

**NOTICE OF PENDENCY OF COLLECTIVE ACTION ALLEGING  
AGE DISCRIMINATION AGAINST HP INC. (formerly known as HEWLETT-PACKARD COMPANY)  
AND HEWLETT PACKARD ENTERPRISE COMPANY**

*A federal court authorized this Notice. This is not a solicitation from a lawyer.*

TO: Individuals who had their employment terminated when they were 40 years of age or older by HP Inc. (formerly known as Hewlett-Packard Company) or by Hewlett Packard Enterprise Company pursuant to a workforce reduction plan during the time periods specific to each company as identified in this Notice.

**The Court has authorized that this Notice be sent to notify you that a collective action lawsuit has been preliminarily certified and to explain what the lawsuit is about so that you can decide whether to opt in (join the lawsuit). The Court has not decided on the merits of the case.**

## **I. INTRODUCTION**

You have received this Notice because records from HP Inc. (formerly known as Hewlett-Packard Company), or Hewlett Packard Enterprise Company (“HPE”), indicate that you may be eligible to join a collective action lawsuit alleging age discrimination under the Age Discrimination in Employment Act (“ADEA”), 29 U.S.C. § 621, *et seq.*, entitled *Forsyth, et al., v. HP Inc., et al.*, Case No. 5:16-CV-04775 (the “Lawsuit”). The Lawsuit is pending in the U.S. District Court for the Northern District of California.

## **II. DESCRIPTION OF THE LAWSUIT**

On August 18, 2016, the Lawsuit was filed against HP Inc. (formerly known as Hewlett-Packard Company) and HPE. The Lawsuit alleges, in part, that HP Inc. and HPE implemented a workforce restructuring initiative intended to replace employees aged 40 and older with younger employees, including through the use of wide-scale layoffs—dubbed workforce reductions (“WFRs”)—that disproportionately targeted older employees. HP Inc. and HPE deny the allegations in the Lawsuit, are vigorously defending against Plaintiffs’ claims, and deny any wrongdoing or liability.

The current Plaintiffs who are acting as representatives of the ADEA collectives are Donna Forsyth (a former HPE employee), Arun Vatturi (a former HP Inc. employee), Dan Weiland (a former HP Inc. employee), Shafiq Rahman (a former HPE employee), and Kevin Alviso (a former HPE employee). In addition, there are another 31 former employees of HP Inc. or HPE who already have opted into and joined this case as additional plaintiffs.

On April 13, 2021, the Court conditionally certified two separate ADEA collectives – one with respect to HP Inc. and another with respect to HPE – represented by the five Plaintiffs, and including the 31 current opt-in plaintiffs, and any other individuals who meet the criteria described in the next section. This Notice has been issued in order to determine the identity of additional persons who wish to be involved in the Lawsuit.

## **III. WHO MAY PARTICIPATE IN THE LAWSUIT**

You may be eligible to join this Lawsuit if you were employed by HP Inc. (or Hewlett-Packard Company) or HPE, and your employment was terminated pursuant to a WFR when you were age of 40 or older – but only if your termination occurred during the applicable time period listed below:

If you were terminated pursuant to a WFR by:	And your employment was terminated pursuant to a WFR in:	You may be eligible if your termination was effective on or after:
HP Inc. (including when HP Inc. was named Hewlett-Packard Company)	Alabama, Arkansas, Georgia, Indiana, Mississippi, North Carolina, South Dakota, American Samoa, the Commonwealth of the Northern Mariana Islands, Guam or Wake Island	April 8, 2015 until February 15, 2022
HP Inc. (including when HP Inc. was named Hewlett-Packard Company)	Anywhere else in the United States	December 9, 2014 until February 15, 2022
Hewlett Packard Enterprise Company	the United States	November 1, 2015 until February 15, 2022

Additionally, you are not eligible to join the Lawsuit if you (a) previously released any claims of age discrimination you may have against HP Inc. (including against Hewlett-Packard Company) or HPE relating to your termination; (b) previously executed a Waiver and Release of Claims at the time of your WFR; and/or (c) are subject to an agreement to arbitrate any claims against HP Inc. (including against Hewlett-Packard Company) or HPE that you may have regarding your termination.

The judge presiding over this matter and the members of his immediate family and staff are not eligible to participate, either.

