

# **NOTICE OF YOUR RIGHT TO JOIN LAWSUIT FOR UNPAID WAGES**

*This is a Court-Authorized Notice, not a solicitation from a lawyer.*

TO: Current and Former Au Pairs who on or after **July 25, 2009** were sponsored by:

**InterExchange, Inc.;**

**Cultural Care, Inc. d/b/a Cultural Care Au Pair;**

**American Institute For Foreign Study (AIFS) d/b/a Au Pair In America (APIA);**

**Go Au Pair Operations, LLC d/b/a Go Au Pair and American Cultural Exchange, LLC d/b/a Go Au Pair;  
Au Pair Care, Inc.;**

**Expert Group International, Inc. d/b/a Expert AuPair.**

RE: Your Right to Join a Lawsuit Seeking Unpaid Wages

**YOU MAY JOIN THIS LAWSUIT REGARDLESS OF YOUR IMMIGRATION STATUS**

**YOUR VISA SPONSOR CANNOT RETALIATE AGAINST YOU IN ANY WAY, INCLUDING  
CALLING IMMIGRATION, IF YOU JOIN THIS LAWSUIT.**

## **1. What Is This Lawsuit About?**

Plaintiffs have sued the visa sponsors named above to recover unpaid minimum and overtime wages they claim you, and all other au pairs sponsored by these visa sponsors, are owed. Plaintiffs claim that they were not paid minimum hourly wages, overtime wages, and for time spent in mandatory training, and had an improper credit for room and board deducted from their wages. Plaintiffs are suing to recover unpaid wages times two, attorneys' fees, and costs from these visa sponsors.

**Your visa sponsor denies that au pairs were not lawfully compensated.**

## **2. Why Am I Getting This Notice?**

This Notice is to let you know that you have the right to participate in this minimum wage and overtime lawsuit, and how to sign up, if you want to. You are receiving this Notice because you were sponsored to work as an au pair by one of the named visa sponsors listed above on or after **July 25, 2009**.

This Notice will explain your options and tell you how to get more information.

**If you want to participate in this lawsuit, you must complete the Consent to Join Form online or sign the Consent to Join Form and mail, email, or fax it to the Notice Administrator listed below by November 2, 2017.**

## **3. How Do I Join This Lawsuit?**

Enclosed is a form called "Consent to Join." If you want to join this lawsuit, **it is extremely important that you read, sign, and promptly complete the Consent to Join form at [www.aupairwageaction.com](http://www.aupairwageaction.com)**. You may also print and send the Consent to Join form to:

**Au Pair Wage Action  
c/o JND Legal Administration  
P.O. Box 6878  
Broomfield, CO 80021**

**OR email to: [AuPairWageAction@jndla.com](mailto:AuPairWageAction@jndla.com)**

**OR fax to: (+1) 888-335-3336**

The signed Consent to Join form must be completed online or mailed, emailed or faxed by **November 2, 2017**.

**If you do not complete the Consent to Join form online, or mail, email, or fax it by November 2, 2017, you will not share in the money, if any, which may be won in this lawsuit.**

#### 4. What Happens If I Join This Lawsuit?

If you join this lawsuit by returning the enclosed Consent to Join form, you will share in the money that may be recovered for everyone who joins the lawsuit. It also means that if nothing is recovered in the suit, you will recover nothing. By returning the Consent to Join form, you will designate the named Plaintiff for your visa sponsor to make decisions regarding this lawsuit, including decisions as to settlement of the lawsuit, entering into an agreement for fees and costs with Plaintiff's counsel, and all other matters pertaining to your rights and this litigation under the FLSA. The decisions made by the named Plaintiff, and all rulings made by the Court, will be binding on you if you join this lawsuit. While this suit is pending you may be required to submit documents and written answers to questions and to testify under oath at a deposition hearing or trial, which may take place in Denver, Colorado.

#### 5. How The Attorneys Are Paid

You will not have to pay the attorneys directly – win or lose. Instead, if you win, the attorneys will be paid either by your visa sponsor their hourly fees plus litigation costs, or 35% of the overall recovery in the case, whichever is greater. If you lose, the attorneys will not be paid. By completing the enclosed Consent to Join form, the attorneys representing the Plaintiffs will also represent you in this case.

#### 6. What Happens If I Do Not Join This Lawsuit?

If you choose not to join the Lawsuit, you will not share in any money that may be recovered in this case. If you do not join, you will not be affected by any adverse judgment in the litigation unless such a determination has a preclusive precedential effect on your overtime rights. Your rights to participate in any other action against the company will be preserved. However, the statute of limitations will not stop running on any FLSA claims for unpaid wages you may have until you join this action or file suit on your own.

#### 7. Can I Be Retaliated Against For Joining This Case?

No. It is a violation of federal criminal law for a visa sponsor to retaliate against you in any way for taking part in this case.

**Nobody can call or threaten to call the police or Immigration in retaliation for you joining this lawsuit.**

#### 8. I Still Have Questions. Where Can I Get More Information?

You can get more information by contacting the attorneys handling this case. Your call is confidential and there is no charge to speak with an attorney. The attorneys handling this case are:

Matthew L. Schwartz  
Peter M. Skinner  
Boies Schiller Flexner LLP  
575 Lexington Avenue  
New York, New York 10022  
T: (+1) 212-446-2300  
E: [aupairclassaction@bsfllp.com](mailto:aupairclassaction@bsfllp.com)  
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