

Spangler v. National College of Technical Instruction
Class Action Administrator
P.O. Box 40007
College Station, TX 77842

NCG

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UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA

If you enrolled in and/or purchased National College of Technical Instruction's ("NCTI") Paramedic Program in California as of November 14, 2010, to present, you may be affected by a class action lawsuit that is currently pending.

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

WHAT THIS CASE IS ABOUT

- Two students who attended NCTI's Paramedic Program in San Diego have sued NCTI, along with American Medical Response ("AMR"), Envision Healthcare Corporation, and Envision Healthcare Holdings, Inc. (collectively, the "Defendants"), for various causes of action, including violations of California's Unfair Competition Law, violation of California's Consumer Legal Remedies Act, False Advertising, and Breach of Contract. The Plaintiffs claim that NCTI failed to timely place students in hospital clinical and field internships in violation of the provisions of Title 22, Division 9, Chapter 4 of the California Code of Regulations; that NCTI misrepresented the length of time it would take students to complete the Paramedic Program; and that NCTI misrepresented that students would receive favorable treatment in obtaining a job with AMR following their completion of the Paramedic Program.
- The Court certified a Class and a Subclass on May 19, 2016, only for purposes of determining whether the Defendants are liable for the alleged unlawful conduct, but did not certify a class for damages at this time. The Court has not yet been asked to decide whether Defendants are liable for any alleged unlawful conduct. Defendants deny any wrongdoing and are strongly defending against the lawsuit. There is no guarantee as to the ultimate outcome of this case. There is no money available now, nor is there any guarantee that there will be. You are included in the Class if you are a person who enrolled in and/or purchased Defendants' Paramedic Program in California as of November 14, 2010, to present.
- You are included in the Subclass if you are a member of the Class and were not placed by Defendants in a hospital clinical internship that began within 30 days after your completion of the didactic and skills instruction portion of the training program and/or were not placed by Defendants in a field internship that began within 90 days after your completion of the hospital clinical education and training portion of the training program.
- This notice is being sent to you to inform you about your rights and what your choices are.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT:

DO NOTHING

Stay in this lawsuit. Await the outcome. Share in benefits, if any become available. Give up certain rights.

By doing nothing, you keep the possibility of receiving benefits that may come from a settlement or judgment. But you give up any rights to sue Defendants on your own about the same legal claims brought on behalf of the Class and Subclass.

ASK TO BE EXCLUDED

Opt out of this lawsuit. Receive no benefits from it. Keep your rights.

If you ask to be excluded from the Class and/or Subclass and any benefits are later awarded, you will not share in the benefits. But, you keep any rights to sue Defendants separately about the same legal claims brought on behalf of the Class and Subclass. To ask to be excluded, you must act by **September 17, 2016**. You will, however, have the right to sue the Defendants on your own about the legal claims included in this lawsuit, so long as suit is filed before the relevant statutes of limitation expire. Or you can abandon your claims altogether. Before you decide to exclude yourself from the Class, you should consult a lawyer about the specific rights and options that you have, as well as the statutes of limitations and the deadline by which an individual suit must be filed.

If you have any questions about this process, you can contact Class Counsel at the addresses and telephone numbers given below. You can also go to www.NCTIclassaction.com for more information.

BASIC INFORMATION

1. Why was this notice issued?

This notice was issued because a Court has “certified” this case to proceed as a class action on the issue of whether the Defendants are liable for the alleged unlawful conduct, but did not certify a class for damages at this time, and your rights may be affected. If you are a person who enrolled in and/or purchased Defendants’ Paramedic Program in California as of November 14, 2010, through the present, you may have legal rights and options that you can exercise before the Court decides whether the liability claims being made against the Defendants on your behalf are correct. This notice explains all of these things.

