

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF CONNECTICUT

If you are Black and were employed by Bozzuto's in an hourly warehouse position between November 21, 2018, and February 21, 2025, a class action lawsuit may affect your rights.

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

- Former Black hourly warehouse associates have sued Bozzuto's, Inc. (Bozzuto's), alleging employment discrimination based on race.
- The Court has allowed the lawsuit to proceed as a class action on behalf of Black hourly warehouse associates who have held the titles or positions of selector, forklift operator, checker, loader, clerk, slotter, support associate, cleaner, pallet auditor, wrapper, or runner in Bozzuto's warehouses between November 21, 2018, and February 21, 2025.
- The Court has not decided whether Bozzuto's did anything wrong and will not make such a determination until trial. There is no money available now, and no guarantee that there will be. If the employees and former employees win the first phase of the trial, the Court will hold further individual hearings to determine whether members of the class are entitled to individual awards. Your legal rights are affected, and you have a choice to make now:

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT

Do Nothing	Stay in this lawsuit. Await the outcome. Give up certain rights. By doing nothing, you keep the possibility of getting money and benefits that may come from the trial proceedings (which may include an individual hearing regarding your own claims) or settlement. But you give up any rights to sue Bozzuto's separately about the same legal claims at issue in this lawsuit.
Ask To Be Excluded	Get out of this lawsuit. Get no benefits from it. Keep rights. If you ask to be excluded, you keep any right to sue Bozzuto's separately about the same legal claims in this lawsuit. You will lose the ability to recover any money and benefits from trial proceedings or settlement (if any) in this lawsuit.

- Your options are explained in this Notice. To ask to be excluded, you must act before **August 26, 2026**, by submitting a completed Exclusion Request Form by mail or email.

Any questions? Read on and visit www.BozzutosClassAction.com.

- No relief will be provided unless the employees and former employees (the “Plaintiffs”) prove the claims against Bozzuto’s at trial or the parties reach a settlement.

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BASIC INFORMATION

1. Why did I get this Notice?

Bozzuto's records show that you worked for Bozzuto's between November 21, 2018, and February 21, 2025, in one of the following hourly warehouse roles: selector, forklift operator, checker, loader, clerk, slotter, support associate, cleaner, pallet auditor, wrapper, or runner, and identified as "Black or African American (not Hispanic or Latino)" in Bozzuto's records or did not disclose your race. If you are Black and held one of the aforementioned positions during the relevant time period, you may be a member of a "certified" class action that may affect you. If not, this Notice does not apply to you. You have legal rights and options that you may exercise before the Court holds a trial. The trial is to decide whether Bozzuto's discriminated in certain employment decisions—including pay, position assignments, promotions, discipline, and termination—affecting Black employees in these hourly warehouse positions. Judge Janet C. Hall of the United States District Court for the District of Connecticut in New Haven, CT is overseeing this class action. The lawsuit is known as *Loiseau, et al. v. Bozzuto's Inc., et al.*, No. 3:22-CV-01485 (JCH) (D. Conn.).

2. What is this lawsuit about?

This lawsuit is to determine whether, in certain warehouse positions, Bozzuto's discriminated against Black employees in pay and/or employment decisions. Bozzuto's denies these allegations, and the Court has not yet decided whether Bozzuto's has in fact discriminated against Black employees.

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

In a class action lawsuit, one or more people called "Class Representatives" (in this case Don Rudy Loiseau, Quinton L. Hebron, and Dwayne Small) sue on behalf of other people who may have similar claims. The people together are a "Class" or "Class Members." The three Class Representatives who sued on behalf of the Class are called the "Plaintiffs." The company they sued (in this case Bozzuto's) is called the "Defendant." One court resolves the issues presented at trial for everyone in the Class—except for those people who choose to exclude themselves from the Class.

