

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

If you signed an Independent Contractor Agreement with TransAm Trucking, Inc., a class action lawsuit may affect your rights.

A federal court authorized this class action notice. This is not a solicitation from a lawyer.

- Independent contractors have sued TransAm Trucking, Inc. (“TransAm Trucking”) alleging the forced purchase of a satellite communications usage fee.
- The Court has allowed the lawsuit to be a class action on behalf of all independent contractors whose agreement with TransAm Trucking between November 2, 2008, through the present included a satellite communications usage fee.
- To qualify, you must have been or be an independent contractor who signed an Independent Contractor Agreement with TransAm Trucking between November 2, 2008 through the present that included a satellite communications usage fee, and you must comply with the instructions provided below.
- The Court has not decided whether TransAm Trucking did anything wrong. There is no money available now. However, your legal rights are affected whether you act or do not act, and you have a choice to make now. Read this notice carefully.

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. However, you give up any rights to sue TransAm Trucking 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 will not share in those. However, you keep any rights to sue TransAm Trucking separately about the same legal claims in this lawsuit.

- These rights and options - **and the deadlines to exercise them** - are explained in this notice. To be excluded, you must act before **November 10, 2014**.

- Lawyers must prove the claims against TransAm Trucking at a trial set to start September 7, 2015. If money or benefits are obtained from TransAm Trucking, you will be notified about how to ask for a share.
- **Any questions? Read on and call 1-877-418-4924**

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BASIC INFORMATION

1. Why did I get this notice?

TransAm Trucking's records show that you signed one or more Independent Contractor Agreements with TransAm Trucking. This notice explains that the Court has allowed, or "certified," a class action lawsuit that may affect you. You have legal rights and options that you may exercise before the Court holds a trial. The trial is to decide whether the claims being made against TransAm Trucking, on your behalf, are correct. Judge Carlos Murguia of the United States District Court for the District of Kansas is overseeing this class action. The lawsuit is known as Fox, et al. v. TransAm Trucking, Inc., et al., Case No. 2:12-cv-02706-CM-GLR.

2. What is this lawsuit about?

The lawsuit is about whether TransAm Trucking charged a fee for satellite communication systems in violation of the truth-in-leasing regulations at 49 C.F.R. § 376.12(i).

3. What is a class action and who is involved?

In a class action lawsuit, one or more people called "Class Representatives" (in this case Candace Fox, Anthony Gillespie, and Charles Schreckenbach) sue on behalf of other people who have similar claims. The people together are a "Class" or "Class Members." The people who sue – and all of the Class Members like them – are called the Plaintiffs. The companies they sue (in this case TransAm Trucking and TransAm Leasing, Inc.) are called the Defendants. One court resolves the issues for everyone in the Class – except for those people who choose to exclude themselves from the Class.

4. Why is this lawsuit a class action?

The Court decided that this lawsuit can be a class action because it meets the requirements of Federal Rule of Civil Procedure 23, which governs class actions in federal courts. Specifically, the Court found that:

- There are more than 3,000 people who signed Independent Contractor Agreements that included a satellite communications usage fee;
- There are legal questions and facts that are common to each of the Class Members;
- Candace Fox, Anthony Gillespie, and Charles Schreckenbach's claims are typical of the claims of the rest of the Class;
- Candace Fox, Anthony Gillespie, Charles Schreckenbach, and the lawyers representing the Class, will fairly and adequately represent the Class' interests;
- The common legal questions and facts are more prevalent than questions that affect only individuals; and
- This class action will be more efficient than having many individual lawsuits.

More information about why the Court is allowing this lawsuit to be a class action is in the Court's Order Certifying the Class, which may be requested by calling 1-877-418-4924.

THE CLAIMS IN THE LAWSUIT

5. What does the lawsuit complain about?

In the lawsuit, the Plaintiffs claim that TransAm Trucking forced them to pay a satellite communications system usage fee in violation of truth-in-leasing regulations. You may request a copy of the Plaintiffs' Amended Class Action Complaint by calling 1-877-418-4924.

6. How does TransAm answer?

TransAm Trucking denies that it did anything wrong and says that it must pay a service provider for its satellite communications system and that it lawfully charges back the cost of that to its drivers. TransAm Trucking claims the satellite communications usage fee is a standard industry charge-back allowed by regulations. TransAm Trucking's Answer to the Complaint may be requested by calling 1-877-418-4924.

7. Has the Court decided who is right?

The Court has not decided whether TransAm Trucking or the Plaintiffs are correct. 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 starting September 7, 2015. (See "The Trial" below on page 8.)

8. What are the Plaintiffs asking for?

The Plaintiffs are asking for money damages in the form of all amounts deducted from their pay for the cost of the satellite communications system usage fee.

9. Is there any money available now?

No money or benefits are available now because the Court has not yet decided whether TransAm Trucking did anything wrong, and the two sides have not settled the case. There is no guarantee that money or benefits ever will be obtained. If money or benefits are obtained, you will be notified about how to ask for a share.

WHO IS IN THE CLASS

You need to decide whether you are a member of this class action lawsuit.

10. Am I part of this Class?

Judge Murguia decided that the class is defined as:

All persons, including entities, who operated under an Independent Contractor Agreement that included a satellite communications system usage fee with TransAm Trucking, Inc. between November 2, 2008, through the present.

11. Which current and former drivers are included?

Former drivers are in the Class if they signed an Independent Contractor Agreement with TransAm Trucking between November 2, 2008 through the present.

