

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

LISA KNISPEL and KAREN  
BRANDELIK, individually and  
on behalf of all others similarly  
situated,

Plaintiffs,

v.

CHRYSLER GROUP LLC

Defendant.

Case No. 2:11-cv-11886-SFC-RSW  
Hon. Sean F. Cox  
Mag. Judge R. Steven Whalen

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PATRICIA A. STAMLER (P35905)  
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**REVISED JOINT PROPOSED NOTICE AND CONSENT FORM**

Now come the Parties through their respective counsel pursuant to this Court's Opinion and Order dated February 21, 2012 (Dkt. 52) and hereby file a Revised Joint Proposed Notice

and Consent Form, attached hereto as **Exhibit A**, to modify the contact telephone number listed for Hertz Schram PC and to insert the response date for returning consent forms to Hertz Schram PC.

Respectfully submitted,

HERTZ SCHRAM PC

By: /s/ Patricia A. Stamler  
Patricia A. Stamler (P35905)  
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/s/ Richard M. Tuyn (with consent)  
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**CERTIFICATE OF SERVICE**

I hereby certify that on March 9, 2012, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to all ECF participants.

By: /s/ Patricia A. Stamler  
PATRICIA A. STAMLER (P35905)  
STEVE J. WEISS (P32174)  
DANIEL W. RUCKER (P67832)  
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# **EXHIBIT A**

**TO:** Individuals Who Currently Are Performing or Who Have Performed Hourly Paid Work for Chrysler Group LLC as Non-Union Contract Workers, also known as "Supplemental Workers," between June 10, 2009 and the present.

**FROM:** Hertz Schram PC

## **NOTICE OF PENDENCY OF LAWSUIT**

The purpose of this Notice is to inform you of a collective action lawsuit in which you may be a potential plaintiff and to advise you of the legal rights you may have in connection with the lawsuit. This Notice provides instruction on how you may assert a claim in the lawsuit if you qualify and desire to participate. This Notice also explains your obligations if you do assert a claim until a later determination by the federal court as to whether you will be permitted to continue to participate as a plaintiff in the lawsuit. Although the Court has approved the content and sending of this Notice, the Court has taken no position about the merits of Plaintiffs' claims or Chrysler's defenses.

### **DESCRIPTION OF THE LAWSUIT**

On April 28, 2011, a lawsuit was filed in the United States District Court for the Eastern District of Michigan, Southern Division, Case No. 11-cv-11886, against Defendant Chrysler Group LLC ("Chrysler") on behalf of the named Plaintiffs Lisa Knispel and Karen Brandelik ("Plaintiffs") and all other alleged "similarly situated" individuals who were or are non-union contract workers or supplemental workers paid on an hourly basis and who performed work for Chrysler at any point between June 10, 2009 and the present. Plaintiffs are represented by the law firm Hertz Schram PC. In the lawsuit Plaintiffs claim that they and other individuals are owed overtime pay under the Fair Labor Standards Act ("FLSA"), 29 U.S.C. § 207, at the rate of 1.5 times their regular hourly rate for hours worked in excess of 40 hours in a work week. Plaintiffs claim that the uncompensated overtime includes (1) work hours that they and other non-union contract workers or supplemental workers were not permitted to record and were not paid, (2) work hours for which they and other non-union contract workers or supplemental workers were required to take compensatory time off in lieu of payment of overtime, (3) lunch breaks and other breaks that they and other non-union contract workers or supplemental workers did not take but which were deducted from their hours worked, and/or (4) work hours that they and other non-union contract workers or supplemental workers spent traveling between worksites or on overnight travel.

Chrysler is the defendant in this lawsuit and is represented by the law firm Ogletree, Deakins, Nash, Smoak & Stewart. Chrysler denies all of the Plaintiffs' allegations, denies that there are other individuals who are "similarly situated" to Plaintiffs, and denies that it was an employer of Plaintiffs or any other non-union contract workers or supplemental workers during the identified time period.

This lawsuit is currently in the discovery phase. If you join this lawsuit, you may be required to respond to written discovery, sit for a deposition, or testify at trial. At a later stage in the litigation, the federal court will make a determination as to whether all claimants are "similarly situated" and entitled to proceed as plaintiffs.

