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Claimant ID: «claimant\_id»

«first\_name» «last\_name»

«address1» «address2»

«city», «state» «zip»

U.S. DISTRICT COURT FOR THE WESTERN DISTRICT OF WASHINGTON

## If you worked for Steelscape, a Class Action Settlement may affect your rights.

*A Court authorized this Notice. This is not a solicitation from a lawyer.  
Please read this Notice carefully.*

- This Notice provides information about a proposed Class Action Settlement of a Lawsuit brought by Michael Jenkins (“Plaintiff”) against Steelscape Washington LLC, (“Steelscape” or “Defendant”).
- Plaintiff claims Defendant violated the Washington Minimum Wage Act and the Washington Industrial Welfare Act by failing to compensate its employees for all hours worked and failing to provide meal breaks for its hourly employees.
- Defendant denies any wrongdoing and denies all the allegations in Plaintiff’s Lawsuit. Defendant resolved this case as a business decision to avoid the risk, cost, and inconvenience of litigation.
- Plaintiff and Defendant (the “Parties”) have reached a proposed Settlement and have presented it to the U.S. District Court for the Western District of Washington for approval. If the Settlement is approved, Defendant will pay \$6,150,000 to cover: wage payments to Class Members; attorneys’ fees and costs; administrative fees; and a payment to Plaintiff for his efforts in the case.
- You have the option to participate in the Settlement or not.

### SUMMARY OF YOUR RIGHTS AND OPTIONS

<b>DO NOTHING</b>	If you do nothing, you will receive a Settlement payment. In exchange, you will give up (“release”) any rights to sue Steelscape separately for any claims relating to unpaid work and meal breaks.
<b>ASK TO BE EXCLUDED</b>	If you ask to be excluded, you will not share in the Settlement funds and you cannot object to any of the terms of the Settlement; however, you will keep any rights you have to sue (or not sue) Steelscape at your own expense.

# SUMMARY OF YOUR RIGHTS AND OPTIONS

## OBJECT TO THE SETTLEMENT

If you don't like the Settlement, you can file an objection and tell the Court why. If the Court approves the Settlement anyway, you will be bound by it.

### 1. Why am I getting this Notice?

You are receiving this Notice because Steelscape records show that you worked as a non-exempt, hourly employee of Steelscape at the Kalama facility at some point between January 16, 2021 and March 7, 2025.

The Court ordered that this Notice be sent to advise you of your rights. If you **want** to participate, you do not need to do anything. You will automatically be a part of the Settlement and will receive a payment. If you **do not want** to participate, you must complete and return the Form attached to this Notice called the "Request to be Excluded."

### 2. What is this Lawsuit about?

Plaintiff Michael Jenkins, a current employee, alleges that Steelscape failed to compensate its employees for all hours worked and provide legally compliant meal periods. In particular, he alleges that Steelscape paid employees based on their scheduled shifts or rounded timestamps rather than the actual number of hours worked, and that as a result the company chronically undercounted its employees' time and pay, including for pre- and post-shift work. Plaintiff also alleges that Steelscape's policies and practices required employees to work during meal periods, thereby violating Washington law. Steelscape denies all allegations in the Lawsuit and denies any wrongdoing.

The Honorable Tiffany M. Cartwright of the U.S. District Court for the Western District of Washington is overseeing this Lawsuit, referred to as: *Jenkins v. Steelscape Washington LLC*, No. 3:24-cv-05127-TMC.

### 3. What is a Class Action and who represents me?

A "Class Action" is a lawsuit where one individual brings claims on behalf of a group of other similarly situated "Class Members." In this case, Plaintiff brought claims for unpaid time and missed meal breaks on behalf of himself and other hourly workers at the Kalama facility.

Plaintiff is represented by the law firm of Schroeter Goldmark & Bender. The Court has determined that these lawyers are qualified to represent the Class. If you want to hire your own lawyer, you may do so at your own expense.

### 4. Am I a Class Member?

As part of the Settlement, the Court has decided that everyone who fits the following description is a Class Member:

Current and former non-exempt, hourly employees of Steelscape who worked at the Kalama facility in Washington between January 16, 2021, and March 7, 2025.

### 5. What are the reasons for the proposed Settlement?

The Court did not decide in favor of the Plaintiff or Steelscape in this case. Instead, both sides agreed to a Settlement after they exchanged information, conducted their own research, and engaged a neutral mediator to assist with negotiations.

Plaintiff and his attorneys have determined that the Settlement is fair and reasonable and in the best interests of the Class after considering many factors, including the expense, uncertainty, and delay of further litigation.

Steelscape has concluded that further litigation of the case would be burdensome, expensive, and time-consuming. While it denies any wrongdoing, Steelscape has agreed to the Settlement to fully resolve the claims against it.

## 6. What are the terms for the proposed Settlement?

The following is a summary of the terms of the Settlement. A complete copy of the Settlement Agreement is on file with the Clerk of the Court at the United States District Court for the Western District of Washington in Tacoma, Washington.

