

Rong Jewett et al. v. Oracle America Inc.
SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF SAN MATEO
(CASE NO. 17-CIV-02669)

NOTICE OF CLASS CERTIFICATION (“NOTICE”)

IF YOU ARE A WOMAN EMPLOYED BY ORACLE IN CALIFORNIA IN ITS INFORMATION TECHNOLOGY, PRODUCT DEVELOPMENT, OR SUPPORT JOB FUNCTIONS, AT ANY TIME ON OR AFTER JUNE 16, 2013, BUT NOT A CAMPUS HIRE OR MANAGER, YOU ARE A MEMBER OF A CERTIFIED CLASS.

The Superior Court of The State of California, County of San Mateo (“Court”) authorized this Notice to be sent. This is not an advertisement. This is not a solicitation from a lawyer.

- A class action lawsuit is pending in the Superior Court of The State of California, County of San Mateo (“the Court”) against Oracle America, Inc. (“Defendant” or “Oracle”). The lawsuit alleges that Oracle violated California’s Equal Pay Act and Unfair Competition Law by paying women employees in California less than men performing substantially similar or equal work. Oracle denies any wrongdoing and specifically denies that it pays its employees differently based on gender.
- On April 29, 2020, the Court decided that this lawsuit should proceed as a class action on behalf of a “Class,” or a group of people, that could include you. The Class consists of “[a]ll women employed by Oracle in California in its Information Technology, Product Development, or Support job functions, excluding campus hires and managerial positions, at any time during the time period beginning June 16, 2013 through the date of trial in this action.”

THIS NOTICE AFFECTS YOUR LEGAL RIGHTS. PLEASE READ THIS NOTICE CAREFULLY.

YOUR RIGHTS AND OPTIONS	
<i>Do Nothing</i>	<p>Stay in the lawsuit.</p> <p>By doing nothing, you are choosing to stay in the Class. You may be permitted to share in any recovery that might result from this Class Action, but you will give up your rights to sue Oracle in a separate lawsuit for the claims made in this class action. In addition, you will be bound by any judgment in this case on the claims against Oracle in this lawsuit.</p>
<i>Exclude Yourself</i>	<p>Exclude yourself from the Class.</p> <p>If you opt out of the Class (meaning you return the enclosed postcard stating that you do not want to be included in this lawsuit), you will not be part of this Class Action against Oracle. Accordingly, you will not be entitled to any recovery that may result from it, but you will not be bound by any judgment in it, either. If you choose to do so, you will be free to pursue the claims in this case against Oracle on your own or as part of a different lawsuit.</p>

BASIC INFORMATION ABOUT THE LAWSUIT

1. Why did I get this Notice?

Oracle's records indicate that you were employed by Oracle in California in its Information Technology, Product Development, or Support job functions at some time on or after June 16, 2013, but not as a Campus Hire or Manager. If you are a Campus Hire (meaning you were hired by Oracle through its College Recruiting Program), or if you did or currently do work for Oracle as a Manager, you are receiving this Notice in error, and are not part of the Class.

2. What is a class action?

In a class action lawsuit, one or more people called "Class Representatives" (in this case former Oracle employees Marilyn Clark, Elizabeth Sue Petersen, and Manjari Kant) sue on behalf of themselves and other people who have similar claims, who are referred to as "class members." One trial, or court ruling, resolves the claims of all Class Members.

3. What is the lawsuit about?

This lawsuit is about whether Oracle violated California's Equal Pay Act and Unfair Competition Law by paying women employees in California less than men performing substantially similar or equal work. Specifically, Plaintiffs contend that Oracle pays women employees in its Information Technology, Product Development, or Support job functions in California less than men performing substantially similar or equal work, and thus violates California law. Plaintiffs also contend that Oracle's past use of prior salary at jobs before Oracle to set starting salaries for its workers contributes to this disparity. Oracle denies Plaintiffs' allegations. Specifically, Oracle denies that it pays men more than women performing substantially similar or equal work. Oracle further contends that any pay differences amongst Oracle employees are due to differences in work performed or legitimate job-related factors.

4. Has the Court decided who is right?

The Court hasn't decided whether the Class Members' claims have merit. By establishing the Class and issuing this Notice, the Court is not suggesting that the Plaintiffs will win or lose this case. The Plaintiffs must prove their claims at a trial.

5. What has happened in the lawsuit?

On June 16, 2017, Class Representatives filed, on behalf of a putative class, a Complaint against Oracle alleging that Defendant had violated California's Equal Pay Act, as amended Cal. Labor Code § 1197.5 *et seq.*, Cal. Labor Code §§ 201-203, 1194.5, and California's Unfair Competition Law, Cal. Bus. & Prof. Code § 17200 *et seq.* ("Complaint"). The Class Representatives filed their Fourth Amended Complaint on September 7, 2018. Oracle denies Plaintiffs' allegations.