**PARTICIPATION IN THIS LAWSUIT**

If you believe you were not paid overtime pay at a rate of 1.5 times your regular rate for hours worked in excess of 40 in a workweek for any of the reasons set forth in the "Description of the Lawsuit," above, while you were a non-union contract worker or supplemental worker at Chrysler at any time between June 10, 2009 and the present, then you may participate by making a claim in this lawsuit. If you desire to participate, you must complete the enclosed "Plaintiff Consent Form." Completed consent forms must be mailed, faxed, or emailed to Plaintiffs' counsel at:

Hertz Schram PC, Attention: Patricia A. Stamler  
Address: 1760 S. Telegraph Road, Suite 300, Bloomfield Hills, MI 48302  
Telephone: 248-636-1777  
Fax: 248-335-3346  
Email: DeniedOvertime@hertzschram.com

In order to participate, you must sign, complete, and return the Consent Form to Plaintiffs' counsel on or before **APRIL 28, 2012**. If you complete the "Plaintiff Consent Form" and timely return it to Hertz Schram PC, it will be filed with the Court.

**EFFECT OF JOINING OR NOT JOINING THIS LAWSUIT**

Participation in this lawsuit is voluntary. If you choose to join this lawsuit and the Court determines you may continue to participate in it, you will be bound by any ruling, judgment, or resolution in this case, whether favorable or unfavorable. If you do not join this lawsuit, you will not be bound by any ruling, judgment, or resolution in this case, whether favorable or unfavorable. If you do not wish to join this lawsuit, you are free to take any action on your own. The FLSA has a maximum statute of limitations of three years in which to file a complaint or to join an action where there has been a willful violation of the FLSA. The FLSA has a maximum statute of limitations of two years in which to file a complaint or to join an action where there has been no willful violation of the FLSA.

**NO RETALIATION PERMITTED**

The law prohibits any form of retaliation against workers for exercising their rights under the FLSA.

**YOUR LEGAL REPRESENTATION IF YOU JOIN**

If you choose to join this case by returning a signed and completed Plaintiff Consent Form to Plaintiffs' law firm, you will be agreeing to representation by Plaintiffs' counsel, Hertz Schram PC, 1760 S. Telegraph Road, Suite 300, Bloomfield Hills, MI 48302. Plaintiffs' law firm, Hertz Schram PC, has taken this case on a contingency basis. If this matter is not resolved in your favor, Plaintiffs' counsel will not seek attorneys' fees from you. The specific terms and conditions of representation, including Hertz Schram PC's advancement of court costs, will be contained in a fee agreement entered into by Plaintiffs' counsel and you should you choose to participate in this case.

You should also be aware that if you participate in this action and Chrysler prevails against you, you may be liable for payment of a share of Chrysler's court costs exclusive of attorneys' fees.

PLEASE DO NOT CALL OR WRITE THE COURT WITH QUESTIONS  
ABOUT THIS NOTICE.

### PLAINTIFF CONSENT FORM

1. I consent to make a claim under the Fair Labor Standards Act, 29 U.S.C. § 201, et seq., for unpaid overtime work performed for Chrysler Group LLC. I agree to be bound by any order or judgment entered by the Court while I am participating in the lawsuit *Knispel, et al. v. Chrysler Group LLC*, Civil Action No. 11-cv-11886.
2. I was or am an hourly non-union contract worker, also known as a “supplemental worker” assigned to work at the following Chrysler Group LLC facility[ies] any time during the period of June 10, 2009 to the present: [list the facility or facilities] \_\_\_\_\_
3. I believe I was not properly paid for all hours worked over 40 hours in a workweek because: [check only those that apply to you]
  - I was not paid 1.5 times my regular rate of pay for all hours worked in excess of 40 hours per week;
  - I was not paid 1.5 times my regular rate of pay for all hours worked in excess of 40 hours per week when some or all of the hours I worked in such a week were spent traveling between worksites or on overnight travel;
  - I was not paid 1.5 times my regular rate of pay for all hours worked in excess of 40 hours per week when I worked through lunch breaks or other breaks that were deducted from my hours worked; and/or
  - I was not paid 1.5 times my regular rate of pay for all hours worked in excess of 40 hours per week because I was required to take compensatory time off during a different work week.

I declare that the statements above are true and correct to the best of my knowledge.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

No Information Included Below Will Be Filed With The Court

**PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION:**

Name: \_\_\_\_\_  
(First) (Middle) (Last)

Street Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ (or) Date of Birth: \_\_\_\_\_

**Return this form to:** Hertz Schram PC, Attention: Patricia A. Stamler  
Address: 1760 S. Telegraph Road, Suite 300, Bloomfield Hills, MI 48302  
Telephone: 248-636-1777  
Fax: 248-335-3346  
Email: DeniedOvertime@hertzschr.com