

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**LYNNETTE OSEI-ASIBEY and SHAWON
ROBINSON, individually and on behalf of
all others similarly situated,**

Plaintiffs,

v.

**SMARTRENT, INC. and SMARTRENT
TECHNOLOGIES, INC.,**

Defendants.

Case No. 1:23-cv-01590-SDG

**NOTICE OF YOUR RIGHT TO JOIN A
LAWSUIT AGAINST SMARTRENT**

A Court has authorized this Notice. This is not an advertisement. Please review this Notice carefully, as it explains certain legal rights you may have.

This Notice is to inform you of your right to join a lawsuit filed against Defendants SmartRent, Inc. and SmartRent Technologies, Inc. (“SmartRent”). The lawsuit seeks to recover unpaid overtime wages, liquidated damages, and attorneys’ fees and costs on behalf of all current and former Field Installation Managers (“FIMs”) employed by SmartRent at any time within the last three (3) years. The Court has not made any determination about the merits of Plaintiffs’ claims. SmartRent denies liability.

If you signed a severance agreement at the end of your employment with SmartRent in August/September 2023, or any other time, you may still join this lawsuit and seek to recover the unpaid overtime as outlined above.

If you wish to join this lawsuit, you must complete and return the attached Consent to Join Form by **July 15, 2024**.

1. What This Lawsuit Is About

The Named Plaintiffs in this lawsuit, Lynnette Osei-Asibey and Shawon Robinson worked for SmartRent as Field Installation Managers (“FIMs”). They allege that SmartRent misclassified them as exempt salaried employees and that they should have been paid on an hourly basis and paid overtime at one-and-one-half times their regular rate of pay for time worked over 40 hours per workweek. This lawsuit seeks overtime wages and liquidated damages for current and former FIMs working for SmartRent at any time in the last three (3) years. SmartRent denies the lawsuit allegations, asserts that it properly classified FIMs as exempt administrative employees, and intends to defend against the overtime claims asserted. The Court has not made any determination concerning the merits of the claims involved in this case.

SmartRent identified you as a person who worked for SmartRent within the last three (3) years and who was classified by SmartRent as an exempt Field Installation Manager (“FIM”). Because you have been identified as an individual who may have Legal Claims, you may potentially be entitled to alleged damages. The proposed collective group in this action is defined as:

All persons who were or are employed by SmartRent as Field Installation Managers and who were classified as exempt employees and were not paid the overtime premium of one-and-a-half times their hourly rates for all hours worked in excess of 40 hours per workweek.

If you meet this definition, you have the right to “opt in,” or join this lawsuit. At this stage, there is no assurance that the Court will award you any money or other damages if you “opt in,” and your right to participate in the lawsuit may depend on a later determination that you or the other “opt-ins” are similarly situated.

If you signed a severance agreement at the end of your employment with SmartRent, you are still eligible to participate in this case. If you have questions about your rights, please contact Plaintiffs’ counsel listed below. If you have questions for SmartRent, please contact Defendants’ counsel at Alston & Bird LLP via email at brett.coburn@alston.com or nick.chandler@alston.com or by phone at 404-881-4990.

2. How To Join This Lawsuit

Enclosed with this Notice is a Consent to Join Form. If you decide to join this lawsuit, you must complete and sign the Consent to Join Form and return it by email to SmartRentOvertimeLawsuit@noticeadministrator.com or mail to Plaintiffs' counsel:

Tracey T. Barbaree
Beth A. Moeller
MOELLER BARBAREE LLP
P.O. Box 570122
Atlanta, GA 30357
Tel.: (404) 748-9122
Email: tbarbaree@moellerbarbaree.com
Email: bmoeller@moellerbarbaree.com

If you return the form by email, please send a clear photo or scanned electronic copy. A pre-addressed and stamped envelope is included if you wish to return the Consent to Join Form by mail. **If you want to join this case, you must return the Consent to Join Form on or before July 15, 2024.**

3. The Legal Effect Of Joining This Lawsuit

If you decide to join this lawsuit, you will be bound by any judgment entered by the Court. While the lawsuit is proceeding, you may be required to participate in the discovery process, and there is a possibility that, if the case proceeds to trial, you may be called to testify. Specifically, you may be required to respond to written questions, testify under oath during depositions and in court, or any combination of those things.

If you choose to join this lawsuit, your legal representation will be:

Tracey T. Barbaree
Beth A. Moeller
MOELLER BARBAREE LLP
1175 Peachtree Street N.E., Suite 1850
Atlanta, GA 30361
Tel.: (404) 748-9122
Email: tbarbaree@moellerbarbaree.com
Email: bmoeller@moellerbarbaree.com

Plaintiffs' counsel are being paid on a contingency fee basis. If there is a recovery, the attorneys' fees will be paid solely by SmartRent, and not by you, after Plaintiffs' counsel applies to the Court for an award of attorneys' fees and costs. If there is no recovery, you will not have to pay any attorneys' fees.

By joining the lawsuit, you designate the collective representatives, Lynnette Osei-Asibey and Shawon Robinson, as your agents to make decisions on your behalf concerning the lawsuit, including whether and for how much to resolve the lawsuit, and all other matters pertaining to this lawsuit. These decisions and agreements made and entered into by the collective representatives will be binding on you if you join this lawsuit.

You may also join this lawsuit by retaining another lawyer of your own choosing. Should you choose a different lawyer to represent you, as is within your rights, the fee arrangement may differ. If you do so, your attorney must file an "opt-in" consent form within sixty (60) days from the date of this Notice. The address of the Court is: United States District Court, Northern District of Georgia, Richard B. Russell Federal Building & United States Courthouse, 2211 United States Courthouse, 75 Ted Turner Drive, SW, Atlanta, GA 30303-3309. The phone number of the Clerk of Court is (405) 215-1600. The Clerk cannot give legal advice about this case.

4. Action To Take To Stay Out Of The Lawsuit

If you do not wish to be part of the lawsuit, you do not need to do anything. If you do not join the lawsuit, you will not be part of the lawsuit in any way and will not be bound by or affected by the result of the lawsuit (whether favorable or unfavorable). Your decision not to join this lawsuit will not affect your right to bring a lawsuit on your own at a future time. Claims under

the Fair Labor Standards Act must be brought within two (2) years of the date the claim accrues, unless the employer's violation of the law was "willful," in which case the claim must be brought within three (3) years.

5. Protection Against Retaliation

Federal law prohibits SmartRent from retaliating or discriminating against you in any way if you decide to join this lawsuit.

6. Further Information

Further information about this lawsuit or this Notice can be obtained by contacting Plaintiffs' counsel at the telephone numbers, addresses, or emails provided above.

Date of Notice: May 15, 2024

THIS NOTICE AND ITS CONTENTS HAVE BEEN AUTHORIZED BY THE FEDERAL DISTRICT COURT, THE HONORABLE STEVEN D. GRIMBERG, U.S. DISTRICT JUDGE. THE COURT HAS TAKEN NO POSITION REGARDING THE MERITS OF THE PLAINTIFFS' CLAIMS OR OF THE DEFENDANT'S DEFENSES.