Steelscape agrees to pay a total amount of **\$6,150,000** (the Gross Settlement Amount) to cover the following:

- **Settlement Class Payments.** At least **\$4,880,500** (the Net Settlement Amount) will be paid to Class Members who decide to participate. The Net Settlement Amount will be allocated to participating Class Members on a pro rata basis, based on the unpaid wages and interest Plaintiff calculates is owed to each individual Class Member. The exact amount of the individual payment will depend on how many Class Members participate but is estimated to be the equivalent of 85% of the wages owed. For tax purposes, the amounts paid to Class Members will be divided: (i) 33% to back wages, subject to payroll taxes, and reported on a Form W-2; and (ii) 67% to interest and exemplary damages, which is taxable income reported on a Form 1099, but not subject to payroll taxes.
- **Attorneys' Fees and Costs.** If the Court approves it, the Gross Settlement Fund will be used to pay Plaintiff's attorneys fees at 20% of the Gross Settlement Fund (\$1,230,000) plus their out-of-pocket costs, which are currently just under \$11,000 and expected to be under \$20,000 after calculating individual Settlement Awards. Plaintiff's attorneys have been investigating this Lawsuit since late-2023 and will continue to work on it through completion but have not yet received any compensation for their services.
- **Class Representative Award.** If the Court approves it, the Gross Settlement Fund will cover an award of up to \$10,000 to Plaintiff Michael Jenkins in recognition of his efforts in serving as a Class Representative.
- **Settlement Administrator Fees.** Finally, if approved, the Gross Settlement Fund will be used to pay \$8,500 to an experienced administrator, Atticus Administration, LLC, to handle Settlement logistics, such as issuing and mailing checks to each Class Member and processing payroll taxes and tax forms.

## 7. What is the legal effect of the Settlement?

If the Court approves the Settlement, the Judge will enter a final order dismissing the Lawsuit.

Additionally, Steelscape will be "released" from claims that were or could have been brought in the Lawsuit related to unpaid wages, unpaid work time, and any related overtime, as well as the alleged failure to provide breaks complaint with Washington law, as outlined in Paragraph 4 of the Parties' Settlement Agreement (including any attendant claims for wages, exemplary damages, interest, and attorneys' fees and costs). If you choose to participate in the Settlement and receive a payment, you will be bound by this Release, meaning you will not be permitted to file a separate lawsuit against Steelscape for any claims that accrued between January 16, 2021, and March 7, 2025, including for any alleged unpaid wages, unpaid work time, related overtime, and missed breaks during this period.

## 8. What do I need to do to take part in the Settlement? When will I be paid?

If you want to participate in the Settlement, you are not required to do anything. If the Court approves the Settlement at a final hearing, and if no appeal is filed, payments will be mailed approximately 30 days after final approval.

## 9. Can I exclude myself from the Settlement?

Yes. If you **do not want** to participate in the Settlement, you can opt out of the case. If you opt out, you will not receive any payment from the Settlement. You will retain your rights under the law and are free to pursue any possible claims on your own at your own expense.

If you want to be excluded, you must communicate your decision by using the "Request to be Excluded" Form, attached to this Notice. Your Form must be received by **July 8, 2025**.

### 10. Can I participate in the Settlement, but object to a term of the Settlement?

Yes, you can participate in the Settlement, but still object to some aspect or term of the Settlement. If you wish to do so, you must submit a **written objection** to the Clerk of the Court by **July 8, 2025**. You must also provide a copy of your written objection to:

Andrew Boes  
Re: Steelscape Class Action  
Schroeter Goldmark & Bender  
401 Union Street, #3400  
Seattle, WA 98101  
email: [dardeau@sgb-law.com](mailto:dardeau@sgb-law.com); phone: 206-622-8000

Any written objection must contain your name, address, phone number, email, and the substance of your objection. If you file a timely objection, you may appear in person at the final hearing (date below) to explain your position. You may hire an attorney at your own expense to represent you at this hearing. Only Settlement Class Members who object to the proposed Settlement according to these procedures will be permitted to appeal any decision related to the Settlement. Settlement Class Members who fail to present objections in the manner outlined in this Notice will have waived the right to object.

### 11. Can anyone retaliate against me for participating or excluding myself?

No one is permitted to punish you in any way if you choose to participate in or exclude yourself from this Settlement.

### 12. When will the Court decide whether to approve the Settlement?

On **July 31, 2025**, at the U.S. District Court for the Western District of Washington in Tacoma, Washington, the Court will conduct a hearing to determine whether the proposed Settlement is fair, adequate, and reasonable. Attorneys for Plaintiff and Steelscape will attend.

**NOTE:** If you wish to attend the hearing you are welcome, but are **not** required to do so. If you wish to **speak** at the hearing, you must notify the Court by **July 8, 2025**. The date and time of the hearing is subject to change without further notice. Please confirm the date and time with the Court if you wish to attend.

### 13. How can I obtain more information?

**DO NOT CONTACT THE COURT, THE JUDGE, OR THE STEELSCAPE'S ATTORNEYS WITH QUESTIONS.**

Any questions you have concerning this Notice, or any changes of name or address may be directed to: 800-784-0367 or [SteelscapeClassAction@atticusadmin.com](mailto:SteelscapeClassAction@atticusadmin.com).

More details and a full copy of the Settlement Agreement are available at this website <https://www.atticusadmin.com/steelscape-class-action/>. You may also review and copy pleadings and other records in this Litigation at any time during regular office hours at the Office of the Clerk, U.S. District Court for the Western District of Washington in Tacoma, Washington.



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**REQUEST TO BE EXCLUDED**

Please carefully read the Notice mailed with this Form before you go any further.

Do not fill out this Form if you want to participate in the Settlement and receive a payment.

If you **do not want** to participate in the Settlement and receive a payment, please check the box below, sign and date this Form, and return it to the address listed here. This Form must be mailed or emailed by **July 8, 2025**, to:

EMAIL: SteelscapeClassAction@atticusadmin.com  
FAX: 1-888-326-6411  
MAIL: Steelscape Class Action  
c/o Atticus Administration  
PO Box 64053  
St. Paul, MN 55164

I want to be **excluded** from the Class Action Settlement in the case *Jenkins v. Steelscape Washington LLC*, Case Number 3:24-cv-05127-TMC (Western District of Washington).

**PRINT NAME:** \_\_\_\_\_  
**SIGNATURE:** \_\_\_\_\_  
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