

**NOTICE TO CLASS MEMBERS RE: PENDENCY OF A CLASS ACTION
AND HEARING ON PROPOSED SETTLEMENT (“NOTICE”)**

Cirillo et al. v. Citrix Systems, Inc.
Stiles et al. v. Citrix Systems, Inc.

CPT ID: «ID»
«EmployeeName»
«Address1» «Address2»
«City», «State» «Zip»

Your Individual CPT ID Number: «ID»
Your Individual Claim Form Passcode: «Passcode»

IF YOU WORKED FOR CITRIX SYSTEMS, INC. IN NORTH CAROLINA IN ONE OF THE SALES ROLES SET FORTH IN THE ATTACHED EXHIBIT A BETWEEN SEPTEMBER 29, 2017 – SEPTEMBER 15, 2023, PLEASE READ THIS NOTICE ABOUT YOUR RIGHTS.

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

- Two former employees of Citrix Systems, Inc. (“Citrix”) in North Carolina sued Citrix alleging that Citrix did not pay them and other employees in similar sales positions for all hours worked and that Citrix did not pay them proper overtime wages. Citrix denies all allegations. Citrix maintains it, at all times, paid employees properly and fairly under the law.
- The Court has not yet addressed whether Citrix did anything wrong, but the parties have proposed a settlement of this case. The Court has authorized notice of that proposed settlement to people who may be eligible to participate in it.
- You have received this Notice because records indicate that you were employed by Citrix in one of the sales roles set forth in the attached Exhibit A, in North Carolina between September 29, 2017, **and September 15, 2023**. Your rights are affected by this settlement. You have a right to know about the proposed settlement, and your options, before the Court decides whether to approve the settlement. If the Court approves the settlement and any appeals are resolved, a settlement administrator approved by the Court will make the payments described in this Notice.
- **Your legal rights are affected whether you act or not.** These options are explained below.

HERE ARE YOUR LEGAL RIGHTS AND OPTIONS IN THE SETTLEMENT:	
RETURN A CLAIM FORM, RECEIVE A SETTLEMENT PAYMENT	To receive a settlement payment, you must fully complete the claim form provided with this Notice and return it to the Settlement Administrator as directed. You will be bound by the release of claims explained below and give up the right to sue Citrix and its releasees (see footnote 1) separately for the claims covered in the release.
DO NOTHING, DO NOT RECEIVE A SETTLEMENT PAYMENT	<p>If you do nothing, and do <i>not</i> return the claim form, you will <i>not</i> receive a settlement payment, but you will still be bound by the release of claims explained below. The only exception to this is if you previously filed a consent to join the <i>Cirillo et al v. Citrix Systems, Inc.</i>, CA No.: 5:21-cv-00088-BO matter.</p> <p>If you filed a consent to join the <i>Cirillo et al v. Citrix Systems, Inc.</i>, CA No.: 5:21-cv-00088-BO matter, you are not required to submit a claim form to be a part of this settlement.</p>

<p>OPT OUT, DO NOT RECEIVE A SETTLEMENT PAYMENT</p>	<p>Unless you filed a consent to join the <i>Cirillo et al v. Citrix Systems, Inc.</i>, CA No.: 5:21-cv-00088-BO matter, you may ask to be excluded (i.e., opt out) from the settlement.</p> <p>If you opt out from the settlement you will not receive a settlement payment and will not be bound by the release of claims explained below. If you exclude yourself from the settlement, you may not object to the settlement.</p>
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You must return the enclosed claim form by **November 28, 2023**, to receive a payment from this settlement.

BASIC INFORMATION

1. Why Did I Get This Notice? What Is the Lawsuit About?

You have received this Notice because Citrix’s records indicate that you worked for Citrix in one of the sales roles covered by this lawsuit during the relevant time period. Danielle Cirillo and Sabrina Stiles (together, “Plaintiffs”), on behalf of themselves and other allegedly similarly situated employees, filed separate but related lawsuits against Citrix. Cirillo filed her lawsuit on September 29, 2020. Stiles filed her lawsuit on February 2, 2023. Plaintiffs claim that Citrix failed to pay them for all hours worked and did not pay them proper overtime wages in alleged violation of the federal Fair Labor Standards Act (“FLSA”) and the North Carolina Wage and Hour Act (“NCWHA”).

The cases of *Cirillo et al v. Citrix Systems, Inc.*, CA No.: 5:21-cv-00088-BO (“Cirillo Action”); *Stiles et al v. Citrix Systems, Inc.*, CA No.: 5:23-cv-00060-BO are two separate cases consolidated by this Court for purposes of this settlement. On April 18, 2023, Plaintiffs filed a motion asking the Court to consolidate their cases for purposes of settlement. On May 11, 2023, the Court granted the motion to consolidate the actions.

