AVIACODE MEDICAL CODERS LAWSUIT

If you are or were a Medical Coder classified as an independent contractor by AVIACODE, INC. between May 15, 2015 and December 26, 2017, please read this notice. A collective action lawsuit may affect your rights.

A FEDERAL COURT AUTHORIZED THIS NOTICE BUT DOES NOT TAKE ANY POSITION ON THE MERITS OF THE CLAIMS BROUGHT IN THIS CASE.

<u>**NOTICE OF COLLECTIVE ACTION LAWSUIT**</u>

TO: «FirstName» «LastName»

Re: Lawsuit Including Claims for Alleged Misclassification of Medical Coders as Independent Contractors Resulting in Unpaid Overtime

- Medical Coder Brian Hazel (Named Plaintiff) has sued Aviacode, Inc. (Defendant) claiming it misclassified Medical Coders as independent contractors rather than employees, which resulted in, among other things, unpaid overtime.

- Aviacode denies that it misclassified Medical Coders as independent contractors and is defending the lawsuit.

- The Court has not taken a position on the merits of the claims but has authorized the distribution of this Notice to current and former Medical Coders who were classified as independent contractors by Aviacode between May 15, 2015 and December 26, 2017.

- You have been identified as a person potentially eligible to join this lawsuit.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
ASK TO BE INCLUDED	If you choose to be included in this case, you have the possibility of getting money or benefits from a trial or settlement of these federal wage and hour claims, and you give up the right to separately sue Defendant about the same claims in this lawsuit. <u>If you wish to be included, you must complete the Consent to Join form at the end of this Notice</u>.
DO NOTHING	If you choose not to join this lawsuit, you will not be bound or affected by any judgment or settlement rendered in this lawsuit, whether favorable or unfavorable.

More questions? Contact Kevin Koc at (816) 474-6300 or Jack McInnes at (913) 220-2488 or visit www.reaveylaw.com or www.mcinnes-law.com.

1. Why did I get this notice?

Records show that you worked as a Medical Coder for Defendant and were classified as an independent contractor. The Court has authorized mailing of this Notice regarding collective action claims that may affect you but has not taken a position on the merits. You have legal rights and options that you may exercise in this case. The Honorable Judge Bruce S. Jenkins is overseeing the case. The lawsuit is called *Hazel v. Aviacode, Inc.*, Case No. 2:17-cv-01065-BSJ.

2. What is this lawsuit about?

This lawsuit includes Plaintiff's federal claim that Aviacode misclassified Medical Coders as independent contractors and, as a result, failed to pay them overtime, including one and one-half times their regular rate for hours worked in excess of 40 hours per workweek. Aviacode denies any wrongdoing.

3. What is a collective action and who is involved?

In a collective action lawsuit, one or more people sue on behalf of other people who have similar claims. The Medical Coder who sued – and all those who return the attached Consent to Join form – are Plaintiffs, and they are jointly called the Opt-In Plaintiffs. One court resolves the issues for everyone in the group.

4. Why is this lawsuit a collective action?

The Plaintiff who filed this lawsuit alleges for his federal claim that there is a group of "similarly situated" current or former Medical Coders who were misclassified as independent contractors by Aviacode and worked in excess of 40 hours per workweek on one or more occasions.

5. What is the position of Aviacode?

Aviacode denies that it misclassified its Medical Coders as independent contractors and denies that they are entitled to any additional compensation or other relief beyond what they have already been paid.

6. Has the Court decided who is right?

The Court has not decided whether Aviacode or Plaintiff is correct. By authorizing this Notice, the Court is not suggesting that the Plaintiff will win or lose the case.

7. What is the Plaintiff asking for?

Plaintiff is seeking to recover alleged unpaid work time, including overtime compensation for hours worked in excess of 40 in a workweek. This would include hours coding as well as performing administrative tasks, correcting edit/denial errors, and/or completing training modules. Plaintiff also seeks liquidated damages in an amount equal to the unpaid overtime compensation. In addition, Plaintiff seeks recovery of costs and attorneys' fees from Aviacode.

More questions? Contact Kevin Koc at (816) 474-6300 or Jack McInnes at (913) 220-2488 or visit www.reaveylaw.com or www.mcinnes-law.com.

8. Can I join this lawsuit?

You have been identified as potentially eligible to join this lawsuit. If you were classified as an independent contractor and you worked more than 40 hours in one or more workweeks in the past three years, you are potentially eligible to join this lawsuit. Current and former Medical Coders are eligible to join.

