

# Settlement Details Regarding Lowe's Class Action Lawsuit

Settlement in a class action lawsuit claiming that Lowe's misclassified certain installers as independent contractors  
07.29.2014

## Practice Areas

Employee Misclassification

Employment Law

Cotchett, Pitre & McCarthy, along with Block & Leviton filed a lawsuit against Lowe's HIW, Inc. ("Lowe's") on June 15, 2012 alleging that Lowe's misclassified all California installers as independent contractors in violation of California law. The Honorable Jeffrey S. White granted Plaintiff's Motion for Class Certification in August 2013, certifying the class of California installers and appointing Block & Leviton and Cotchett, Pitre & McCarthy as class counsel. The Firms successfully achieved a \$6.5 million settlement on behalf of the class of California installers, which was preliminarily approved on June 25, 2014 and is awaiting final approval. **For more information regarding the settlement, please click [HERE](#).**

**If you or your Installation Company performed installation services for Lowe's In California from June 15, 2008 to June 26, 2014, you or your Company may be in the Settlement Class.**

A Settlement has been reached with Lowe's Home Centers, LLC ("Lowe's") in a class action lawsuit claiming that Lowe's misclassified certain installers as independent contractors. Lowe's has agreed to pay up to \$6.5 million in settlement of this action.

The proposed Settlement does not mean that Lowe's has broken any law or done anything wrong and Lowe's denies all legal claims in this case.

The Settlement of up to \$6.5 million will provide payments to eligible Class Members. The average payment amount has not been determined yet, but it may be up to \$1,500 per installer, minus Court-awarded costs and attorneys' fees (see the Notice, Questions 7 and 16).

## SETTLEMENT DETAILS REGARDING LOWE'S CLASS ACTION LAWSUIT

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Your legal rights are affected even if you do nothing. Please read the Notice carefully.

### Class Members Have the Following Options:

- **Submit a Claim Form:** The only way to receive a payment. If you are eligible to receive a payment under the Settlement, you must follow the instructions set forth in the Notice and mail a valid Claim Form to the Settlement Administrator, postmarked no later than September 23, 2014, to receive a settlement payment.
- **Ask to be Excluded:** Get no benefits from the Settlement and be able to bring your own lawsuit. Lowe's also will not give up its right to bring its own lawsuit against you. To exclude yourself from the Settlement, you must follow the instructions set forth in the Notice and mail a valid Request for Exclusion Form to the Settlement Administrator, postmarked no later than September 23, 2014.
- **Object:** Write to the Court if you do not like the Settlement. To object to the Settlement, you must follow the instructions in the Notice and mail your objection, which must be filed with the Court and served on Class Counsel and Defense Counsel by December 10, 2014.
- **Go to a Hearing:** Ask to speak in Court about the fairness of the Settlement. The Court will hold a Fairness Hearing at 9:00 a.m. on January 9, 2015. To speak at the hearing, you must follow the instructions in the Notice and send your Notice of Intention to Appear, which must be filed with the Court and served on Class Counsel and Defense Counsel by December 10, 2014.
- **Do Nothing:** If you do nothing, you give up the right to receive a settlement payment, and will be bound by the Settlement.

### Important Dates and Deadlines:

Class Period: June 15, 2008 to June 26, 2014

Claim Form (To Be Mailed): September 23, 2014

Request for Exclusion Form (To Be Mailed): September 23, 2014

Object to Settlement: December 10, 2014

Fairness Hearing: January 9, 2015 at 9:00 a.m.

### Important Documents:

Class Action Settlement Agreement

Notice of Settlement and Final Approval Hearing

Claim Form

Request for Exclusion Form

## SETTLEMENT DETAILS REGARDING LOWE'S CLASS ACTION LAWSUIT

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### **Settlement Administrator's Contact Information:**

Shephard v. Lowe's Settlement Administrator

c/o Rust Consulting, Inc. - 4368

PO Box 1935

Faribault, MN 55021-7190

Toll-Free Telephone Number: 1-877-564-7080

[www.ShephardvLovesSettlement.com](http://www.ShephardvLovesSettlement.com)

**Do not call the Court to ask questions about the Settlement.**

**For more information regarding the settlement, please click [HERE](#).**