4. Why is this lawsuit a class action?

The Court decided that this lawsuit can be a class action because it meets the requirements of Federal Rule of Civil Procedure 23, which governs class actions in federal courts. Specifically, the Court found that:

- The number of Class Members is sufficiently numerous that a class action is appropriate;
- There are legal questions and facts that are common to each Class Member;
- The claims of the Class Representatives are typical of the claims of the rest of the Class;
- The Class Representatives and the lawyers representing Plaintiffs and the Class will fairly and adequately represent the Class's interests.

More information about why the Court is allowing this lawsuit to be a class action is in the Court's Order Certifying the Class, which is available at www.BozzutosClassAction.com.

THE CLAIMS IN THE LAWSUIT

5. What does the lawsuit complain about?

In this lawsuit, the Plaintiffs claim that Bozzuto's has discriminated against Black hourly warehouse employees in pay, position assignments, promotions, discipline, and terminations, and that its Bid Policy and performance review practices have a disparate impact on Black employees. You can read Plaintiffs' Second Amended Class Action Complaint at www.BozzutosClassAction.com.

6. How does Bozzuto's answer?

Bozzuto's denies that it discriminates against Black employees in any way and maintains that its employment decisions are based solely on individual qualifications and merit. You can read Bozzuto's Answer to the Plaintiffs' Second Amended Class Action Complaint at www.BozzutosClassAction.com.

7. Has the Court decided who is right?

The Court has not decided whether the Plaintiffs or Bozzuto's are correct. By certifying the Class and issuing this Notice, the Court is not suggesting that the Plaintiffs win or lose this case.

8. What are the Plaintiffs asking for?

Plaintiffs seek damages for themselves and the Class and a determination of whether the Class will be entitled to punitive damages. An award of monetary relief to Class Members may be the subject of a remedial stage of the case (although the exact process for such hearings will be determined after the first stage of trial, and only if the Plaintiffs win the first stage).

9. Is there any money available now?

No money is available now because the Court has not yet decided whether Bozzuto's did anything wrong, there has been no trial, and the two sides have not settled the case. There is no guarantee that money will ever be obtained. If Plaintiffs win during the first stage of trial, you will be able to participate in the remedial stage of the case.

WHO IS IN THE CLASS

You need to decide whether you are affected by this lawsuit.

10. Am I part of this Class?

The Class includes the following individuals:

All black, hourly warehouse associates employed in Bozzuto's warehouses, who have held the titles or positions of selector, forklift operator, checker, loader, clerk, slotter, support associate, cleaner, pallet auditor, wrapper, or runner, between November 21, 2018, and February 21, 2025.

11. I'm still not sure if I'm included.

If you are still not sure whether you are included, you can get free help by calling or writing to the lawyers in this case at 202-471-1995 or ClassCounsel@kotchen.com.

YOUR RIGHTS AND OPTIONS

You have to decide whether to stay in the Class or ask to be excluded before the trial, and you have to decide this now.

12. What happens if I do nothing at all?

You don't have to do anything now if you want to stay in the Class. By doing nothing you are staying in the Class and can participate in the case (*see* Answers to Questions 18-20). If you stay in the Class and the Plaintiffs obtain relief, either as a result of the trial or settlement, you will be notified how to participate. Further, if the Plaintiffs win, the Court will oversee the process for determining whether monetary awards are available to individual Class Members. Keep in mind that if you do nothing now, regardless of whether the Plaintiffs win or lose the trial, or a settlement is reached in the case, you will not be able to sue, or continue to sue, Bozzuto's—as part of any other lawsuit—about the same legal claims that are the subject of this lawsuit. You will also be legally bound by all of the orders the Court issues and judgments the Court makes in this class action.

13. Why would I ask to be excluded?

You may wish to be excluded if:

- You already have your own race discrimination lawsuit against Bozzuto's and want to continue with it;
- You intend to file your own race discrimination lawsuit against Bozzuto's and do not want to participate in this class action;
- You do not want to have any involvement with this case; or
- You believe that you were not discriminated against.

