

**OFFICIAL NOTICE OF CLASS ACTION SETTLEMENT**

**Based on the records of Tractor Supply Company, you are entitled to a payment from a class action lawsuit settlement.**

*A court authorized this Notice. This is not a solicitation from a lawyer.*

- You have received this Notice because records indicate that you were employed as an hourly, bi-weekly paid manual worker employee by Tractor Supply Company (“Defendant”) in stores in the State of New York between June 24, 2016 and February 24, 2019, and who did not continue to work for Defendant beyond February 24, 2019.
- Plaintiff Rebecca Day (“Plaintiff”) filed a lawsuit asserting that Defendant failed to pay her and other non-exempt, hourly-paid manual worker employees on a weekly basis. Defendant denies these allegations and the Court has not made any ruling on the merits of Plaintiff’s claims. The parties have entered into a settlement with the intention to avoid further disputes and litigation with the attendant inconvenience and expense.

**Your legal rights may be affected by this settlement, and you have a choice to make:**

<b>YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT</b>	
<b>SUBMIT A CLAIM FORM</b>	If you wish to participate in the settlement and be eligible to receive your proportionate share of the Net Settlement Fund, you must complete and return the enclosed “Claim Form” to the Settlement Administrator, as discussed in Section 7 below. The Claim Form must be postmarked by or otherwise received on or before <b>February 5, 2024</b> .  If you choose to participate in the settlement, you will release the Released Class Claims discussed in Section 9 below, and you will be eligible to receive a settlement payment.
<b>DO NOTHING</b>	If you do nothing, you will not be eligible to receive a settlement payment.  If you do not exclude yourself from the settlement, you will still release the Released Class Claims.
<b>EXCLUDE YOURSELF</b>	If you do not want to participate in the settlement but want to retain your right to sue Defendant for frequency of pay or other wage and hour claims under federal and applicable state law, you must submit a written Opt-out Statement to the Settlement Administrator, as discussed in Section 10 below.  If you submit an Opt-out Statement, you will not be eligible to receive a settlement payment or object to the settlement.
<b>OBJECT</b>	If you do not submit an Opt-out Statement, you may write to the Court about why you object to the settlement. More information about objecting is set forth in Section 14 below.

- These rights and options—and the deadlines to exercise them—are explained in greater detail in this Notice.
- This Notice summarizes the proposed settlement. For the precise terms and conditions of the settlement, please see the Settlement Agreement available at [www.tscsettlement.com](http://www.tscsettlement.com), contact the Settlement Administrator at [info@tscsettlement.com](mailto:info@tscsettlement.com) or telephone: 1-888-298-0803, or contact Class Counsel at [labor@bursor.com](mailto:labor@bursor.com).
- The Court in charge of this case still has to decide whether to approve the settlement. Settlement payments will be made if the Court approves the settlement and after any appeals are resolved. Please be patient.

**BASIC INFORMATION**

**1. Why did I get this Notice?**

The Court ordered that you be sent this Notice because you have a right to know about a proposed class action settlement, and about all of your options, before the Court decides whether to approve the settlement. This Notice explains the lawsuit, your legal rights, and what benefits are available.

The Court overseeing this case is the New York State Supreme Court, Nassau County. The litigation is *Day v. Tractor Supply Company*, Index No. 6128331/2023.

**2. What is the litigation about?**

Plaintiff claims that Defendant’s hourly-paid employees constitute manual workers who must be paid on a weekly basis in the state of New York. Defendant denies these allegations in their entirety and asserts that non-exempt, hourly-paid employees were lawfully compensated and timely received all wages and payments to which they were entitled. The Court has not made any ruling on the merits of the claims, and no party has prevailed in this action.

### 3. Why is this a class action?

In a class action, one or more people called “class representatives” sue not only for themselves, but on behalf of other people who have similar claims. The people are called “Class Members” and together are the “class.” The individual who initiated this class action is called the “Plaintiff.” In a class action, the Plaintiff asks the court to resolve the issues for every member of the class.

### 4. Why is there a settlement?

The Court did not decide in favor of Plaintiff or Defendant. Both sides believe they will prevail in the litigation, but there was no decision in favor of either party. Instead, the parties have agreed to resolve this matter solely in order to avoid the burden, expense and risks associated with continued litigation. Plaintiff and Class Counsel think the settlement is in the best interests of all Class Members.

