

SUPERIOR COURT OF ARIZONA, MARICOPA COUNTY

If you drove a truck for Swift Transportation Co. after March 6, 2001, as an owner-operator, or after April 9, 2009, as an employee, a class action lawsuit may affect your rights.

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

Para una notificación en Español, visite www.SwiftTruckingClassAction.com

- Mr. Leonel Garza has sued Swift Transportation Co., Inc. (“Swift”) claiming that Swift used the Household Mover’s Guide, which on average produces mileage figures that are less than actual mileage driven, to calculate mileage-based compensation, and does so without disclosing that the mileage figures are less than actual mileage driven.
- The Court has conditionally ruled that this lawsuit may be maintained on behalf of a class consisting of owner operators who were paid mileage-based compensation, on or after March 6, 2001, and employee drivers who were paid mileage-based compensation, on or after April 9, 2009. The Court also ruled that Mr. Garza and his attorneys can represent the Class Members.
- Swift’s records indicate that you are included in the lawsuit as a Class Member.
- The Court has not decided whether Swift did anything wrong. There is no money available now and no guarantee there will be. Your legal rights are affected by this class action. You have a choice to make.

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 or benefits that may come from a trial or a settlement. But you give up any rights to sue Swift separately about the same legal claims 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 and money or benefits are later awarded, you won’t share in those. But you keep any rights to sue Swift separately about the same legal claims in this lawsuit. To do so, however, you must hire your own attorney or file a claim without an attorney.

- Your rights and options are explained in this notice. To ask to be excluded, you must act before **September 13, 2013**.
- Mr. Garza and his attorneys must prove the claims against Swift. If money or benefits are obtained from Swift, and you do not exclude yourself from the class, you will be notified about how to obtain a share.

1. Why did I get this notice?

Swift’s records show that you are included in this class action lawsuit. This notice explains that the Court has allowed, or “certified,” a class action lawsuit. You have legal rights and options, explained above, that you must act on by **September 13, 2013**. Judge Gama of the Superior Court of Arizona, Maricopa County is overseeing this class action. The lawsuit is called *In re Swift Transportation Co. Inc.*, CV2004-001777.

QUESTIONS? VISIT WWW.SWIFTTRUCKINGCLASSACTION.COM OR CALL 1-866-677-4812

2. What is this lawsuit about?

Mr. Garza claims that Swift paid its drivers based on mileage figures taken from the Household Movers Guide, which, on average, are less than the actual miles they drove while working for Swift. Mr. Garza further claims that (1) Swift's failure to disclose this information to its drivers is a breach of all drivers' contracts; and (2) its use of mileage figures that are less than the actual miles Swift's employee-drivers drive for Swift is an additional breach of the employee-drivers' contracts. The lawsuit seeks money for damages Class Members allegedly suffered as a result. Swift denies that it is liable for any damages. No decision has been made about whether Mr. Garza or Swift is right. Mr. Garza will have to prove the Class Members' claims at a trial.

3. What is a class action?

In a class action lawsuit, one or more people called "Class Representatives" sue on behalf of other people who have similar claims. Together these people are called a "Class" or "Class Members." One court resolves the issues for everyone in the Class, except for those who ask to be excluded.

4. Who represents you?

The Court appointed Hagens Berman Sobol Shapiro LLP to represent you as "Class Counsel." The Court also appointed Mr. Leonel Garza to represent you as Class Representative. If Mr. Garza prevails on behalf of the Class, Class Counsel may ask the Court for fees and expenses. You will not have to pay any of these fees and expenses. If the Court grants their request, the fees and expenses may either be deducted from any money obtained for the Class or may be paid separately by Swift. You may hire your own lawyer to appear in Court for you, but if you do, you will have to pay that lawyer.

5. What happens if I do nothing at all?

If you do nothing, you are choosing to stay in the Class. This means you will be legally bound by all orders and judgments of the Court, whether favorable or not, and you will not be able to sue or continue to sue Swift about the legal claims in this case separately. If money or benefits are awarded or obtained, you will be notified and given instruction on how to share in the money and/or benefits.

6. What happens if I ask to be excluded?

If you exclude yourself, you cannot get any money or benefits from this lawsuit if they are awarded or obtained, but you will keep any rights to sue Swift for the same claims in a different lawsuit, now or in the future. If you exclude yourself, you will not be bound by any orders or judgments in this case.

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

To ask to be excluded, send a letter postmarked by **September 13, 2013** to In re Swift Transportation Inc. Administrator, c/o KCC Class Action Services, P.O. Box 43190, Providence, RI 02940-3190. Your letter must state that you want to be excluded from *In re Swift Transportation Co. Inc.*, CV2004-001777 and include your name, address, and signature.

8. How do I get more information?

Go to www.SwiftTruckingClassAction.com, call 1-866-677-4812 or write to In re Swift Transportation Inc. Administrator, c/o KCC Class Action Services, P.O. Box 43190, Providence, RI 02940-3190.