

IMPORTANT NOTICE OF GENDER DISCRIMINATION LAWSUIT

NOTICE OF COURT ORDERED CONDITIONAL CERTIFICATION OF COLLECTIVE ACTION IN FEDERAL GENDER DISCRIMINATION LAWSUIT AGAINST FOREST LABORATORIES, INC. and FOREST PHARMACEUTICALS, INC. ("FOREST")

Megan Barrett, et al. v. Forest Laboratories, Inc., et al.
U.S. District Court for the Southern District of New York

TO: ALL WOMEN EMPLOYED AS FOREST SALES REPRESENTATIVES (ALSO KNOWN AS TERRITORY REPRESENTATIVES) IN THE UNITED STATES FOR AT LEAST ONE DAY FROM MAY 22, 2012 THROUGH THE PRESENT.

I. INTRODUCTION

You have received this Notice because Forest records indicate that you may be eligible to join a collective action lawsuit brought under the federal Equal Pay Act, entitled *Megan Barrett, et al. v. Forest Laboratories, Inc., et al.*, 12-cv-05224 (RA) (GWG) (the "Lawsuit"). The Lawsuit is filed in the District Court for the Southern District of New York.

The Court has ordered Notice to you and other female Sales Representatives (also known as Territory Representatives) at Forest. This Notice informs you of your right to seek to join this Lawsuit if you wish to do so. You are not required to join. This Lawsuit seeks to recover wages Plaintiffs allege Forest wrongfully denied you and other female Sales Representatives.

II. DESCRIPTION OF LAWSUIT

The Lawsuit alleges that Forest improperly paid female Sales Representatives (also known as Territory Representatives) less than their male counterparts in violation of the federal Equal Pay Act, which requires equitable pay for male and female employees who are deemed similarly situated under the law.

Forest contests all claims that have been asserted and denies any wrongdoing or liability.

The Court conditionally certified the EPA claims to proceed as a "collective action" on behalf of women fitting the Collective Action description in Section III below. Although this Notice and its contents have been authorized by the U.S. District Court for the Southern District of New York, the Court has not made a final determination that this case may proceed as a collective action. Nor has it made any determination about the merits of the case, including whether Forest wrongfully denied wages to you or any other female Sales Representative.

III. COMPOSITION OF THE COLLECTIVE ACTION

This notice applies to you if you are a woman who was employed:

- 1) as a Forest Sales Representative (also known as a Territory Representative);
- 2) in the United States;
- 3) for at least one day on or after May 22, 2012.

IV. YOUR RIGHT TO PARTICIPATE IN THE LAWSUIT

If you meet the criteria set forth in Section III above, you may be able to join the Lawsuit by completing and mailing or emailing the enclosed "Consent to Join" form (**Attachment A**) to GCG:

Barrett v. Forest Laboratories
c/o GCG
PO Box 9349
Dublin, OH 43017-4249
ForestLabsEPA@gardencitygroup.com

V. YOUR TIME TO JOIN THIS LAWSUIT IS LIMITED

TO JOIN THIS LAWSUIT, YOU MUST TIMELY SIGN, DATE AND RETURN A “CONSENT TO JOIN” FORM. A COPY OF THE CONSENT TO JOIN FORM MAY ALSO BE FOUND AT WWW.GARDENCITYGROUP.COM/CASES-INFO/FST/.

DEADLINE: THE “CONSENT TO JOIN” FORMS MUST BE POSTMARKED AND/OR RECEIVED BY GCG NO LATER THAN DECEMBER 30, 2015.

Without sending the “Consent to Join” form, you are not automatically a party to this Lawsuit, nor are you required to become a party.

VI. NO RETALIATION IS PERMITTED

Federal law prohibits anyone from discriminating or retaliating against you for joining or deciding not to join in this Lawsuit.

VII. EFFECT OF JOINING THIS LAWSUIT

If you choose to join the Lawsuit, you will be bound by any judgment by the Court on your claims. If the Court rules in your favor, you may receive payment for damages, including unpaid wages from Forest.

If you choose to join the Lawsuit, you may also be required to participate in what is called “discovery.” This will be Forest’s opportunity to learn more about your claims by asking you questions through written requests and/or taking your deposition. You may also be required to testify at trial.

VIII. COUNSEL FOR PLAINTIFFS

If you choose to join this Lawsuit and agree to be represented by the Named Plaintiffs through their attorneys, your counsel in this case will be Sanford Heisler Kimpel, LLP. Sanford Heisler Kimpel, LLP will represent you and the Named Plaintiffs on a contingency basis. This means that if you obtain any recovery as part of this lawsuit, attorneys’ fees will be paid from any monies awarded to you and if you do not recover, you will not owe any attorneys’ fees.

Alternatively, you may join this Lawsuit and retain counsel of your own choosing at your own expense. If you wish to retain your own counsel, your attorney must file your “Consent to Join” form with the Court by **December 30, 2015** and enter an appearance. You will need to make your own fee arrangement with other counsel if you choose other counsel to represent you.

IX. YOU CHOOSE NOT TO JOIN THIS LAWSUIT

If you choose not to join the collective action, you do not need to do anything in response to this Notice. If you do not join the collective action, you will not be bound by or affected by any resolution or Court judgment on the EPA claims (whether favorable or unfavorable). Your decision not to join this case will not affect your right to bring any timely claims on your own in the future.

X. QUESTIONS REGARDING THIS NOTICE

If you have questions about this Notice, the Consent to Join form, or the Lawsuit generally, you may contact Plaintiffs’ Counsel, Deborah Marcuse, Michael Palmer, or Tom Henderson of Sanford Heisler Kimpel, LLP, at (855) 907-3150 or forest.class.action@sanfordheisler.com.

Please do NOT contact the Court or the Court clerk with questions about this Lawsuit.