

**Roberts v. Coast National Insurance Co., et. al.**

c/o Gilardi & Co. LLC  
Case Administrator  
P.O. Box 8060  
San Rafael, CA 94912-8060

//////////CONI-123456-7

Name/Address Changes:

[Name:Pre-printed

\_\_\_\_\_

Mailing Address:

\_\_\_\_\_

City, State, Zip Code]

\_\_\_\_\_

Social Security No. \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Birthdate: \_\_\_\_\_

Telephone No. (Work) (\_\_\_\_\_) \_\_\_\_\_

Telephone No. (Home) (\_\_\_\_\_) \_\_\_\_\_

**PLEASE READ THIS DOCUMENT CAREFULLY.**

**IF YOU SUBMIT THIS CLAIM FORM TO THE CASE ADMINISTRATOR, IT MUST BE POSTMARKED NO LATER THAN APRIL 15, 2003. IT MUST BE MAILED AS INSTRUCTED BELOW.**

This Claim Form sets forth my declaration of the amount of overtime hours I worked while a claims adjusting employee in California at Coast National Insurance Company, Bayview Adjustment Bureau, Inc., and/or Bristol West Insurance Services, Inc. of Florida ("Defendants").

**The statements contained in this Claim Form are of my own personal knowledge and are made under penalty of perjury under the laws of California. If Defendants dispute my statements contained in this claim form, I understand I may be called to testify under oath. If called to testify under oath, I would state the following:**

Adjuster/Appraiser/Field Positions and Approximate Dates of Employment

1. I was employed by Defendants as an exempt (not paid on an hourly basis) claims adjusting employee in California between June 25, 1997 to November 3, 2002 as set forth below (*Do not include in your response any time you worked for Defendants prior to June 25, 1997 or any time your worked for Defendants after November 3, 2002 or any time while you were paid as an hourly employee*):

Position/Job Title	Beginning Date	End Date
_____	_____	_____
_____	_____	_____
_____	_____	_____

Automatic Payment Option

2. If you worked overtime (defined as more than 40 hours per week) and agree to the following cash payment, please check the applicable space which reflects your years of employment and the cash amount you will immediately be paid:

<u>Years of Employment With Defendants</u>	<u>Immediate Actual Cash Payment Inclusive of Interest and Penalties, Net of any Applicable Taxes</u>
____ I was employed by Defendants as an exempt (not paid on an hourly basis) claims adjusting employee in California for 4 years or more	<b>\$1000</b>
____ I was employed by Defendants as an exempt (not paid on an hourly basis) claims adjusting employee in California for at least 2.5 years and less than 4 years	<b>\$750</b>
____ I was employed by Defendants as an exempt (not paid on an hourly basis) employee claims adjusting in California for less than 2.5 years	<b>\$500</b>

By checking the above applicable space and requesting immediate payment of the corresponding amount, Defendants will make prompt payment to you at the address you listed above in accordance with the terms of the Settlement Agreement approved by the Court. **THIS PAYMENT IS FINAL AND WILL NOT BE SUBJECT TO CHALLENGE BY DEFENDANTS.**

Payment of this amount will constitute full payment of any amounts claimed by you, if at all, in this action.

**IF YOU SELECTED THIS IMMEDIATE PAYMENT OPTION, YOU NEED NOT FILL OUT THE REMAINDER OF THE QUESTIONS IN THIS CLAIM FORM.**

**PLEASE GO TO PAGE 5 AND READ, DATE, SIGN AND MAIL THE CLAIM FORM AS INSTRUCTED ON THAT PAGE.**

**IF YOU DID NOT SELECT THE IMMEDIATE CASH PAYMENT OPTION IN THIS SECTION, YOU MUST COMPLETE THE REMAINING QUESTIONS IN THIS CLAIM FORM. DEFENDANTS MAY CHALLENGE ANY AMOUNTS YOU REQUEST IN THE FOLLOWING SECTIONS. IF CHALLENGED BY DEFENDANTS, AND YOU AND DEFENDANTS DO NOT RESOLVE THE MATTER, THE MATTER WILL PROCEED TO A HEARING BEFORE THE REFEREE.**

3. Please check the statement that most accurately states your work schedule while employed by Defendants in California as an exempt (not paid on an hourly basis) claims adjusting employee:

\_\_\_\_ During the period I worked for Defendants as a \_\_\_\_\_, I regularly worked overtime (defined as more than 40 hours per week). Regularly is defined to mean 15 to 22 workdays per month.