If you exclude yourself from the Class—sometimes called “opting out” of the Class—you won't get any money or benefits from this lawsuit even if the Plaintiffs and the Class obtain them as a result of the trial or from any settlement (that may or may not be reached) between Bozzuto's and the Plaintiffs. If you exclude yourself, you will not be legally bound by the Court's judgment in this class action, nor will you be eligible to participate in the remedial phase if Bozzuto's is found during the first phase to have unlawfully discriminated.

If you start your own lawsuit against Bozzuto's after you exclude yourself, you'll have to hire and pay your own lawyer for that lawsuit unless you choose to represent yourself, and you'll have to prove your liability claims separately from this lawsuit. If you do exclude yourself so you can start or continue your own lawsuit against Bozzuto's, you should talk to your own lawyer soon, because your claims may be subject to a statute of limitations.

14. How do I ask the Court to exclude me from the Class?

To ask to be excluded, you must complete an Exclusion Request form (available on the website): www.BozzutosClassAction.com.

The Exclusion Request form must be mailed or emailed to:

Loiseau v. Bozzuto's

c/o A.B. Data, Ltd.

Attn: Exclusions

P.O. Box 173001

Milwaukee, WI 53217

Email: info@BozzutosClassAction.com. Exclusions must be postmarked or received by **August 26, 2026**.

THE LAWYERS REPRESENTING YOU

15. Do I have a lawyer in this case?

The Court decided that lawyers from the law firm Kotchen & Low LLP are qualified to represent you and all Class Members and appointed them as "Class Counsel." Nitor Egbarin, of the Law Office of Nitor V. Egbarin, LLC, is serving as local counsel. More information about the lawyers at Kotchen & Low LLP is available at www.kotchen.com. Class Counsel, Kotchen & Low LLP, can be contacted at 202-471-1995 or ClassCounsel@kotchen.com. They are experienced in handling similar cases against other employers.

16. Should I get my own lawyer?

You do not need to hire your own lawyer because Class Counsel is working on your behalf. But, if you want your own lawyer, you have the right to obtain one, but you will likely have to pay that lawyer. You can ask your own lawyer to appear in Court for you if you want someone other than Class Counsel to speak for you.

17. How will the lawyers be paid?

If Class Counsel obtain relief for the Class, Class Counsel may ask the Court for attorneys' fees and expenses. You won't have to pay these fees and expenses.

THE TRIAL

The Court has scheduled the first stage of the trial to start with a jury trial in New Haven, CT, beginning October 26, 2026. If Plaintiffs win in the first stage, then the Court can set dates for the second stage proceedings, as explained below.

18. How and when will the Court decide who is right?

Class Counsel will have to prove the Plaintiffs' claims at trial. The Court has decided that the trial will take place in two stages. In the first stage, a jury and the judge will hear all of the evidence to help them reach a decision about whether the Plaintiffs or Bozzuto's are right about the claims in the lawsuit. If the Plaintiffs win in the first stage, then the Court will establish a process for the remedial phase to determine whether each Class Member is entitled to damages, such as back and front wages, emotional distress damages, and/or punitive damages.

19. Do I have to come to the trial?

You do not need to attend the first stage of the trial (*see* Question 18) unless you live within 100 miles of the federal courthouse in New Haven, CT and are subpoenaed to appear as a witness. Class Counsel will present the case for the Plaintiffs, and Bozzuto's will present its defense. You are welcome to come to that trial.

20. Will I get money after the trial?

That will depend on the outcome of the case, as explained in Questions 18 & 19. If the Plaintiffs win the first stage of the trial or the parties reach a settlement, you will be notified about how to participate.

GETTING MORE INFORMATION

21. Are more details available?

You may speak to Class Counsel (Plaintiffs' lawyers) by calling 202-471-1995 or emailing ClassCounsel@kotchen.com. You can also obtain additional information at www.BozzutosClassAction.com.

You should not contact Bozzuto's about this matter.