## THE SETTLEMENT BENEFITS – WHAT YOU GET

### 5. What does the settlement provide?

Defendant has agreed to pay a Maximum Settlement Amount of up to \$750,000.00 (the “Maximum Settlement Amount”). The Maximum Settlement Amount will be used to pay: (1) Participating Class Members based on their individual proportionate amount as described in Section 6 below; (2) attorneys’ fees of up to one-third of the Maximum Settlement Amount (\$250,000.00); (3) a Service Award of up to \$5,000.00 to the Plaintiff; and (4) the Settlement Administrator’s fees and costs.

### 6. How much will my settlement payment be and how was it calculated?

The formula that has been approved by the Court and used to calculate your settlement payment considers the duration of your employment during the relevant time period. The Settlement Agreement contains the exact allocation formula. You may obtain a copy of the Settlement Agreement by contacting the Settlement Administrator at [info@tscsettlement.com](mailto:info@tscsettlement.com) or telephone: 1-888-298-0803, or by using the information in Section 7 below.

The Settlement Administrator used information from Defendant’s records to calculate your payment. If you have questions about your calculation, you may contact the Settlement Administrator at [info@tscsettlement.com](mailto:info@tscsettlement.com) or telephone: 1-888-298-0803, or by using the information in Section 7 below. If you dispute Defendant’s records and/or the calculation of your settlement payment, please note your dispute on the Claim Form and provide written documentation supporting your contention in connection with submitting your Claim Form. Defendant’s records are presumed to be correct unless you prove otherwise with documentary evidence. The Settlement Administrator will evaluate the information you provide and will make the final decision as to any dispute.

**The exact amount of your settlement payment will be determined by the Settlement Administrator following receipt of all relevant records from Defendant, but all Participating Class Members will receive at least a minimum settlement share of at least \$50.00.** All Participating Class Members’ full settlement payment shall be classified as non-wage liquidated damages and will be reported on an IRS Form 1099. Neither Class Counsel nor Defendant’s counsel can advise you regarding the tax consequences of the settlement. You may wish to consult with your own personal tax advisor in connection with the settlement.

**Settlement checks that are not cashed within six (6) months of issuance will expire and revert to Defendant.**

## HOW YOU GET A PAYMENT

### 7. How can I get my payment?

You must sign and return the enclosed Claim Form by mail, email ([info@tscsettlement.com](mailto:info@tscsettlement.com)) or on the Settlement Website at [www.tscsettlement.com](http://www.tscsettlement.com) by the deadline to be eligible to receive a settlement payment. Your Claim Form must be postmarked by, or otherwise received on or before, February 5, 2024.

You may file a Claim Form at [www.tscsettlement.com](http://www.tscsettlement.com), or return the Claim Form in the pre-stamped return envelope or by mailing or emailing it to:

Tractor Supply Settlement  
P.O. Box 301132  
Los Angeles, CA 90030-1132

### 8. When will I get my settlement payment?

The Court is scheduled to hold a hearing on January 25, 2024, to determine whether to give final approval to the settlement. If the Court approves the settlement, and there are no appeals, settlement checks will be mailed within fifteen (15) days after the expiration date of the time for an appeal to have been filed. If there is an appeal, settlement checks will be mailed within fifteen (15) days after all appeals are resolved in favor of final approval of the settlement. Please be patient.

**9. What am I giving up by releasing my claims?**

Unless you exclude yourself (as explained in Section 10), you will release the Released Class Claims. This means that you release all wage and hour claims that have been asserted in the Complaint under New York Labor Law and/or common law, arising during the full extent of the applicable statutes of limitations (i.e., between June 24, 2016 to February 24, 2019). The Released Class Claims include, but are not limited to, statutory, constitutional, contractual or common law claims for frequency of pay damages, unpaid wages, overtime, interest on such claims, penalties, damages, liquidated damages as well as attorneys’ fees, expenses, disbursements, litigation costs and fees, restitution, or equitable relief related to such claims.

**EXCLUDING YOURSELF FROM THE SETTLEMENT**

If you do not wish to give up the Released Class Claims, then you must take steps to exclude yourself. This is sometimes referred to as “opting out” of the settlement.

**10. How do I opt out of the settlement?**

If you wish to exclude yourself from the settlement, you must submit a written Opt-out Statement to the Settlement Administrator, stating: (i) your name, address, telephone number, and email address; and (ii) a statement indicating your intent to exclude yourself from the settlement, such as “I opt out of the Tractor Supply wage and hour settlement.” The Opt-out Statement must be postmarked by or otherwise received on or before February 5, 2024 or as otherwise set by the Court.

