

Vargas v. Wendy's International, Inc.

c/o Rosenthal & Company LLC

P.O. Box 6177

Novato, CA 94948-6177

1-800-207-0343

CLAIM FORM

PLEASE PRINT CLEARLY

||||| Claim #: WVT-100000-0 123

Name/Address Changes:

First Last _____

Address _____

City, ST Zip _____

(_____) _____
Area Code Evening Telephone Number

(_____) _____
Area Code Daytime Telephone Number

If you are – or were – a General Manager (including time spent as a General Manger In Training) or Co-Manager (including time spent as a Co-Manager In Training) (collectively “Class Positions”) for Wendy’s International, Inc., in the State of California during the period December 2, 1999 to December 21, 2004 (“Claims Period”), (or are a representative, assign, heir, executor, administrator, custodian, predecessor or successor in interest to any such employee) you may be eligible to participate in the Settlement of the above class action Vargas v. Wendy’s International, Inc., Case No. 04 AS 01043, Superior Court of California, County of Sacramento.

Pursuant to the Order of the Superior Court of California, County of Sacramento, dated December 21, 2004, in order to receive payments resulting from the Settlement, you must sign this Claim Form and return it by pre-paid mail, postmarked no later than March 11, 2005, or, if delivered by any other means than postage pre-paid U.S. First-Class mail, delivered by no later than March 11, 2005, to the following address:

Vargas v. Wendy’s International, Inc.

OR

Vargas v. Wendy’s International, Inc.

c/o Rosenthal & Company LLC

c/o Rosenthal & Company LLC

P.O. Box 6177

300 Bel Marin Keys Boulevard, Suite 200

Novato, CA 94948-6177

Novato, CA 94949

Telephone: 1-800-207-0343

Fax: (415) 382-6565

(above address for hand delivery only)

If you fail to submit your Claim Form by that date, your claim will be rejected (except in extraordinary circumstances if allowed and authorized under the Settlement Agreement) and you will not receive any money in connection with the Settlement (although you will be bound by the other provisions of the Settlement Agreement approved by the Court). A Claim Form will be deemed submitted when postmarked by no later than March 11, 2005, if sent by postage pre-paid U.S. First-Class mail; if delivered by any other means, the Claim Form will be deemed submitted when actually received by the Settlement Administrator at the above address by no later than March 11, 2005.

CLAIM INFORMATION

Wendy’s records show that you worked for Wendy’s in one of the Class Positions in the State of California during the period December 2, 1999 to December 21, 2004. Listed below from Company records are the

Please complete the IRS Substitute Form W-9 on page 2 then date, sign and return to the address above.

dates you worked in a Class Member Position during the Claims Period and the amount that you may receive if all Class Members return Claims Forms. If fewer than all Class Members return Claim Forms, you may receive more than the amount shown below. If you believe the dates listed below are incorrect, you may send a letter to the Claims Administrator along with this Claim Form indicating what you believe the correct dates are. You may send any documents or other information that support your belief. The Claims Administrator will resolve any dispute on Wendy's records and any information you provide.

<u>Position</u>	<u>Dates You Worked In These Positions During The Claims Period</u>	<u>Potential Amount Of Payment</u>
General Manager	«GPeriod1_AdjStart» to «GPeriod1_AdjEnd» «GPeriod2_AdjStart» «GPeriod2_AdjEnd»	
Co-Manager	«CPeriod1_AdjStart» «CPeriod1_AdjEnd» «CPeriod2_AdjStart» «CPeriod2_AdjEnd» «CPeriod3_AdjStart» «CPeriod3_AdjEnd»	<u>«Settlement»</u>

Taxpayer Identification Number Certification - Substitute IRS Form W-9

Enter your Social Security Number: -- --

Under penalties of perjury, I certify that:

1. The social security number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); **and**
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, **and**
3. I am a U.S. person (including a U.S. resident alien).

Note: If you have been notified by the IRS that you are subject to backup withholding, you must cross out item 2 above.

The IRS does not require your consent to any provision of this document other than this Form W-9 certification to avoid backup withholding.

As indicated in Paragraph 24 of the Notice, I understand and agree that my signature constitutes a full and complete release of Wendy's International, Inc. from any and all claims of unpaid wages, including unpaid overtime, unlawful deduction of wages, record-keeping violations, meal or rest period penalties, interest and other claims or penalties under federal and state law that were brought or that could reasonably have arisen out of the same facts alleged in the Vargas v. Wendy's action up to and including the date of preliminary court approval of the Settlement.

If I am the executor and/or heir of a Class Member or a representative of a Class Member, I have provided appropriate documentation about the capacity in which I am submitting this Claim Form on separate sheets attached.

Dated: _____

Signature

Printed Name