Both cases have similar facts and allegations. As explained in this Notice, if you previously submitted a claim form in the *Cirillo* Action, you are an opt-in Plaintiff and do not need to submit a claim form to participate in the settlement.

Citrix denies all claims and maintains it at all times paid employees properly and fairly under the law. In the event this case does not settle, Citrix will vigorously pursue defenses it has asserted to Plaintiffs’ claims.

Litigation is risky, and neither side can predict the outcome with certainty. As a result, Plaintiffs and their counsel concluded, after careful consideration of the facts and circumstances following the exchange of extensive information and data and participation in a mediation, that the proposed settlement is fair, reasonable, and adequate, and is in the best interests of the class members. Settlement avoids the costs and inconvenience associated with each phase of litigation, including, but not limited to, motions (extensive written arguments), associated with class certification, discovery (written and depositions), dispositive motions, and trial, while providing monetary benefits to class members.

While Citrix flatly denies it violated any wage and hour laws in connection with class members’ compensation and has asserted multiple defenses to Plaintiffs’ claims, Citrix has decided to enter into this proposed settlement to avoid further expense and the risks associated with prosecuting its defenses and also to avoid the time and disruption of its business necessary to do so.

WHO IS INCLUDED IN THE NOTICE AND CLAIM PROCESS

2. Am I Part of the Settlement?

You are eligible to participate in the settlement if you were employed by Citrix in one of the sales roles in North Carolina from September 29, 2017, through **September 15, 2023**.

3. Sales Employees Included in this Settlement?

While this settlement includes similarly situated employees, not all class members share the same job title and not all sales roles are covered by this settlement. The titles covered by this settlement are set forth in Exhibit C, to the Class and Collective Action Settlement Agreement entered into by the Parties (“Settlement Agreement”); Exhibit C is also attached as Exhibit A to this Notice.

4. Do I Need to Submit a Claim Form?

Yes, if you did not previously submit a consent to join form in the Cirillo action, you must timely submit a properly completed and signed claim form in order to participate in this settlement.

If you previously submitted a claim form opting into the FLSA collective (in Cirillo et al v. Citrix Systems, Inc., CA No.: 5:21-cv-00088-BO), you do not have to submit a claim form in order to be a part of this settlement.

THE SETTLEMENT BENEFITS – WHAT YOU GET AND WHAT YOU GIVE UP

5. What Does the Proposed Settlement Provide?

The parties have agreed to a total settlement amount of \$5,900,000. While most of the settlement amount will be allocated to class members who are eligible to receive payment, it will also be used to pay for attorneys’ fees and costs awarded by the Court, the Settlement Administrator’s costs, and service awards to Plaintiffs as awarded by the Court. If individuals eligible to participate in the settlement do not timely submit a claim form (other than those who previously joined the Cirillo Action) the portion of the settlement allocated to those individuals will not be paid out, reducing the total amount of the settlement. Any amount not claimed from the portion of the settlement allocated to any individual who excludes themselves from the settlement will remain Citrix’s property and will not be included in the payment Citrix makes to the settlement administrator.

Plaintiffs will ask the Court to award Plaintiffs Danielle Cirillo and Sabrina Stiles a total amount of \$150,000.00 in service awards, to be divided among them pursuant to the terms in the Settlement Agreement between the parties. If allowed, the service awards requested would be paid to these individuals in addition to their regular settlement payment, for their roles as named plaintiffs prosecuting this lawsuit on behalf of all class members, their assistance and support in prosecuting this case, and for the broader release of claims they will provide Citrix. The Court has not yet ruled on whether it will award these amounts. The Court may deny these requests or award less than these amounts. The Court will make a determination on the reasonableness of these requests at a later date.

6. What Am I Giving Up If I Remain in the Settlement?

If you are part of the class, and you do not exclude yourself from the settlement by November 28, 2023, using the procedure explained below, you will be deemed to have forever released and discharged Citrix and its releasees, as described in the Settlement Agreement¹, from any and all wage and hour related claims, charges, complaints, liens, demands, causes of action, obligations, damages and liabilities, known or unknown, anticipated or unanticipated, suspected or unsuspected, arising under any and all federal, state, and local laws, including any and all statutory and common law theories regarding wages, through the Final Approval Date (“Released Claims”). Except as noted in the Settlement Agreement, to the extent allowed by applicable law, the Released Claims specifically include, but are not limited to, claims under the FLSA and NCWhA, both as amended, and their implementing regulations, including, but not limited to, claims for unpaid overtime, premium, or minimum wages; failure to properly calculate the regular rate of pay; failure to compensate for all time worked;