**IV. YOUR RIGHT TO PARTICIPATE AND THE DEADLINE TO DO SO**

If you fit the criteria described above, you may assert an ADEA claim and join this Lawsuit by fully completing and returning the enclosed “Consent to Join” form via email, fax, or mail to the below address no later than February 15, 2022:

Forsyth, et al., v. HP Inc., et al.  
c/o CPT Group, Inc.  
50 Corporate Park, Irvine, CA 92606  
Fax: (949) 419-3446  
Email: [ForsythHPLitigation@cptgroup.com](mailto:ForsythHPLitigation@cptgroup.com)

You may obtain additional copies of the Consent to Join form by visiting the following website: [www.ForsythHPLitigation.com](http://www.ForsythHPLitigation.com). You may also submit your Consent to Join form via this website.

**TO JOIN THE LAWSUIT AND ASSERT A CLAIM UNDER THE ADEA,  
YOU MUST SIGN, DATE, AND RETURN THE ENCLOSED “CONSENT TO JOIN”  
FORM NO LATER THAN FEBRUARY 15, 2022.**

**V. NO RETALIATION IS PERMITTED**

Federal law prohibits HP Inc. and HPE from discriminating or retaliating against you for joining this Lawsuit.

**VI. EFFECT OF JOINING THIS LAWSUIT**

If you choose to opt in and join this Lawsuit by fully completing and returning the Consent to Join form, you will be asserting a claim for unlawful termination and age discrimination under the ADEA against either HP Inc. or HPE, depending on which entity terminated your employment pursuant to a WFR. If you opt in, you will be bound by the Court’s rulings and judgment in the case, whether favorable or unfavorable, and, if Plaintiffs succeed on their claims, you may receive backpay along with associated damages. Further, if you opt in, you will be designating the five named Plaintiffs (identified above), who are acting as collective action representatives, and your counsel, to make decisions on your behalf concerning the Lawsuit. If you join this Lawsuit, you will be obligated to cooperate, provide relevant

information, and participate in certain aspects of the Lawsuit. If you join the Lawsuit you also must preserve any relevant documents and data, including but not limited to documents, emails, and/or social media relating to your employment with Hewlett-Packard Company, HP Inc., and/or HPE, as well as any subsequent job search or employment.

If you do not wish to join this Lawsuit, simply take no action. If you do not join, you will not be bound by any judgment issued or settlement approved by the Court – whether it is favorable or unfavorable. You will not be entitled to share in any money recovered in this Lawsuit. If you do not join, the statute of limitations on your ADEA claim will continue to run and you may lose some or all of your rights.

## VII. PLAINTIFFS' COUNSEL

If you choose to opt in and join this Lawsuit, your attorneys in this case (referred to as "Plaintiffs' Counsel") will be:

Jennie Lee Anderson Leland H. Belew ANDRUS ANDERSON LLP 155 Montgomery Street, Suite 900 San Francisco, CA 94104 Phone: (415) 986-1400 Fax: (415) 986-1474	Douglas P. Dehler Paul W. Zimmer O'NEIL, CANNON, HOLLMAN, DEJONG & LAING S.C. 111 East Wisconsin Avenue, Suite 1400 Milwaukee, WI 53202 Phone: (414) 276-5000 Fax: (414) 276-6581
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Plaintiffs' Counsel will not charge you directly for their work in this case. If the Plaintiffs recover money, Plaintiffs' Counsel will be paid whatever attorneys' fees, costs, and expenses the Court orders. Those fees, costs, and expenses may be subtracted from the recovery obtained from HP Inc. or HPE, or they may be paid separately by HP Inc. or HPE, or a combination of the two. If Plaintiffs recover no money and obtain no other relief from HP Inc. or HPE, Plaintiffs' Counsel will not be paid for their work on this case.

## VIII. DEFENDANTS' COUNSEL

Defendants HP Inc. and HPE are represented by the following lawyers in the Lawsuit:

Lisa A. Schreter Richard W. Black LITTLER MENDELSON, P.C. 3424 Peachtree Road NE, Suite 1200 Atlanta, GA 30326 Phone: (404) 233-0330 Fax: (404) 233-2361	Benjamin A. Emmert LITTLER MENDELSON, P.C. 50 West San Fernando Street, 15th Floor San Jose, CA 95113.2303 Phone: (408) 998-4150 Fax: (408) 288-5686	Samuel Liversidge Catherine A. Conway Bradley J. Hamburger Lauren M. Blas GIBSON, DUNN & CRUTCHER LLP 333 South Grand Avenue Los Angeles, CA 90071-3197 Telephone: 213.229.7000 Fax: 213.229.7520
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## IX. NO OPINION EXPRESSED AS TO THE MERITS OF THE LAWSUIT

This Notice is for the sole purpose of providing you with information concerning your right to join this Lawsuit. Although this Notice and its contents have been authorized by the Court, the Court takes no position regarding the merits of the claims in the Lawsuit.

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