9. I'm still not sure if I am included.

If you are still not sure whether you are included, you can get free help by contacting the lawyers in this case who are representing the named Plaintiff using the contact information listed below. Otherwise, you may seek legal advice from any attorney of your own choice at your own expense.

10. What happens if I join the lawsuit?

If you choose to join this lawsuit and are ultimately determined by the Court to be an eligible Plaintiff, you will be bound by any ruling, judgment, or settlement rendered on the federal claims asserted in this case, whether favorable or unfavorable. By joining this lawsuit, you designate the Named Plaintiff as your representative, and to the fullest extent possible, to make decisions on your behalf concerning the case, the method and manner of conducting the case, the entering of an agreement with Plaintiff's counsel regarding payment of attorneys' fees and costs, the approval of settlements, and all other matters pertaining to this lawsuit. While this suit is pending, you may be required to provide information and testimony in discovery and/or at trial.

11. What if I do nothing at all?

If you choose not to join this lawsuit, you will not be affected or bound by any ruling, judgment, or settlement rendered on the federal claims asserted in this case, whether favorable or unfavorable to Plaintiff. You should be aware that Fair Labor Standards Act claims are limited to a two- or three-year statute of limitations, and delay in joining this case, or proceeding separately, may result in some or all of your claims expiring as a matter of law.

12. How do I ask to be included in the case?

Enclosed is a form called a "Consent to Join" form. **If you choose to join this lawsuit, you must read, sign, and promptly return the Consent to Join form**. An addressed and postage paid return envelope is enclosed for your convenience. Should the envelope be lost or misplaced, return the Consent to Join form to:

<div align="center">

Aviacode Medical Coders Lawsuit
c/o Simpluris, Inc.
P.O. Box 21760
Santa Ana, CA 92799

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The signed Consent to Join form must be postmarked by July 30, 2018. If your signed Consent to Join form is not postmarked by July 30, 2018, you may be prohibited from participating in the federal claims in this lawsuit in any way.

More questions? Contact Kevin Koc at (816) 474-6300 or Jack McInnes at (913) 220-2488 or visit www.reaveylaw.com or www.mcinnes-law.com.

13. Do I have a lawyer in this case?

If you choose to join this lawsuit you will be represented by Jack McInnes of McInnes Law, Patrick Reavey and Kevin Koc of Reavey Law, and Eric Barton of Wagstaff & Cartmell.

14. Should I get my own lawyer?

If you choose to opt-in to the lawsuit by promptly returning a signed Consent to Join form, you will not need to hire your own lawyer because Plaintiff's counsel will be working on your behalf. But if you want your own lawyer, you may have to pay that lawyer and will have to file your own separate lawsuit.

15. How will the lawyers be paid?

The Named Plaintiff has entered into a contingency fee agreement with Plaintiff's counsel. Under the fee agreement, in the event there is a recovery, Plaintiff's counsel will receive a percentage of any settlement obtained or money judgment entered in favor of all Opt-In Plaintiffs. Alternatively, the Court may be asked to determine the amount of fees. The fees may be part of a settlement or money judgment entered in favor of Plaintiffs, or may be ordered by the Court to be separately paid by Defendant, or may be a combination of the two. If the Named Plaintiff does not win, there will be no attorneys' fees chargeable to them or anyone who joins the lawsuit. A copy of the contingency fee agreement executed by the Named Plaintiff may be obtained upon request from Plaintiff's counsel identified below.

16. How do I get more information?

If you have any questions or require additional information, please contact any of the following individuals who are counsel to the Plaintiff in this lawsuit:

Patrick Reavey, Attorney
Kevin Koc, Attorney
REAVEY LAW LLC
1600 Genessee, Suite 303
Kansas City, MO 64102
Telephone: (816) 474-6300
preavey@reaveylaw.com
kkoc@reaveylaw.com

Jack McInnes, Attorney
MCINNES LAW LLC
3500 West 75th Street, Suite 200
Prairie Village, KS 66208
Telephone: (913) 220-2488
jack@mcinnes-law.com

17. Please keep your address current.

If you choose to join in this lawsuit, you are requested to mail notice of any changes in your address to the attorneys listed above. If the notice was forwarded to you by the postal service, or if it was otherwise sent to you at an address that is not current, you should immediately contact the attorneys listed above and provide them with your current address. If counsel does not have your correct address, you may not receive notice of important developments in this action.

PLEASE DO NOT CONTACT THE COURT REGARDING THIS MATTER.

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