¹ As detailed in the Settlement Agreement, you will release claims against Citrix, and all of its predecessors, successors, parents, subsidiaries, partnerships, divisions, affiliates, affiliated entities, and other related entities, and their respective current, future, and former officers, directors, agents, employees, attorneys, representatives, insurers, reinsurers, benefit plans, plan fiduciaries, and administrators. Because Citrix was acquired in 2022, the Settlement Agreement specifies you will release Citrix’s acquiring entities and any successors from the Released Claims, including Vista Equity Partners Management LLC, Evergreen Coast Capital Corp., and Cloud Software Group, Inc.

failure to pay commissions; and failure to pay or reimburse for business expenses, that arose or will arise before December 7, 2023.

If you are a part of the FLSA collective and/or you return the claim form, then you will be bound by the same release of claims. That means you will waive all wage and hour claims that arise before December 7, 2023, even if they are not claims asserted in this litigation.

THE LAWYERS APPOINTED BY THE COURT

7. Do I Have a Lawyer in the Case?

Opt-in plaintiffs and class members who do not request exclusion from the settlement are represented in this case by the following attorneys and law firm:

Gilda Adriana Hernandez, Esq.
 Hannah B. Simmons, Esq.
**THE LAW OFFICES OF GILDA A.
 HERNANDEZ, PLLC**
 1020 Southhill Drive, Suite 130
 Cary, NC 27513
 (919) 741-8693
 ghernandez@gildahernandezlaw.com
 hsimmons@gildahernandezlaw.com

The Court decided that these lawyers and law firm are qualified to represent the settlement class in this case. These lawyers are called “Class Counsel.” You can contact Class Counsel if you have questions about this case. If you want to be represented by your own lawyer, you may hire one at your own expense.

8. How Will Lawyers Be Paid?

Class Counsel will ask the Court to approve payment of up to one-third of the gross settlement amount (\$1,966,666.66) to compensate them for their services in this matter and to cover expenses of this litigation. Class Counsel will file a motion with the Court setting out the bases for their requested costs and fees. At a later date, the Court will decide whether to approve Class Counsel’s request.

HOW YOU GET A PAYMENT

9. How Can I Get a Payment?

If required to submit a claim form (see above), in order to receive a settlement payment, you must timely complete and sign the claim form and return it to the Settlement Administrator (1) by U.S. Mail in the postage pre-paid envelope sent with this Notice or (2) through the online portal at www.citrixsystemssettlement.com. You will need your unique Individual Claim Form Number and Passcode, listed on page one of this Notice, to submit an online claim form.

To be considered timely, any completed forms returned to the settlement administrator by U.S. Mail must be postmarked no later than November 28, 2023. You can also complete a claim form electronically on the settlement administrator’s website www.citrixsystemssettlement.com. Any completed forms completed on the website must be submitted no later than November 28, 2023.

If you lose, misplace, or need another one of these forms, additional copies can be downloaded at the settlement administrator’s website www.citrixsystemssettlement.com. Alternatively, you can contact the settlement administrator by telephone at 1-888-498-0990 to request a new copy.

10. How Much Can I Expect to Receive?

Assuming the Court approves the settlement, your settlement payment will be calculated using the formulas set forth in the Settlement Agreement. To learn the amount of your settlement payment, please visit the Settlement Administrator's website www.citrixsystemssettlement.com or contact the Settlement Administrator by telephone at 1-888-498-0990. You will need your Individual Claim Form Number and Passcode, printed at the top of this Notice, to obtain the amount of your individual settlement payment.

Each settlement payment will be separated into two amounts: 50% will be allocated to the claims asserted in the lawsuit for wage-related damages, and 50% will be allocated to the claims asserted in the lawsuit for liquidated damages and other relief. The portion allocated to claims asserted in this lawsuit for unpaid overtime and other wage-related damages will be subject to all authorized or required deductions, just as if it were wages paid in a regular paycheck. The portion allocated to wage claims will be reported on an I.R.S. Form W-2. The portion allocated to liquidated damages and other relief will be reported as non-wage income and reported on an I.R.S. Form 1099, as applicable.

11. When Would I Get My Payment?

If you are eligible to participate in the settlement and timely and properly submit the claim form as set forth in this Notice, you will be sent a settlement check approximately 45 days after the effective date of the settlement. Before the settlement is effective, however, settlement class members must be given time to object to the settlement or opt-out, the Court must hold a hearing to consider the fairness of the settlement and grant final approval of the settlement, and any appeals of the Court's order granting final approval must be resolved. Please be patient.

