

Exhibit “B”

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

**DANIEL RUDELLE, on his own
behalf and on behalf of those
similarly situated,**

Case No. 3:14-cv-00873-MMH-MCR

**Plaintiffs,
vs.**

**FLAGLER COUNTY SHERIFF'S
OFFICE and JAMES L. MANFRE
Individually and in his official capacity
as Sheriff of FLAGLER COUNTY
SHERIFF'S OFFICE,**

Defendants. /

**NOTIFICATION OF SETTLEMENT
TO POTENTIAL COLLECTIVE ACTION MEMBERS**

*This notice is not a solicitation from a Lawyer.
The Court Has Approved This Proposed Notice.*

This Notice Relates to the Proposed Settlement of a Collective Action Lawsuit Brought Against Flagler County Sheriff's Office and James L. Manfre, Individually and in his official capacity as Sheriff of Flagler County Sheriff's Office. It Contains Important Information About Your Potential Right to Receive a Portion of the Settlement to be Paid.

TO: IF YOU ARE OR WERE, AT ANY TIME AN HOURLY PAID ROAD PATROL DEPUTY BETWEEN APRIL 4, 2012 THROUGH APRIL 14, 2014 OR AN HOURLY PAID CORRECTIONAL OFFICER BETWEEN APRIL 4, 2012 THROUGH NOVEMBER 12, 2013 EMPLOYED BY THE FLAGLER COUNTY SHERIFF'S OFFICE AND WERE NOT COMPENSATED AT ONE AND HALF TIMES YOUR REGULAR RATE OF PAY FOR ALL OF YOUR OVERTIME HOURS WORKED AS A RESULT OF ATTENDANCE AT UNPAID SHIFT BRIEFINGS, A COLLECTIVE ACTION LAWSUIT AND RESULTING SETTLEMENT MAY AFFECT YOUR RIGHTS.

RE: *YOUR RIGHT TO OPT-IN TO LAWSUIT AND POTENTIALLY COLLECT A PORTION OF THE SETTLEMENT FOR ALLEGED UNPAID OVERTIME WAGE COMPENSATION.*

Introduction

The purpose of this notice is to inform you of the existence of a collective action lawsuit brought pursuant to applicable Federal wage laws and its resolution in which you are potentially "similarly situated" to the Representative Plaintiff; to advise you of a potential settlement that has been reached; to advise you how your rights may be affected by the lawsuit; and to instruct you on the procedure for participating in this lawsuit and resulting settlement proceeds should you choose to do so.

Description of Lawsuit

Daniel Ruddell ("Plaintiff"), a former Road Patrol Deputy who worked for Flagler County Sheriff's Office ("FLAGER") and James L. Manfre, ("MANFRE") Individually and in his official capacity as Sheriff of Flagler County Sheriff's Office, (collectively referred as "Defendants"), has sued Defendants alleging that Defendants improperly failed to pay him for overtime hours worked during his employment with FCSO. Specifically, Ruddell alleged that Defendants failed to pay him, and other similarly situated Road Patrol Deputies and Correctional Officers (collectively as "Deputies"), proper compensation for overtime hours worked because they were required to attend shift briefings without pay during the relevant time period. As a result of these alleged practices, Ruddell maintains that they were unlawfully deprived of all compensation due to them under applicable laws.

Defendants continue to deny that the Deputies are entitled to any additional compensation and assert that they paid their Deputies properly under the law.

While the Parties continue to disagree with regard to the merits of the case and whether Defendants committed any wrongdoing, the Parties have agreed to resolve the claims presented in this lawsuit through settlement.

THE SETTLEMENT

The following description of the settlement:

1. The Parties have agreed to settle Plaintiff's claims for a total common fund of \$183,310.72. The breakdown of the common fund is as follows:

(a) \$135,810.72. for payments to settlement class members who opt-in,

(b) \$2,500.00 as an “incentive payment” to Daniel Ruddell. (The incentive payment is for his part as named Plaintiff, class liaison, and the extra time and expense put in by him to assist class counsel in this matter. Mr. Ruddell has incurred personal risk by being the named Plaintiff and being the first Deputy to step forward and pursue his rights to overtime. Mr. Ruddell and class counsel communicated extensively throughout the litigation and during the settlement process); and

(c) \$45,000.00 for attorneys’ fees, administrative costs and other incurred costs.

2. With respect to the amount set aside for the settlement class members (i.e., \$135,810.72), each class member who opts-in will be paid pursuant to the following agreed-upon formula: The Settlement Fund shall be divided into two (2) sub-funds. One fund will be set up in the amount of \$50,633.80 to be distributed amongst all Road Deputies who were required to attend briefings up to two (2) times per pay period and one fund in the amount of \$85,176.92 to be distributed amongst all the Correctional Officers who were required to attend shift briefings up to seven (7) times per pay period. The respective Settlement Fund shall be divided by the total number of workweeks (or parts thereof) worked by all individuals employed as either a Road Deputy or Correctional Officers (Collectively as “Deputies”) during the time period that Defendants required its Deputies to attend mandatory shift briefings without pay, resulting in a damages amount for each workweek (“Per Week Amount”). Each Participating Deputy is entitled to receive the Per Week Amount for each workweek (or parts thereof) he or she was employed as a Deputy during the Class Period. Each Deputy’s specific claim period will vary based on the time in which Defendants required them to attend shift briefings without pay. For instance, Defendants no longer required their Road Deputies to attend shift briefings without pay as of April 14, 2014 and no longer required their Correctional Officers to attend shift briefings as of November 12, 2013. Accordingly the claims period will be as follows:

1. **Road Deputies:** **From April 4, 2012 to April 14, 2014.**
2. **Correctional Officers:** **From April 4, 2012 to November 12, 2013.**

RELEASE OF CLAIMS

Any class member who is paid by the Defendants shall be bound by the terms of the Settlement Agreement and Release of All Claims approved and entered by the Court. Each class member will be required to sign a release regarding any potential FLSA

wage related claims and all Florida and federal wage claims related to shift briefings versus Defendants related to shift briefings. The Parties have also executed a master settlement agreement that provides additional details of the proposed settlement. If you would like a copy of that agreement, please contact the attorneys listed below.

YOUR LEGAL RIGHTS & OPTIONS	
Do Nothing	Do Nothing. Lose Nothing (except resulting from the passage of time). By doing nothing, you retain your legal rights to bring a separate suit against Defendants (within the applicable statute of limitations period) for allegedly unpaid FLSA wages and other wages related to shift briefings. You will not share in the settlement proceeds being distributed in this case.
Ask to Be Included	Complete Opt-in Consent Form, Claim Form and Release. By “opting in,” you will receive a portion of the settlement funds, in exchange for a release of all FLSA wage related claims and all Florida and federal wage claims related to shift briefings, but you give up your right to separately sue Defendants for the same legal claims brought in this lawsuit.
Legal Representation if You Join	If you choose to join in the lawsuit, you will be represented by the Representative Plaintiff through his attorneys as counsel for the class by default. However, you have the right to choose your own attorney.

Applicable law prohibits anyone from discriminating, discharging, or retaliating against you in any way for taking part in this case.

Your options are included in this Notice. To opt-in, you must complete the (1) Opt-in Consent Form and (2) Settlement and Release Form and forward it to Plaintiff’s counsel in the enclosed self-addressed stamped envelope. The deadline to file the Consent Form or any objection is **enter 45 days**. If you have any questions or concerns, please contact:

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