

NOTICE TO POTENTIAL PLAINTIFFS

TO: ALL PERSONS WHO HAVE HELD THE POSITION OF ASSISTANT STORE MANAGER AT STARBUCKS ON OR AFTER JANUARY 3, 2003.

RE: Right of Assistant Store Managers to Join Lawsuit Seeking Unpaid Overtime Wages from Starbucks

DATE: January 3, 2006.

1. PURPOSE OF NOTICE

The purpose of this notice is to inform you of your right to join a lawsuit filed against Starbucks Corporation ("Starbucks"). This notice is also intended to advise you of how your rights under the Fair Labor Standards Act may be affected by this suit and to instruct you on the procedure for participating in this suit, should you decide that it is appropriate to do so.

2. DESCRIPTION OF THE LAWSUIT

A lawsuit has been brought by former Starbucks Assistant Store Manager, James Falcon ("Falcon"), against Starbucks seeking to recover unpaid overtime wages. Falcon contends that during one or more weeks of his employment with Starbucks as an Assistant Store Manager, he worked in excess of forty (40) hours and was not paid overtime wages for the hours he worked in excess of forty (40).

Falcon contends that Starbucks violated the Fair Labor Standards Act, 29 U.S.C. § 201, *et seq.*, by failing to pay him overtime compensation for all hours worked in excess of forty (40) per week. Falcon seeks payment of overtime compensation for hours worked in excess of forty (40) per week, plus other relief, including attorneys' fees.

Starbucks denies Falcon's allegations and contends, among other defenses, that Falcon was paid overtime pay for all overtime hours that he worked. Starbucks further contends that other Assistant Store Managers were also paid overtime wages for hours worked in excess of forty (40) per week, if any.

The lawsuit is pending in the United States District Court for the Southern District of Texas—Houston Division, as Cause No. H-05-0792, before Judge Keith P. Ellison.

Falcon's attorneys in this case are:

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3. YOUR RIGHT TO JOIN THE LAWSUIT

If you are or have been employed by Starbucks in the position of Assistant Store Manager during any period of time between January 3, 2003 and the present, and you worked in excess of forty (40) hours in any work week without being paid overtime compensation, then you may opt-in to this lawsuit.

To do that, you must complete, sign, and mail the enclosed "Consent to Become Party Plaintiff" form ("Consent form") to SHELLIST ★ LAZARZ LLP so that it is received on or before 90 days from the date of notice. It is entirely your own decision to join this lawsuit.

You are not required to take any action unless you desire to be included in this lawsuit and make allegations that you were denied overtime compensation by Starbucks. If you do not join the lawsuit, your ability to make claims for overtime compensation may be affected.

4. COMPOSITION OF THE CLASS

Falcon, a former Assistant Store Manager, has filed suit on his own behalf and on behalf of all similarly situated employees. Falcon contends that those similarly situated to him are current and former Assistant Store Managers who were employed by Starbucks at any time during the time period of January 3, 2003 and the present who were denied overtime compensation for hours worked in excess of forty (40) in a work week.

This Notice is only for the purpose of determining the identity of those persons who wish to be involved in this case and has no other purpose. Your right to participate in this suit may depend upon a later decision by the United States District Court that you and the representative Plaintiff, Falcon, are actually "similarly situated."

5. HOW TO PARTICIPATE IN THIS SUIT

Enclosed you will find a form entitled "Consent to Become Party Plaintiff." If you choose to join this lawsuit, and thus participate in any recovery that may result from this lawsuit, you must read, complete, sign, and return the Consent to Become Party Plaintiff form to SHELLIST ★LAZARZ LLP. A self-addressed, stamped envelope is enclosed for your convenience. Should the enclosed envelope be lost or misplaced, the Consent form should be sent to:

Starbucks Litigation
SHELLIST ★LAZARZ LLP
3D/International Tower
1900 West Loop South, Suite 1910
Houston, Texas 77027

OR Via Fax to 713-621-0993

Your signed Consent form must be received by SHELLIST ★LAZARZ LLP no later than 90 days from the date of notice. It is your responsibility to ensure the Consent form is received by SHELLIST ★LAZARZ LLP by this date. If your signed Consent form is not received by SHELLIST ★LAZARZ LLP on or before 90 days from date of notice, you will not participate in any recovery obtained from Starbucks in this lawsuit. If you have any questions about filling out or sending the Consent form, please contact Falcon's attorneys listed above.

If you lose the enclosed Consent form, please contact Falcon's attorneys and one will be sent via mail, fax or email.

6. EFFECT OF JOINING THIS SUIT

If you choose to join this lawsuit, you may be required to participate in the litigation process, for example, by giving a sworn deposition. Any expenses associated with such a deposition or other discovery will be borne by Falcon's counsel. You will be bound by the judgment, regardless of the result. You will also be bound by, and will share in, any settlement that may be reached on behalf of the class and that may later be approved by the Court as fair and reasonable. If Starbucks prevails in the litigation, you may be liable for costs taxed by the Court.

If you would like additional information to be able to decide whether or not to join this case, please contact Falcon's counsel at (800) 607-5776. By joining this lawsuit, you designate the representative Plaintiff (Falcon) as your agent to make decisions on your behalf concerning the litigation and your rights under the Fair Labor Standards Act, the method and manner of conducting this litigation, the entering of an agreement with Falcon's attorneys concerning fees and costs, and all other matters pertaining to this lawsuit and your rights under the Fair Labor Standards Act. These decisions and agreements made and entered into by the representative Plaintiff will be binding on you if you join this lawsuit.

The representative Plaintiff in this matter has entered into a contingency fee agreement with Plaintiff's attorneys, which means that if there is no recovery, there will be no attorneys' fees or costs chargeable to you. Under that agreement, 40 percent of any award will be paid to Plaintiff's attorneys. Because attorneys' fees are recoverable under the Fair Labor Standards Act, the total amount of recovery by settlement or judgment may be increased by the amount of the attorneys' fees as determined by the Court or as part of any settlement. You may request a copy of the contingency fee agreement from Plaintiff's attorneys at the address, telephone number, or facsimile number above.

7. NO RETALIATION PERMITTED

The Fair Labor Standards Act prohibits employers, including Starbucks, from discharging or in any other manner discriminating or retaliating against any person who files a lawsuit or complaint for overtime, testifies in a lawsuit under the Fair Labor Standards Act, or otherwise participates in a proceeding to recover overtime compensation under the Fair Labor Standards Act. You will be covered by this protection if you join the lawsuit.

8. NO LEGAL EFFECT IN NOT JOINING THIS SUIT

If you choose not to join this lawsuit, you will not be affected by any judgment or settlement rendered in this case, whether favorable or unfavorable to the class. Additionally, you will not be entitled to share any amounts recovered by the class. You will be free to file your own lawsuit, subject to any defenses that might be asserted. The pendency of this lawsuit will not stop the running of the applicable time limitations of any claims you might have until you opt-in to it.

9. FURTHER INFORMATION

If you have questions about the lawsuit or your rights, you should contact Plaintiff's attorneys toll free at (800) 607-5776, or locally at (713) 621-2277. You will have the opportunity to discuss in detail the nature of this case, including the terms by which they may represent you. If you would like additional information about these firms or your right to claim overtime wages in this case, more information is available from the attorneys at the numbers and addresses above.