Please watch your mail for a check and cash it when you get it. **You will have 180 days from issuance of the check to cash it. The check will be void after 180 days.**

EXCLUDING YOURSELF FROM THE SETTLEMENT

12. How Do I Get Out of the Settlement?

If you do not wish to be part of this settlement, you may elect to "opt out" by excluding yourself from this settlement. Class members who opt out of this settlement remain free, subject to the statute of limitations, to bring claims against Citrix that are otherwise covered by this settlement and release. If you decide to opt out, you will not be allowed to object to this settlement. The deadline to opt out is November 28, 2023. If you filed a consent to join the Cirillo et al v. Citrix Systems, Inc., CA No.: 5:21-cv-00088-BO matter, you may not opt out of this settlement.

This deadline is final, and forms not postmarked or submitted before the deadline will not be honored. **IF YOU OPT OUT OF THE SETTLEMENT, YOU WILL NOT RECEIVE PAYMENT.**

To opt out, you must submit a written statement to the settlement administrator expressly stating that you wish to be excluded from the settlement. Such requests for exclusion should state at the top of the statement "Request for Exclusion from Settlement in Cirillo et al. v. Citrix Systems, Inc. and Stiles et al. v. Citrix Systems, Inc." Be sure to include your name, address, telephone number, and signature. All written requests for exclusion must be sent by First-Class U.S. Mail, postmarked no later than November 28, 2023, to:

Cirillo et al. v. Citrix System, Stiles et al. v. Citrix Systems, Inc.
 Settlement Administrator c/o
 CPT Group, Inc.
 50 Corporate Park,
 Irvine, CA, 92606
 Fax: 949-419-3446
 Website: www.citrixsystemssettlement.com

You cannot exclude yourself by phone or by e-mail. Requests for exclusion that do not include all required information, or that are not timely postmarked, will be deemed null, void, and ineffective.

13. If I Do Not Exclude Myself, Can I Sue Citrix for the Same Thing Later?

If you are receiving this Notice, you have been identified as a class member for the purposes of this lawsuit. As a class member, unless you exclude yourself, you give up any right to sue Citrix or its releasees (see footnote 1) for the claims that this settlement resolves, which are set forth in Section 6 above. If you have a pending lawsuit asserting the claims resolved by this settlement, speak to your lawyer in the pending lawsuit immediately. You must exclude yourself from this settlement to continue your own lawsuit against Citrix regarding the claims resolved by this settlement.

14. If I Exclude Myself From the Settlement, Can I Get Money From This Settlement?

No.

OBJECTING TO THE SETTLEMENT

15. How Do I Object or Tell the Court That I Don't Like the Settlement?

You can ask the Court to deny approval of the settlement by filing an objection with the Court. You cannot ask the Court to order a different settlement. If the Court denies approval, no settlement payments will be sent out and the lawsuit will continue.

To object, you must send a statement to the Court, Class Counsel, and counsel for Citrix Systems, Inc. giving the reasons why you object to the proposed settlement. The top of your statement should be labeled with the name and case number of these lawsuits *Cirillo et al v. Citrix Systems, Inc.*, CA No.: 5:21-cv-00088-BO; *Stiles et al v. Citrix Systems, Inc.*, CA No.: 5:23-cv-00060-BO and must include: (i) your full name, address, telephone number, and (ii) each specific reason for your objection, including any legal or evidentiary support you have for your objection. **You must mail copies of the objection to the Court, Class Counsel, and counsel for Citrix Systems, Inc. (addresses below), postmarked no later than November 28, 2023:**

THE COURT

Clerk of Court
U.S. District Court for the
Eastern District of North Carolina
PO Box 25670
Raleigh, NC 27611

CLASS COUNSEL

Gilda A. Hernandez, Esq.
Hannah B. Simmons, Esq.
**THE LAW OFFICES OF GILDA A.
HERNANDEZ, PLLC**
1020 Southhill Dr., Ste. 130
Cary, NC 27513

COUNSEL FOR DEFENDANT

Frederick T. Smith
SEYFARTH SHAW LLP
121 W. Trade Street, Suite 2020
Charlotte, North Carolina 28202

Noah A. Finkel
SEYFARTH SHAW LLP
233 South Wacker Drive, Suite 8000
Chicago, IL 60606

Theresa M. Waugh
SEYFARTH SHAW LLP
975 F Street, NW
Washington, DC 20004

Attorneys for Defendant

If you submit a timely written objection, you may (but are not required to) appear at the Fairness Hearing, described in Section 20, either in person or through your own attorney.

