

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

SCARLET KESHISHZADEH and LISA ARCHER, as individuals, on behalf of themselves, and on behalf of all persons similarly situated,

Plaintiffs,

vs.

ARTHUR J. GALLAGHER SERVICE CO., a Delaware Corporation,

Defendants.

JAMES CAREY, on behalf of himself and all others similarly situated,

Plaintiffs,

vs.

ARTHUR J. GALLAGHER AND COMPANY, a Delaware Corporation, and GALLAGHER BASSETT SERVICES, INC., a Delaware Corporation, inclusive,

Defendants.

CASE NO. 09cv0168-LAB (RBB)

(Consolidated w/ 09cv1273-LAB (RBB))

CLASS ACTION

NOTICE OF PENDENCY OF CLASS ACTION

TO: All individuals employed by Defendants Arthur J. Gallagher Service Co., Arthur J. Gallagher and Company, and/or Gallagher Bassett Services, Inc. ("Defendants") as Workers' Compensation Claims Representatives and/or Senior Claims Representatives (now known as Claims Adjusters and Claims Adjusters Senior) in California at any time since January 28, 2005. This Notice contains important information which may affect you. Please read it carefully. **YOU ARE NOT BEING SUED.**

THE LAWSUIT

Now pending in the United States District Court for the Southern District of California is a lawsuit entitled Keshishzadeh, et al. v. Arthur J. Gallagher Service Co., et al., Case No. 09cv0168-LAB (RBB) (the "Lawsuit"). The Lawsuit generally alleges that Defendants misclassified Claims Representatives and Senior Claims Representatives who adjusted workers' compensation claims as exempt from overtime wages and, among other things, failed to pay for premiums for overtime hours in violation of California law. The lawsuit seeks unpaid wages, penalties, interest, and attorneys' fees. Gallagher denies plaintiffs' claims, and maintains that it properly classified Claims Representatives and Senior Claims Representatives as exempt, salaried employees who are not owed overtime compensation.

The Court has not formed any opinions concerning the merits of the Lawsuit, nor has the Court ruled for or against the Plaintiffs as to the merits of any of their individual claims. The sole purpose of this notice is to inform you of the Lawsuit so that you may make an informed decision as to whether you wish to remain in or exclude yourself from this class action.

ABOUT CLASS ACTIONS

A class action is a lawsuit in which the claims and rights of many people may be decided in a single court proceeding. The plaintiffs, acting as the class representatives, assert claims on behalf of themselves and the class. A class action allows the court to resolve the claims of all class members at the same time. A class member is bound by the determination or judgment entered in the case, whether the class wins or loses, and may not file his or her own lawsuit over the same claims that were decided in the class action. As a member of the class, you will have no responsibility to pay out of pocket the fees or costs incurred in this case by either party

DEFINITION OF THE CLASS

On April 16, 2010, the Court ordered that the Lawsuit may proceed as a class action on behalf of all persons employed by Defendants as Claims Representatives and/or Senior Claims Representatives (now known as Claims Adjusters and Claims Adjusters Senior) in California since January 28, 2005, who adjusted worker's compensation claims.

CONSEQUENCES OF CLASS MEMBERSHIP

If you have been employed by Defendants as a Claims Representative and/or Senior Claims Representative in California at any time since January 28, 2005, and adjusted worker's compensation claims as described above under "Definition of the Class," you will automatically be considered a member of the Class. **YOU NEED NOT DO ANYTHING IF YOU WISH TO BE INCLUDED IN THE CLASS. THERE IS NO NEED FOR YOU TO CALL, WRITE OR SEND ANYTHING AT THIS TIME IN ORDER FOR YOU TO REMAIN A MEMBER OF THE CLASS.** Class Counsel identified below will prosecute the claims in the Lawsuit on behalf of the Class at no expense to you. You may be entitled to share in the benefits obtained in litigation and will be bound by any judgment, whether favorable or unfavorable, or any settlement entered in the Lawsuit.

CLASS COUNSEL

The names and addresses of the attorneys who represent Plaintiffs and the Class are:

Blumenthal, Nordrehaug & Bhowmik
Norman B. Blumenthal (State Bar #068687)
Kyle R. Nordrehaug (State Bar #205975)
Aparajit Bhowmik (State Bar #248066)
2255 Calle Clara
La Jolla, CA 92037
Tel.: (858) 551-1223 ext.121
Fax: (858) 551-1232
E-Mail: norm@bamlawlj.com
Website: www.bamlawca.com

CLASS MEMBERS' RIGHTS

•**Join the Class:** You do not have to do or pay anything to be part of this case and you do not have to do anything at this time to confirm that you are a member of the Class. Class Counsel will represent the Class in the Lawsuit at no out-of-pocket cost to you. If you so choose, and if you establish that you are a member of the Class, you may also hire your own counsel, at your own expense, to represent you and participate in this case on your behalf.

•**Exclude Yourself From the Class:** If you do not want to be part of this case, you may exclude yourself from the Class by following the directions below. If you timely request exclusion from the Class, you will: (1) be excluded from the Class; (2) not be bound by any determination or judgment entered in the litigation; (3) not participate in any recovery obtained through trial or settlement in this litigation; and (4) not be precluded, by reason of your decision to request exclusion from the Class, from otherwise prosecuting an individual action, if timely.

PARTICIPATION

If you participate as part of the Class, your participation in any recovery that may be obtained from Defendants through the trial or settlement of this Lawsuit will depend on the results of the Lawsuit. If no recovery is obtained for the Class, you will be bound by that result.

You may be required as a condition of participating in any monetary recovery, through settlement or trial, to present verification of your entitlement to any such recovery.

HOW TO BE EXCLUDED FROM THE LAWSUIT

The Court will exclude you from the Class if your written request for exclusion is mailed to the Class Administrator: Gallagher Employment Litigation Class Administration, c/o Gilardi & Co. LLC, P.O. Box 8090, San Rafael, CA 94912-8090, and is post-marked on or before July 16, 2010 forty-five (45) days from the date of mailing. The request should state: "**I DO NOT WANT TO BE PART OF THE PLAINTIFF CLASS IN KESHISHZADEH v. AJG**". The request should be signed with your name and address printed below your signature.

If you do not make a timely request for exclusion in the manner specified, you will be bound by any judgment or settlement in the case.

EXAMINATION OF PAPERS

This notice does not fully describe the Lawsuit. You may inspect the court files at the United States District Court for the Southern District of California, Office of the Clerk 880 Front Street, Suite 4290 San Diego, CA 92101-8900, from 8:30 a.m. to 4:30 p.m., Monday through Friday. PLEASE DO NOT CALL OR WRITE TO THE COURT OR THE CLERK OF THE COURT. You can also view the Class Certification Order and other filed documents on Class Counsel's website at www.bamlawca.com

PLEASE DO NOT CONTACT THE COURT OR THE COURT CLERK REGARDING THIS ACTION