If you submit an Opt-out Statement, you will not be eligible to receive a settlement check. You will retain the right to bring your own legal action against Defendant. You should be aware that your claims are subject to a statute of limitations, which means that they will expire on a certain date.

If you ask to be excluded, you cannot object to the settlement.

**11. If I exclude myself, can I get money from this settlement?**

No. If you exclude yourself, you will not be eligible to receive a settlement check.

**THE LAWYERS REPRESENTING YOU**

**12. Do I have a lawyer in this case?**

The Court has decided that the lawyers at the law firm of Bursor & Fisher, P.A. are qualified to represent you and all Class Members. These lawyers are called “Class Counsel.” You will not be charged separately for these lawyers; their fees are being covered by the Maximum Settlement Amount. You do not need to retain your own attorney in order to participate as a Class Member. If you do not opt out of the Class and want to be represented by your own lawyer, you may hire one at your own expense.

**13. How will the lawyers be paid?**

Class Counsel will ask the Court to approve payment of up to one-third of the Maximum Settlement Amount (\$250,000.00) for their attorneys’ fees. These fees would compensate Class Counsel for investigating the facts, litigating the case, negotiating the settlement, and the out-of-pocket costs they incurred litigating the case.

**OBJECTING TO THE SETTLEMENT**

You are also permitted to tell the Court that you do not agree with the settlement or some part of it.

**14. How do I tell the Court that I disapprove of the settlement?**

If you have not submitted an Opt-out Statement, you can object to any portion of the settlement of which you disapprove. You can give reasons why you think the Court should not approve it. The Court will consider your views. To object to the settlement, send a letter to the Settlement Administrator stating that you object to the settlement which includes all of the following: (i) all reasons for objecting to the settlement, and any supporting documentation; (ii) your name, address, telephone number and the dates and locations of your employment with Defendant; (iii) the case name *Day v. Tractor Supply*; and (iv) list of all other objections, if any, filed by you or your counsel, to any class actions pending in any court in the United States in the previous five years.

As an Objector, you also have the right to appear at the Fairness Hearing before the Court (explained in Sections 16 and 17 below) either in person or through your own counsel. If you wish to appear at the Fairness Hearing, you should state your intention to do so in your letter to the Settlement Administrator.

Objections should be mailed to the Settlement Administrator at:

Tractor Supply Settlement  
P.O. Box 301132  
Los Angeles, CA 90030-1132

Your objection must be postmarked by or otherwise received on or before February 5, 2024.

**15. What's the difference between objecting and opting out?**

Objecting is telling the Court that you do not like something about the settlement and asking the Court not to approve the settlement as is. You can object only if you stay in the Class.

Opting out (also known as excluding yourself) is telling the Court that you do not want to be part of the Class. If you exclude yourself, you have no basis to object because the case no longer affects you. If you submit both an objection and an Opt-out Statement, the Settlement Administrator will attempt to contact you to determine whether you intended to object or exclude yourself. If the Settlement Administrator cannot reach you, it will be presumed that you intended to exclude yourself, and your objection will not be considered.

**THE COURTS FAIRNESS HEARING**

**16. When and where will the Court decide whether to approve the settlement?**

The Court will hold the Fairness Hearing on January 25, 2024 in New York State Supreme Court, Nassau County, 100 Supreme Ct Dr, Mineola, NY 11501.

At the hearing, the Court will determine whether the settlement is fair, adequate, and reasonable and will consider any properly submitted objections. Please be advised that the Court may adjourn the date of the hearing without further notice to Class Members, and the Court may opt to hold the Fairness Hearing via telephone or video conference. Please visit the Settlement Website at [www.tscsettlement.com](http://www.tscsettlement.com), or contact Class Counsel using the contact information provided in Section 19 below if you have any questions about the date, time, or location of the Fairness Hearing.

**17. Do I have to come to the Fairness Hearing?**

No. Class Counsel will attend to answer questions the Court may have. But, you are welcome to come at your own expense. If you send an objection, you do not have to come to Court in person. As long as you have not excluded yourself and have mailed your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but it is not necessary.

**GETTING MORE INFORMATION**

**18. Are there more details about the settlement?**

This Notice summarizes the proposed settlement. More details are available in the Settlement Agreement. You can get a copy of the Settlement Agreement from the Settlement Administrator or Class Counsel using the contact information below.

**19. How do I get more information?**

If you have other questions about the settlement or want more information, you can contact the Settlement Administrator, or Class Counsel at [labor@bursor.com](mailto:labor@bursor.com).

**Do not contact the Court directly for any reason.**