\_\_\_\_ During the period I worked for Defendants as a \_\_\_\_\_, I often worked overtime (defined as more than 40 hours per week). Often is defined to mean 10 to 14 workdays per month.

\_\_\_\_ During the period I worked for Defendants as a \_\_\_\_\_, I occasionally worked overtime (defined as more than 40 hours per week). Occasionally is defined to mean 5 to 9 workdays per month.

\_\_\_\_ During the period I worked for Defendants as a \_\_\_\_\_, I rarely worked overtime (defined as more than 40 hours per week). Rarely is defined as 1 to 4 workdays per month.

\_\_\_\_ During the period I worked for Defendants as a \_\_\_\_\_, I never worked overtime (defined as more than 40 hours per week). **If YOU CHECKED THIS BOX YOU DO NOT NEED TO FILL OUT THE REMAINDER OF THE QUESTIONS.**

4. While employed by Defendants as a \_\_\_\_\_, my shift was scheduled to begin at \_\_\_\_ a.m. and to end at \_\_\_\_ p.m.

5. If your scheduled work shift changed during your employment by Defendants, please list the dates when your scheduled work shift changed and the change in your scheduled work shift:

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6. While employed by Defendants as an exempt (not paid on an hourly basis) claims adjusting employee in California during the period of June 27, 1997 to November 3, 2002, I estimate that I worked \_\_\_\_\_ partial workweeks (defined as work weeks in which there was an absence from work for vacation, sick days, medical leave, bereavement leave, doctor's appointment, maternity leave, change in employment, child care, jury duty or any other similar reasons.) I estimate that my absence from work for one or more of these reasons was for \_\_\_\_\_ days during the period of my employment.

Weekend Work Schedule

7. Please check the statement that accurately states your weekend work schedule, if any, while employed by Defendants as an exempt (not paid on an hourly basis) claims adjusting employee in California:

\_\_\_\_ During the period I worked for Defendants as a \_\_\_\_\_, I regularly worked weekends. Regularly is defined to mean 3 or 4 weekends every month.

\_\_\_\_ During the period I worked for Defendants as a \_\_\_\_\_, I frequently worked weekends. Frequently is defined to mean two weekends every month.

\_\_\_\_ During the period I worked for Defendants as a \_\_\_\_\_, I often worked weekends. Often is defined to mean one weekend every month.

\_\_\_\_ During the period I worked for Defendants as a \_\_\_\_\_, I occasionally worked weekends. Occasionally is defined to mean one weekend out of two months..

\_\_\_\_ During the period I worked for Defendants as a \_\_\_\_\_, I rarely worked weekends Rarely is defined as one weekend out of three to six months.

\_\_\_\_ During the period I worked for Defendants as a \_\_\_\_\_, I never worked weekends.

8. If I worked on a weekend, I generally worked:

\_\_\_\_ Saturday from \_\_\_\_ a.m. to \_\_\_\_ p.m.

\_\_\_\_ Sunday from \_\_\_\_ a.m. to \_\_\_\_ p.m.

\_\_\_\_ Saturday and Sunday from \_\_\_\_ am. to \_\_\_\_ p.m.

\_\_\_\_ Other: Explain \_\_\_\_\_

## Lunches

9. Please check the statement that most accurately states your lunch time, if any, while employed by Defendants as an exempt (not paid on an hourly basis) claims adjusting employee in California:

\_\_\_\_ During the period I worked for Defendants as a \_\_\_\_\_, I regularly worked through lunches (working through lunch includes eating at one's desk while working, or eating while driving to an appointment during the workday). Regularly is defined to mean 4 to 5 days per week.