16. What Happens if the Court Rejects my Objection?

The Court will consider any objections that are timely filed. This does not mean, however, that the Court will necessarily take action based on any objection. If the Court rejects your objection, you will still be bound by the terms of the settlement and the release of claims explained in Section 6 above.

Moreover, if you intend to object to the settlement, but still wish to receive a settlement payment, you must timely file the required claim form described in Section 9 above. If the Court approves the settlement despite your objections, and you have not timely filed the required form necessary to receive a settlement payment, you will not receive a settlement payment (unless you previously filed a consent to join one of the cases).

17. What's the Difference Between Objecting and Excluding?

Objecting is telling the Court you do not like something about the settlement. You can object only if you stay in the settlement. If you exclude yourself from the settlement, you are telling the Court you do not want to be part of the settlement. If you request to be excluded from the settlement, you have no basis to object to the settlement, because the case no longer affects you.

THE COURT'S FAIRNESS HEARING

18. When and Where Will the Court Decide Whether to Approve the Settlement?

The Court preliminarily approved this settlement on September 1, 2023. The Court will hold a final hearing (sometimes called a fairness hearing) on this settlement on December 7, 2023. This hearing will take place in Courtroom #2, United States Courthouse 306 East Main Street, Elizabeth City, NC 27909, Judge Terrance W. Boyle presiding. After the hearing, the Court will decide whether to approve the settlement. We do not know how long the decision will take.

19. Do I Have to Come to the Hearing?

No. Attendance at this hearing is completely optional. It is not required to participate in the settlement or opt out of the lawsuit.

20. May I Speak at the Hearing?

You may ask the Court for permission to speak at the fairness hearing. To do so, you must send a letter saying that it is your "Notice of Intention to Appear at Hearing on Final Approval of Class Settlement in Cirillo et al. v. Citrix Systems, Inc. and Stiles et al. v. Citrix Systems, Inc." Be sure to include your full name, address, telephone number, and signature. Your notice of intention to appear must be postmarked no later than November 28, 2023, and be sent to the Clerk of Court, and to Class Counsel and Counsel for Citrix at the addresses listed above in Section 15. The Court generally will not permit individuals who have opted out of the settlement to speak at the hearing.

IF YOU DO NOTHING

21. What Happens If I Do Nothing at All?

You have the right to do nothing. If you do nothing, however, and did not previously file a consent to join the *Cirillo et al v. Citrix Systems, Inc.*, CA No.: 5:21-cv-00088-BO matter, you will not receive any money from this proposed settlement. You will still be bound by the release of claims discussed in Section 6 above.

NO RETALIATION OR DISCRIMINATION

22. Will I Experience Any Retaliation or Discrimination?

No. It is against the law to retaliate or discriminate against an employee who decides to participate in this settlement. Citrix will not discriminate or retaliate against you in any way because of your decision to participate or not in the lawsuit or this

settlement. However, this prohibition on retaliation does not prevent Citrix from continuing to enforce its policies, work rules and performance expectations with respect to current employees, irrespective of their participation in this settlement.

GETTING MORE INFORMATION

23. Are There More Derails About the Settlement?

This Notice summarizes the basic terms of the proposed settlement. Further information is available by contacting the settlement administrator and/or Class Counsel. See Section 7 above.

More details of the settlement are also contained in the Settlement Agreement and the pleadings and other documents relating to the lawsuit that are on file with the U.S. District Court for the Eastern District of North Carolina and are available at www.citrixsystemssettlement.com. Copies of the complete Settlement Agreement and select other filings in the lawsuit are available by contacting Class Counsel or visiting www.citrixsystemssettlement.com. Class Counsel's contact information is located in Sections 7 and 15 above.

24. How Do I Get More Information?

You can call 1-888-498-0990 toll free; write to *Cirillo et al. v. Citrix System, Stiles et al. v. Citrix Systems, Inc.* Settlement Administrator c/o CPT Group, Inc. 50 Corporate Park, Irvine, CA, 92606 or visit the website at www.citrixsystemssettlement.com. In addition, see Section 7 for Class Counsel's contact information.

PLEASE DO NOT CALL THE COURT, THE CLERK, CITRIX, OR ITS COUNSEL ABOUT THIS SETTLEMENT.

If, for any future reference or mailings, you wish to change your name or address, please inform the settlement administrator of your new address. You can do so by sending a letter to:

Cirillo et al. v. Citrix System, Stiles et al. v. Citrix Systems, Inc.
Settlement Administrator c/o

CPT Group, Inc.
50 Corporate Park,
Irvine, CA, 92606
Fax: 949-419-3446

Website: www.citrixsystemssettlement.com