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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

MEGAN PELLINO, on behalf of herself and
all others similarly situated,

Plaintiff,

v.

BRINK'S INCORPORATED, DAVID
BARGMAN, and JOHN DOE,

Defendants.

NO. 07-2-13469-7-SEA

NOTICE OF CLASS ACTION AND
RIGHT TO REQUEST EXCLUSION
FROM THE CLASS

THIS NOTICE HAS BEEN APPROVED BY THIS COURT

AND MAY AFFECT YOUR RIGHTS. PLEASE READ CAREFULLY

TO: ALL INDIVIDUALS EMPLOYED AS MESSENGERS AND DRIVERS BY
BRINK'S INCORPORATED AND REPORTING TO THE SEATTLE OR
TACOMA BRANCH OFFICES AT ANY TIME BETWEEN APRIL 26, 2004 AND
OCTOBER 31, 2007.

A lawsuit has been started by Plaintiff Megan Pellino against Brink's Incorporated (hereinafter, "Brink's") and David Bargman in King County Superior Court on behalf of current and former employees who worked as messengers and drivers and reported to the Seattle and Tacoma branch offices at any time from April 26, 2004 through October 31, 2007. The purpose of this notice is to advise you that the Court has held that this case may proceed as a class action, and that you have been identified as eligible to participate in this lawsuit as a member of the class. However, you have the choice as to whether you wish to participate in this lawsuit or not. If you want to be part of this lawsuit, you do not need to do anything further at this time. You will automatically be a part of the case and receive more information in the future. If you do not want to be part of this lawsuit, you must send in a "Request to be Excluded From the Class" form by mail, postmarked on or before _____, 2008.

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PLAINTIFF PELLINO'S CLAIM

Plaintiff Pellino claims that Brink's failed and refused to pay its messengers and drivers for all time spent working before the start of their shifts and failed and refused to provide rest breaks and meal periods, and that such conduct violates Washington law.

BRINK'S DEFENSES

Brink's denies these allegations and alleges, among other things, that its messengers and drivers were fully compensated for all time worked, that all of its employees received all required rest breaks and meal periods, and that it has fully complied in all respects with the law.

MERITS NOT DETERMINED

The Court has not yet ruled on the merits of plaintiff Pellino's claim or Brink's defenses and has only determined that plaintiff has satisfied the requirements to maintain this case as a class action under Washington law.

WHAT IS A CLASS ACTION?

A "class action" is a type of lawsuit in which the named plaintiff is empowered to bring a lawsuit for herself and on behalf of a larger group of similarly situated "class members." In such a class action, the final outcome of the lawsuit will apply in the same manner to all class members unless they choose not to be included in the lawsuit.

CLASS REPRESENTATIVES

Megan Pellino has been approved by the Court to serve as the class representative.

OPTION TO REMAIN IN CLASS ACTION

If you want to remain a member of the class and participate in the class action lawsuit against Brink's, you are not required to do anything at this time.

OPTION TO DECLINE PARTICIPATION

If you do not want to remain a member of the class in this lawsuit against Brink's, you must make a request to be excluded from the case. If you want to be excluded, you must communicate your desire by mail, postmarked on or before _____, 2008, to the Class Counsel, whose address is stated below in this Notice. You should use the enclosed "Request to be Excluded from the Class" form, for this purpose. This form is on the last page of this Notice.

1 **CONSIDERATIONS REGARDING DECISION TO PARTICIPATE OR NOT**

2 It is not possible to address all of the considerations that might influence an
3 individual's decision to participate as a class member in this lawsuit against Brink's. But
4 here are a few:

- 5 ▪ If you choose not to be included in the class, you will not share in any recovery
6 that might be paid to class members if they win this lawsuit at trial or if there is a
7 settlement of this lawsuit.
- 8 ▪ If you choose to be included in the class, you will be bound by any court decision
9 in this case, whether favorable or unfavorable to the class.
- 10 ▪ If you choose to participate in this class action, you can engage an attorney of
11 your own choosing at your own expense. If you do not wish to engage your own
12 attorney, your interests will be represented by the law firm of Schroeter
13 Goldmark & Bender (by Martin S. Garfinkel, Adam J. Berger, and M. Lorena
14 Gonzalez) as counsel for the class ("Class Counsel").
- 15 ▪ If you choose not to be included in the class, you may pursue these wage claims
16 you may have against Brink's by filing your own lawsuit.
- 17 ▪ If you choose to be included in the class, Brink's is not permitted to retaliate
18 against you in any way because of your participation in this case.

19 **ADDITIONAL INFORMATION**

20 **DO NOT CONTACT THE COURT FOR FURTHER INFORMATION AT
21 THIS TIME.** Any questions you have concerning this notice and any corrections or
22 changes of name and address should be directed in writing to Class Counsel:

23 **Brink's Litigation
24 Schroeter Goldmark & Bender
25 810 Third Avenue, Suite 500
26 Seattle, Washington 98104
(206) 622-8000 or 1-800-809-2234
(Sheila Cronan, Paralegal, cronan@sgb-law.com)**

27 You may call, write, or send an e-mail to Class Counsel with questions. You may
28 also seek the advice of your own attorney if you desire. Pleadings and other records in this
29 litigation may be examined and copied at any time during regular office hours at the Office
30 of the Clerk, King County Superior Court, 516 Third Avenue, Seattle, Washington 98104.

31 **REMINDER OF THE TIME LIMIT**

32 If you wish to be excluded from the class on whose behalf this lawsuit is being
33 brought against Brink's, you must return the completed Request to be Excluded From the
34 Class to Class Counsel by mail postmarked on or before _____, 2008.

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REQUEST TO BE EXCLUDED FROM THE CLASS

Please carefully read the attached Notice of Class Action and Right to Request Exclusion from the Class before filling out this form.

If you want to exclude yourself from the class certified in this lawsuit, please sign and date this form and return it by mail, postmarked on or before _____, 2008 to:

**Brink's Litigation
SCHROETER GOLDMARK & BENDER
810 Third Avenue, Suite 500
Seattle, Washington 98104
(206) 622-8000 or 1-800-809-2234**

I wish to be excluded from the class that has been certified in the case of Pellino v. Brink's Incorporated, et ano., Superior Court of the State of Washington for King County.

PRINT NAME: _____

SIGNATURE: _____

ADDRESS: _____

DATED: _____, 2008.