\_\_\_\_ During the period I worked for Defendants as a \_\_\_\_\_, I frequently worked through lunches. Frequently is defined to mean 2 to 3 days per week.

\_\_\_\_ During the period I worked for Defendants as a \_\_\_\_\_, I often worked through lunches. Often is defined to mean at least one day per week.

\_\_\_\_ During the period I worked for Defendants as a \_\_\_\_\_, I occasionally worked through lunches. Occasionally is defined to mean at least one day every two weeks.

\_\_\_\_ During the period I worked for Defendants as a \_\_\_\_\_, I rarely worked through lunches. Rarely is defined as no more than once a month.

\_\_\_\_ During the period I worked for Defendants as a \_\_\_\_\_, I never worked through lunches.

## Breaks

10. Please check the statement that most accurately states your break time, if any, while employed by Defendants as an exempt (not paid on an hourly basis) claims adjusting employee in California. (A break is defined as a required 10 minute period in the morning and afternoon when an employee is not working. By way of example, when an employee takes time to socialize, smoke outside, take a walk, use the computer internet for his or her own personal use, he or she is considered to have taken a break. These examples are not the only ways that an employee can exercise his or her morning or afternoon break.)

\_\_\_\_ During the period I worked for Defendants as a \_\_\_\_\_, I regularly worked through my morning or afternoon break. Regularly is defined to mean 4 to 5 days per week.

\_\_\_\_ During the period I worked for Defendants as a \_\_\_\_\_, I frequently worked through my morning or afternoon break. Frequently is defined to mean 2 to 3 days per week.

\_\_\_\_ During the period I worked for Defendants as a \_\_\_\_\_, I often worked through my morning or afternoon break. Often is defined to mean at least one day per week.

\_\_\_\_ During the period I worked for Defendants as a \_\_\_\_\_, I occasionally worked through my morning or afternoon break. Occasionally is defined to mean at least one day every two weeks.

\_\_\_\_ During the period I worked for Defendants as a \_\_\_\_\_, I rarely worked through my morning or afternoon break. Rarely is defined as not more than once a month

\_\_\_\_ During the period I worked for Defendants as a \_\_\_\_\_, I never worked my morning or afternoon through break.

## Estimate of Hours of Overtime Worked

11. While employed by Defendants as an exempt (not paid on an hourly basis) claims adjusting employee in California during the period of June 27, 1997 to November 3, 2002:

▶ I estimate that I worked \_\_\_\_ hours of overtime (defined as more than 40 hours per week) in 1997.

▶ I estimate that I worked \_\_\_\_ hours of overtime (defined as more than 40 hours per week) in 1998.

- ▶ I estimate that I worked \_\_\_\_ hours of overtime (defined as more than 40 hours per week) in 1999.
- ▶ I estimate that I worked \_\_\_\_ hours of overtime (defined as more than 40 hours per week) in 2000.
- ▶ I estimate that I worked \_\_\_\_ hours of overtime (defined as more than 40 hours per week) in 2001.
- ▶ I estimate that I worked \_\_\_\_ hours of overtime (defined as more than 40 hours per week) in 2002.

**I submit this Claim Form and make this declaration after carefully considering my work history while employed by Defendants during the period of June 27, 1997 to November 3, 2002. I declare under penalty of perjury that the foregoing is true and correct.**

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2003 at \_\_\_\_\_.

\_\_\_\_\_  
Signature

**Instructions**

1. Please read, complete, date and sign this Claim Form and the W-4 Form.
2. Mail this Claim Form and W-4 Form no later than April 15, 2003 to the Case Administrator in the envelope provided as follows:

Coast National Case Administrator  
c/o Gilardi & Co. LLC  
P.O. Box 8060  
San Rafael, CA 94912-8060