

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

James Peterson, et al.,
Plaintiffs,
vs.

Case No.: No. 07-CV-2502 (MJD/AJB)

Seagate US LLC, et al.,
Defendants.

ORDER

This matter is before the Court, United States Magistrate Judge Arthur J. Boylan, on Plaintiffs' informal motion to amend the "Class Notice". A telephone conference was held on the issue on December 18, 2008.

Based upon the record, letter briefing, and oral arguments of counsel, **IT IS HEREBY ORDERED** that Plaintiffs' informal motion to amend the "Class Notice" is **GRANTED**. The Court-approved modifications to the "Class Notice" are stated in the attached "Exhibit A" below.

Dated: __December 18, 2008__

By: s/ Arthur J. Boylan_____
Magistrate Judge Arthur J. Boylan
United States District Court

EXHIBIT A

UNITED STATES DISTRICT COURT

DISTRICT OF MINNESOTA

Court

File No. 07-2502 (MJD/AJB)

James Peterson, David Olson,
Paul Calcagno, Rebecca Chwialkowski,
Gary Egbert, Narendra Garg,
Luana Goodnough, William Grunwald,
David Hurd, Rick Kehrwald, David Legut,
Karen Lieberg, Charles Lucas,
Daniel Michael McDaniel,
Theresa Raskob, Thomas Schaff,
Jane Thomes, Susan Walseth,
Lee Walter, and Ronald Wrase,
for and on behalf of themselves
and other persons similarly situated,

Plaintiffs,

**Notice of Pending Action and
Eligibility to Participate**

v.

Seagate US LLC, Seagate Technology,
Seagate, Seagate Technology, Inc.,
Seagate 4 LLC, Seagate Technology LLC,
Seagate Technology (US) Holdings, Inc.,
Seagate Technology, US, LLC,
Seagate Software, Inc.,
Seagate Holdings, LLC

Defenda

nts.

TO:

RE: A pending age discrimination lawsuit against Seagate US LLC and others (collectively “Seagate”) and your eligibility to participate in it.

DATE: _____

The purpose of this Notice is to inform you of a lawsuit in which you may be eligible to participate, to advise you of how your rights may be affected by this lawsuit, and to instruct you on the procedure for participating in this lawsuit if you wish to.

Twenty persons who were formerly employed at Seagate’s locations in Bloomington, Minnesota and Shakopee, Minnesota are jointly pursuing an age discrimination lawsuit in the United States District Court for the District of Minnesota against Seagate. The name of this lawsuit is James Peterson, et. al. v. Seagate US LLC, et. al. The case number is 07-2502 (MJD/AJB). (The full name of the case appears on the first page of this document.).

The plaintiffs in this lawsuit allege that they were involuntarily terminated or selected for retirement from their employment in 2004 by Seagate because of their ages as part of a group termination. Plaintiffs allege that Seagate engaged in a pattern or practice of age discrimination, and that the group terminations in 2004 disparately impacted older workers. Plaintiffs have asserted claims for relief under the federal Age Discrimination in Employment Act (“ADEA”).

Seagate denies the allegations in this lawsuit, denies that it unlawfully discriminated against any of the plaintiffs, denies that it has engaged in a pattern or practice of age discrimination, and denies that the terminations in 2004 disparately impacted older workers.

The judge presiding over this case decided on May 28, 2008 that those Plaintiffs who signed releases in return for certain benefits as part of the 2004 reduction in force could proceed with their age discrimination suits under the ADEA. The judge's Order dealt with the invalidity of the releases. This Order can be viewed at the following website: www.bertelsonlaw.com.

The plaintiffs in this lawsuit seek relief on behalf of themselves and also on behalf of other employees who are similarly situated. If this notice is addressed to you, you may be eligible to participate in this lawsuit, if you wish. To do so, you must file with the Court a signed "Consent to Join" form no later than 60 days from the date of this mailing.

"Consent to Join" forms may be obtained from the following attorneys who presently represent the Plaintiffs in this lawsuit:

Dan Kahrman and Laurie McCann, of AARP Foundation Litigation, 601 E Street NW, Room A4-240, Washington DC 200049, Telephone: 1-866-955-6299.

Beth E. Bertelson and Andrea R. Ostapowich, of Bertelson Law Offices, P.A., 402 Union Plaza, 333 Washington Avenue North, Minneapolis, MN 55401, Telephone: (612) 278-9832; and

Dorene R. Sarnoski, of Dorene R. Sarnoski Law Office, 402 Union Plaza, 333 Washington Avenue North, Minneapolis, MN 55401, Telephone: (612) 359-0050;

The following attorneys represent the Defendant Seagate: Marko J. Mrkonich, Kathryn Mrkonich Wilson, and Susan K. Fitzke, of Littler Mendelson, 1300 IDS Center, 80 South 8th Street, Minneapolis, MN 55402, Telephone: (612) 630-1000.

If you file a “Consent to Join” form, your continued right to participate in this lawsuit will depend on later decisions by the Minnesota District Court and the Eighth Circuit Court of Appeals. Likewise, if you file a “Consent to Join” form and are not dismissed from the lawsuit or barred from participating, you will be bound by the judgment of the Court, whether favorable or unfavorable. If you choose to join this lawsuit, you may be required to provide information, sit for a deposition, and testify in Court at trial.

If you choose not to join this lawsuit, you will not be affected by the judgment, favorable or unfavorable. If you choose not to join this lawsuit, you may elect to pursue relief on your own.

This Notice is only for the purpose of advising persons who may be eligible about the right they may have to participate in this lawsuit and has no other purpose.

PLEASE DO NOT CONTACT THE COURT OR THE CLERK'S OFFICE FOR INFORMAITON. QUESTIONS SHOULD BE DIRECTED TO THE PLAINTIFFS' ATTORNEYS NAMED ABOVE, OR TO YOUR OWN PERSONAL ATTORNEY.

THIS NOTICE AND ITS CONTENTS HAVE BEEN AUTHORIZED BY THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA. WITH THE EXCEPTION OF THE RULING DESCRIBED ABOVE (PERTAINING TO THE INVALIDITY OF RELEASES), THE COURT HAS TAKEN NO POSITION IN THIS CASE REGARDING THE MERITS OF PLAINTIFFS' CLAIMS OR DEFENDANTS' DEFENSES.

DATED: _____, 2008

Judge

The Honorable Michael Davis
of United States District Court