12. Are there any drivers at TransAm Trucking not in the class?

If you signed an Independent Contractor Agreement with TransAm Trucking before November 2, 2008, you are not in the class. You also are not in the class if you have only worked as a Company Driver (employee driver) of TransAm Trucking and never signed an Independent Contractor Agreement with TransAm after November 2, 2008.

13. I'm still not sure if I am included.

If you are still not sure whether you are included, you can get free help by calling 1-877-418-4924, or by writing to the lawyers in this case at the phone number or address listed in Question 23.

YOUR RIGHTS AND OPTIONS

You have to decide whether to stay in the Class or ask to be excluded before the trial, and you have to decide now.

14. What happens if I do nothing at all?

You do not have to do anything now if you want to keep the possibility of getting money or benefits from this lawsuit. By doing nothing you are staying in the Class. If you stay in and the Plaintiffs obtain money or benefits, either as a result of a trial or a settlement, you will be notified about how to apply for a share (or how to ask to be excluded from any settlement). Keep in mind that if you do nothing now, regardless of whether the Plaintiffs win or lose the trial, you will not be able to sue, or continue to sue, TransAm Trucking – as a party of any other lawsuit – about the same legal claims that are the subject of this lawsuit. You also will be legally bound by all Orders the Court issues and judgments the Court makes in this class action.

15. Why would I ask to be excluded?

If you already have your own lawsuit against TransAm Trucking and want to continue with it, you need to ask to be excluded from the Class. If you exclude yourself from the Class, which is sometimes called “opting-out” of the Class – you will not get any money or benefits from this lawsuit even if the Plaintiffs obtain money or benefits as a result of the trial or from any settlement (that may or may not be reached) between TransAm Trucking and the Plaintiffs. However, you may then be able to sue or continue to sue TransAm Trucking for truth-in-leasing regulations that occurred or occurs at any time. If you exclude yourself, you will not be legally bound by the Court’s judgments in this class action.

If you start your own lawsuit against TransAm Trucking after you exclude yourself, you will have to hire and pay your own lawyer for that lawsuit, and you will have to prove your claims. If you do exclude yourself so you can start or continue your own lawsuit against TransAm Trucking, you should talk to your own lawyer soon, because your claims may be subject to a statute of limitations.

Note that if you exclude yourself from this lawsuit and you are currently driving for TransAm Trucking, any changes made to TransAm Trucking’s policies about the satellite communications systems usage fee would still apply to you.

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

To ask to be excluded, you must send an “Exclusion Request” in the form of a letter sent by mail, stating that you want to be excluded from Fox, et al. v. TransAm Trucking, Inc., et al. Be sure to include your name and address, and sign the letter. You must mail your Exclusion Request postmarked by November 10, 2014, to: TransAm Trucking Class Action, Shaffer Lombardo Shurin, 911 Main Street, Suite 2000, Kansas City, Missouri 64105.

THE LAWYERS REPRESENTING YOU

17. Do I have a lawyer in this case?

The Court decided that the law firms of Shaffer Lombardo Shurin and Gregory Leyh, P.C. of Kansas City, Missouri, are qualified to represent you and all Class Members. Together the law firms are called “Class Counsel.” They are experienced in handling similar cases against other companies. More information about these law firms, their practices, and their lawyers’ experience is available at www.sls-law.com and www.leyhlaw.com.

18. Should I get my own lawyer?

You do not need to hire your own lawyer because Class Counsel is working on your behalf. But, if you want your own lawyer, you will have to pay that lawyer. For example, you can ask him or her to appear in Court for you if you want someone other than Class Counsel to speak for you.

19. How will the lawyers be paid?

If Class Counsel gets money or benefits for the Class, Class Counsel may ask the Court for fees and expenses. You will not have to pay these fees and expenses. If the Court grants Class Counsel's request, the fees and expenses would be either deducted from any money obtained for the Class or paid separately by TransAm Trucking.

THE TRIAL

The Court has scheduled a trial to decide who is right in this case.

20. How and when will the Court decide who is right?

If the case is not resolved by a settlement or otherwise, Class Counsel will have to prove the Plaintiffs' claim at a trial. The trial is set to start on September 7, 2015, in the United States District Court for the District Court of Kansas, 500 State Avenue, Kansas City, Kansas 66101, in Courtroom 463. During the trial, a jury or the judge will hear all of the evidence to help them reach a decision about whether the Plaintiffs or Defendants are right about the claims in the lawsuit. There is no guarantee that the Plaintiffs will win, or that they will get any money for the Class.

21. Do I have to come to the trial?

You do not need to attend the trial. Class Counsel will present the case for the Plaintiffs, and TransAm Trucking will present its defenses. You or your own lawyer are welcome to come at your own expense.

22. Will I get money after the trial?

If the Plaintiffs obtain money or benefits as a result of the trial or a settlement, you will be notified about how to participate. We do not know how long this will take.

GETTING MORE INFORMATION

23. Are more details available?

You may call 1-877-418-4924 and request the Court's Order Certifying the Class, the Amended Complaint that the Plaintiffs submitted, or TransAm Trucking's Answer to the Complaint. You may also speak to one of the lawyers by calling 1-877-418-4924 or by writing to: TransAm Trucking Class Action, Shaffer Lombardo Shurin, 911 Main Street, Suite 2000, Kansas City, Missouri 64105.