

**COURT-AUTHORIZED NOTICE OF YOUR RIGHT TO JOIN A  
LAWSUIT SEEKING TO RECOVER WAGES UNDER THE FAIR  
LABOR STANDARDS ACT AS AN OPT-IN PLAINTIFF**

Date: November 8, 2024

To: All persons who were employed as hourly retail dispensary employees by Curaleaf Holdings, Inc in the states of Illinois, Arizona, and Massachusetts during the period between March 28, 2019 and February 1, 2022. This includes both current and former hourly Curaleaf employees, who work or have worked at any of Curaleaf’s retail dispensaries, open or closed, located in Illinois, Arizona, or Massachusetts.<sup>1</sup>

**1. INTRODUCTION**

The purpose of this Notice is to inform you of the existence of a collective action lawsuit filed against Defendant Curaleaf Holdings, Inc (“Curaleaf”).

This Notice also serves to inform you of your ability to join the lawsuit as a plaintiff, advise you of how your rights may be affected by this suit, and to instruct you on the procedure for joining this lawsuit, should you choose to do so.

**2. DESCRIPTION OF THE LAWSUIT**

The Plaintiffs are all former Store Associates (a/k/a “product specialists” and colloquially “budtenders”) employed by Curaleaf at its Northbrook, Illinois (Plaintiff Morgan Heller), Skokie, Illinois (Plaintiff Grace Baffoe), Oxford, Massachusetts (Joshua Flavin), and Midtown, Arizona (Nicholas Fredrickson) retail dispensaries. Plaintiffs filed this suit on behalf of themselves and those similarly situated to them: other hourly retail employees, who worked for Curaleaf at any Illinois, Arizona, or Massachusetts retail dispensary for any period of time between March 28, 2019 and February 1, 2022.

The Fair Labor Standards Act (“FLSA”) requires that tips are the property of employees and prohibits employers from keeping some or all of the tips received by employees for any purpose. Plaintiffs allege Curaleaf violated the FLSA by failing to pay employees some or all of their earned tips, due to tips being either confiscated, spent, or involuntarily donated to charity, depending upon the dispensary. Plaintiffs also allege that in some instances Curaleaf violated the FLSA by operating an illegal tip pool such that employees were not paid all their tips earned and owed under the FLSA. Plaintiffs seek actual damages, liquidated damages, attorneys’ fees, and costs/expenses. No trial date has yet been set in this case.

A collective action is similar to a class action in that the goal of the plaintiffs is to address a widespread issue affecting multiple individuals in an efficient manner. A key difference is that in a

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<sup>1</sup> This notice was issued to you at the last available physical mobile number, mailing address and E-Mail address provided to Curaleaf during your employment. If you were not employed by Curaleaf during the period outlined, please ignore this notice and no further action is required.

collective action, individuals must actively choose to join the lawsuit (opt-in), whereas in a class action, individuals are automatically included in the lawsuit unless they choose to remove themselves (opt-out).

### **3. WHO MAY JOIN THE LAWSUIT**

If you worked at an Illinois, Arizona, or Massachusetts Curaleaf dispensary as an hourly employee for any period of time between March 28, 2019 and February 1, 2022, you have a right to join, or “opt-in,” to this lawsuit.

To do so you must complete the Consent to Become a Party Plaintiff form (the “Consent Form”) and submit it to the Plaintiffs’ attorney via one of the following methods:

- a) Mailing or delivering the Consent Form to the following address:

Heller vs. Curaleaf  
c/o JND Legal Administration  
P.O. Box 91398  
Seattle, Washington 98111 or

- b) Completing and submitting the Consent Form found at: [www.CuraleafLawsuit.com](http://www.CuraleafLawsuit.com)

or

- c) Emailing the Consent form to: [info@CuraleafLawsuit.com](mailto:info@CuraleafLawsuit.com)

Your completed and signed Consent Form should be sent and completed via one of the methods above in sufficient time to have Plaintiffs’ attorney file it with the federal court on or before 75 days from the above date or you may not be able to participate in this lawsuit.

### **4. EFFECT OF JOINING THE LAWSUIT**

If you choose to complete and submit the Consent Form you will become an “Opt-In Plaintiff” to this lawsuit. You will, subsequently be bound by any judgment in this lawsuit, whether it is favorable or unfavorable, should the Court ultimately find that Plaintiffs and Opt-In Plaintiffs are, in fact, “similarly situated” in accordance with federal law.

In accordance with federal laws and the Federal Rules of Civil Procedure, the Parties have agreed to limited opt-in discovery. As an Opt-In Plaintiff, you may be required to participate in this lawsuit including, in certain cases, responding to written discovery requests (in which you would respond to questions issued by the Parties) or participating in depositions (in which case you would attend a meeting with the Parties’ attorneys and answer a series of questions).

While completing the Consent Form renders you an Opt-In Plaintiff, the completion and submission of the Consent Form does not entitle you to any relief. This matter has not been set for trial, Curaleaf has not been found liable of anything at this time, and your continued right to participate in this lawsuit may depend on a later decision by the District Court.

**5. NO RETALIATION AGAINST YOU IS PERMITTED**

Federal law prohibits Curaleaf from discharging you from your employment, taking any other adverse employment action against you because you have exercised your legal right to join this lawsuit or because you have otherwise exercised your rights under the Fair Labor Standards Act.

**6. YOUR LEGAL REPRESENTATION IF YOU JOIN**

Plaintiffs' attorneys, THE GARFINKEL GROUP, LLC will represent you if you submit a completed Consent Form. As your attorneys, THE GARFINKEL GROUP, LLC will be entitled to receive the payment of attorneys' fees and costs from Curaleaf if there is ultimately a recovery or judgment found in your favor. If there is no recovery or judgment in your favor, you will not be responsible for any attorneys' fees or costs.

**7. FURTHER INFORMATION**

Further information about this notice, or the deadline for filing a Consent Form, as well as any other information regarding this lawsuit, may be obtained by visiting:

**[www.CuraleafLawsuit.com](http://www.CuraleafLawsuit.com)**

THIS NOTICE AND ITS CONTENTS HAVE BEEN AUTHORIZED BY THE UNITED STATE DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS. THE FEDERAL DISTRICT COURT HAS TAKEN NO POSITION IN THIS CASE REGARDING THE MERITS OF THE PLAINTIFFS' CLAIMS OR OF THE DEFENDANT'S DEFENSES. PLEASE DO NOT CALL OR WRITE THE COURT OR THE CLERK OF COURT. THEY CANNOT ANSWER QUESTIONS REGARDING THIS LAWSUIT OR THE NOTICE.