM PROCESS.**

Please note: Defendants are prohibited from retaliating against any class members for exercising the rights described in this Notice, this lawsuit, and/or Settlement.

PROJECTED SETTLEMENT AWARD (“GREEN SHEET”)

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THIS DOCUMENT ADVISES YOU OF THE ESTIMATED SHARE OF THE SETTLEMENT IN THIS ACTION THAT YOU WILL RECEIVE IF THE COURT GRANTS FINAL APPROVAL OF THE SETTLEMENT.

IMPORTANT:

TO RECEIVE COMPENSATION FROM THE SETTLEMENT, YOU MUST OPT IN, EITHER BY DOING SO ONLINE AT WWW.COGNIZANTTECHSETTLEMENT.COM, OR BY COMPLETING THE ENCLOSED OPT IN FORM AND MAILING IT IN AS INSTRUCTED.

You may elect to receive your Settlement Award electronically by visiting the Settlement Administrator’s website at www.cognizanttechsettlement.com. Otherwise, you will receive your

I. YOUR SETTLEMENT AWARD CALCULATION

According to Defendant’s payroll records, you worked for Defendants as an FLSA Class Member (as defined in the enclosed “Notice of Pendency of Class/Collective Action and Proposed Settlement”) during the FLSA Class period (between August 25, 2014 and June 1, 2020, for a total of «**FLSA WEEKS**»). This number is presumed to be correct. If you disagree with this number, then follow the specific directions below for how to submit a dispute.

Based on the number of workweeks listed above, your estimated recovery, if you either cash the check or elect to receive payment online, is \$_____. This is an estimate, and you may, in fact, receive a different sum.

II. IF YOU DISPUTE DEFENDANTS’ PAYROLL RECORDS

If you believe that the workweek information specified for you in Section I (above) is incorrect, you must submit a written, signed challenge along with any documents that support the number of eligible workweeks you are claiming (for example, pay stubs or payroll records) to the Settlement Administrator at ILYM Group, Inc. P.O. Box 2031 Tustin, CA 92781 before August 5, 2020. Include the last four numbers of your Social Security Number, and your phone number in the letter. Defendants’ payroll records are presumed to be correct unless the documents you provide prove otherwise to the satisfaction of the Settlement Administrator.

If you have questions, you may contact the Settlement Administrator ILYM Group, Inc. P.O. Box 2031 Tustin, CA 92781, 888.250.6810.