On April 29, 2020, the Court certified a class consisting of "[a]ll women employed by Oracle in California in its Information Technology, Product Development, or Support job functions, excluding campus hires and managerial positions, at any time during the time period beginning June 16, 2013 through the date of trial in this action."

6. What are the Class Representatives asking for?

The Class Representatives are asking for money to compensate Class Members for damages they allege were caused by the Defendant's conduct, as well as pre-judgment and post-judgment interest and their reasonable attorney's fees and costs. The Class Representatives also seek injunctive relief enjoining Oracle from violating California Labor Code by paying its female employees lower wage rates than those paid to their male counterparts for substantially similar work. The Class Representatives also seek, in their representative capacity, civil penalties against Defendant pursuant to the California Private Attorneys General Act. Oracle asserts the Class Representatives and Class Members were properly paid and are not entitled to any relief.

7. Is there any money available now?

No money is available now because the Court has not yet decided whether Oracle did anything wrong, and the two sides have not settled the case. There is no guarantee that money ever will be obtained. If it is, and you do not opt out, you will receive a notice describing whether you are entitled to receive a share, and, if so, how to receive that share.

YOUR OPTIONS AS A CLASS MEMBER

8. What happens if I choose to stay in the Class?

If you stay in the Class, and if the Class prevails on its claims at trial and on appeal, you might be permitted to share in any monetary recovery that the Class obtains, but you will give up the right to sue Oracle separately about the same legal claims in this lawsuit. You will be bound by the Judgment entered in the Class Action, even if there is no recovery.

9. How do I stay in the Class?

You do not have to do anything at this time to stay in Class.

10. What happens if I opt out of the Class?

If you opt out of the Class by filling out and returning the enclosed postcard, you will give up the right to participate in any recovery if the Class prevails at trial and on appeal, but you will keep the right to sue Oracle separately regarding the legal claims at issue in this lawsuit. You will not be bound by the Judgment entered in the Class Action.

11. How do I opt out of the Class?

If you do not want to remain a member of the Class, you must complete and mail the enclosed prepaid postcard postmarked no later than **October 10, 2020**.

12. What happens if I do not do anything?

If you do nothing, you will stay in the Class. If you stay in the Class and the Class Representatives obtain money or benefits, either as a result of a trial or a settlement, you will be notified whether you are entitled to share in any monetary recovery the Class obtains, and if so, how to apply for a share. Regardless of whether the Plaintiffs win or lose the trial, you will not be able to sue, or continue to sue Oracle about the legal claims that are the subject of this lawsuit. You will be bound by the Judgment entered in this Class Action.

THE LAWYERS REPRESENTING YOU

13. As a Class Member, do I have a lawyer representing my interests in this Class Action?

The Court has appointed lawyers to represent you and other Class Members. The Court has decided that they are qualified to represent you and all Class Members. These lawyers are called Class Counsel. The contact information for Class Counsel is as follows:

CLASS COUNSEL

ALTSHULER BERZON LLP

James M. Finberg

Eve Cervantez

Danielle E. Leonard

177 Post Street

Suite 300

jfinberg@altber.com

San Francisco, California 94108

Telephone: (415) 421-7151

**RUDY, EXELROD, ZIEFF &
LOWE, LLP**

John T. Mullan

Erin M. Pulaski

William McElhinny

351 California Street

Suite 700

San Francisco, California 94104

Telephone: (415) 434-9800

Fax: (415) 434-0513

More information about these law firms, their practices, and their lawyers' experience is available at www.altshulerberzon.Com and www.rezlaw.com.

14. How will the lawyers be compensated, and will the Class Representatives receive compensation?

If recovery is obtained for the Class, Class Counsel will request from the Court an award for attorney's fees and expenses. Class Counsel may also ask the Court to approve reasonable incentive awards for the Class Representatives. If approved, these fees and expenses and incentive awards will either be paid from the recovery obtained for the Class or separately by Oracle. You will not be sent a bill.

15. Should I get my own lawyer?

You do not need to hire your own lawyer to participate in this lawsuit, though you may do so if you choose. The Court has appointed Class Counsel to represent the Class, including you, if you choose to remain a part of the Class. You are welcome to hire your own lawyer at your own expense.

GETTING MORE INFORMATION

16. Where do I get more information?

Visit the website, www.Oracleequalpay.com, where you will find the Court's Order Certifying the Class, the Fourth Amended Complaint that the Plaintiffs submitted, and Defendant's Answer to the Fourth Amended Complaint. Complete copies of public pleadings, Court rulings and other filings are available for review and copying at the Clerk's office. The address is 400 County Center, Redwood City, CA 94063. You can get free help by calling or writing to the lawyers in this case at the phone numbers or addresses listed in response to question 13.

Though you may contact Oracle, including your manager, to discuss this Action, please do not contact Oracle's attorneys unless you have returned the opt-out postcard.

PLEASE DO NOT CONTACT THE COURT OR JUDGE SWOPE. THEY CANNOT DISCUSS THE ACTION WITH YOU.