Hon. Judge Dana M. Sabraw of the United States District Court for the Southern District of California is overseeing this class action. The case is known as *Spangler v. National College of Technical Instruction, et al.*, Case No. 3:14-cv-03005. The people who sued are called the Plaintiffs. The companies and people they sued are called the Defendants. The Defendants include National College of Technical Instruction, American Medical Response, Inc., Envision Healthcare Corporation, and Envision Healthcare Holdings, Inc.

2. What is a class action?

In a class action, one or more people or entities, called Class representatives (in this case Justin Spangler and Travis Leighton), are suing on behalf of all people and entities who have similar claims. Together, these people and entities make up the Class and are called Class members. One court resolves the issues that were certified for all Class members, except for those who exclude themselves from the Class.

3. Why is this lawsuit a class action?

The Court decided that this lawsuit could proceed as a class action as to liability, but not monetary relief at this time, because it meets the requirements of Federal Rule of Civil Procedure 23. More information about why this is a class action can be found in the Court’s Order Granting in Part and Denying in Part Plaintiffs’ Motion to Certify Class, which is available at www.NCTIclassaction.com.

THE CLAIMS IN THE LAWSUIT

4. What is the lawsuit about?

The lawsuit claims that NCTI failed to timely place students in hospital clinical and field internships within the time periods set forth in Title 22, Division 9, Chapter 4 of the California Code of Regulations; that NCTI misrepresented the length of time it would take students to complete the Paramedic Program; and that NCTI misrepresented that students would receive favorable treatment in obtaining a job with AMR following their completion of the Paramedic Program.

Defendants deny Plaintiffs’ claims as to the two named Plaintiffs and the Class and Subclass.

For more information about the allegations in the case, including the Complaint, the Answer and other Court documents, see www.NCTIclassaction.com.

5. Has the Court decided who is right?

No. The Court has not ruled on the merits of the claims. The lawyers for the Plaintiffs will present their claims and the lawyers for the Defendants will argue their defenses when the case is tried.

6. What are the Plaintiffs asking for on behalf of the Class and Subclass?

The Court certified the class action only for a determination of liability, or whether Defendants are liable for the alleged unlawful conduct. Plaintiffs are asking the Court for a favorable liability ruling on behalf of the Class and Subclass. Class-wide damages are not currently included in the certified Class and Subclass; however, if Defendants' liability is established, Class and Subclass members would have the opportunity to prove their damages in a separate individual action.

7. Is there any money available now?

No money is available now. There is no settlement and there has been no ruling on the merits of Plaintiffs' claims. There is no guarantee that money will ever be awarded or obtained.

MEMBERS OF THE CLASS AND SUBCLASS

8. How do I know if I am part of the Class or Subclass?

You are included in the Class if you are a person who enrolled in and/or purchased Defendants' Paramedic Program in California as of November 14, 2010, through the present. You are included in the Subclass if you are a member of the Class and were not placed by Defendants in a hospital clinical internship that began within 30 days after your completion of the didactic and skills instruction portion of the training program and/or were not placed by Defendants in a field internship that began within 90 days after your completion of the hospital clinical education and training portion of the training program.

YOUR RIGHTS AND OPTIONS

9. What happens if I do nothing at all?

If you do nothing, you are choosing to stay in the Class and/or Subclass, and are allowing the attorneys who have been appointed by the Court to represent you moving forward with the lawsuit on your behalf. This means that you will be legally bound by all orders and judgments of the Court, and you will not be able to sue or continue to sue the Defendants in a different case for the legal claims included in this lawsuit. If the case settles or Plaintiffs are successful at trial, you will get the benefit of such a settlement or verdict.

If you have any questions, contact Class Counsel or visit www.NCTIclassaction.com for more information.

10. What happens if I exclude myself?

If you exclude yourself from the Class and/or Subclass: (1) you will not receive the benefit of representation from Class Counsel, who are representing the Class and Subclass on a contingent basis; (2) you will not be legally bound by any settlement or judgment in the case; (3) you will keep any rights you may have to sue the Defendants for the legal claims included in this lawsuit, so long as suit is filed before the relevant statutes of limitation expire; and (4) you will not be entitled to recover benefits in this case from Plaintiffs' efforts.

11. How do I ask to be excluded?

To exclude yourself, send a letter that states you want to be excluded from *Spangler v. National College of Technical Instruction, et al.*, Case No. 3:14-cv-03005. Include your name, address, and signature. You must mail your exclusion request letter so that it is postmarked by **September 17, 2016**, to: Spangler v. National College of Technical Instruction Class Action Administrator, P.O. Box 40007, College Station, TX 77842. As a reminder, before making a decision to exclude yourself, you should consult a lawyer about the availability of legal rights and options you may still have and the deadline by which suit must be filed to avoid forfeiting the right to bring it.

THE LAWYERS REPRESENTING YOU

12. Do I have a lawyer in this case?

Yes. The Court has appointed attorneys at Stueve Siegel Hanson, LLP and Landay Roberts LLP as Class Counsel, and they represent the Class and Subclass in this case. These lawyers have experience handling similar cases. If you want additional information pertaining to the case or this notice, you may contact Jason S. Hartley at Stueve Siegel Hanson LLP, (619) 400-5822, hartley@stuevesiegel.com; or John K. Landay at Landay Roberts LLP, (619) 230-5712, jlanday@landayroberts.com. More information about these law firms and their lawyers is available at www.stuevesiegel.com and www.landayroberts.com.

13. Should I get my own lawyer?

If you are not excluding yourself from the class action, you do not need to hire your own lawyer. Class Counsel is representing you and all the other members of the Class and Subclass. If you want someone other than Class Counsel to speak for you, you may hire your own lawyer at your own expense.

14. How will the lawyers be paid?

Class Counsel are representing you and the rest of the Class and Subclass on a contingent fee basis and advancing all costs of the litigation on behalf of the Class, the reimbursement of which is also contingent on the outcome of the case. You will not be required to pay attorney fees out of pocket. If money damages are obtained for you, Class Counsel will be compensated in one of three ways: (1) if a common fund is obtained on behalf of a damages class in this lawsuit, Class Counsel will ask the Court for an award of fees (not to exceed 1/3 of the fund recovered), plus expenses; (2) in the absence of a damages class, if recovery is made in this case, Class Counsel will seek individual contingent fee agreements providing for fees plus expenses, or (3) Class Counsel will seek fees and expenses from Defendants pursuant to statute, if applicable. If you retain other counsel to seek damages on your behalf after Plaintiffs obtain a liability verdict, Class Counsel may file a motion in the court in which your counsel obtains a recovery for you to request fees and expenses out of that recovery based on the work Class Counsel has performed for your benefit over the course of this litigation.

THE TRIAL

15. How and when will the Court decide the case?

The case will be decided on motions filed prior to trial and/or at a trial. Some of the claims and issues are triable before a jury and others will be decided by Hon. Judge Dana M. Sabraw. Dates have not been set for pre-trial motions that may decide the case. The case is currently set for trial on **January 23, 2017**. The trial will take place at the United States District Court for the Southern District of California, located at 333 West Broadway, San Diego, CA 92101.

16. Do I have to come to Court?

You do not have to come to Court unless you choose to do so. Class Counsel will present the case for the Plaintiffs and the lawyers for the Defendants will present their defenses. You and/or your own lawyer may appear in Court for this case at your own expense.

GETTING MORE INFORMATION

17. What happens if I move before the case is resolved?

If you move, you must update your mailing address and contact information at www.NCTIclassaction.com or by calling 1-855-730-8657 so that you can receive current information about the litigation and to ensure that additional notices are delivered to the right place.

18. Is more information about the lawsuit available?

More information about the lawsuit is available by contacting Class Counsel, visiting www.NCTIclassaction.com, calling toll-free 1-855-730-8657, or writing to Spangler v. National College of Technical Instruction Class Action Administrator, P.O. Box 40007, College Station, TX 77842-4007.

DATE: August 18, 2016