

Arby Aiwarzian (SBN 269827)
Elizabeth Parker-Fawley (SBN 301592)
Ryan Slinger (SBN 351297)
LAWYERS for JUSTICE, PC
410 West Arden Avenue, Suite 203
Glendale, California 91203
Tel: (818) 265-1020 / Fax: (818) 265-1021

Attorneys for Plaintiffs and the Class

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES—SPRING STREET COURTHOUSE

CHRISTIAN WIRTH, BRANDON
TREIBER, GIANCARLO MONROY,
individually, and on behalf of other members
of the general public similarly situated and on
behalf of other aggrieved employees pursuant
to the California Private Attorneys General
Act,

Plaintiffs,

vs.

MB2 RACEWAY, INC., a California
corporation; MB2 RACEWAY T.O., INC., a
California corporation; and DOES 1 through
100, inclusive,

Defendants.

Case No. 20STCV22600

Honorable Elihu M. Berle
Department 6

CLASS ACTION

**DECLARATION OF ELIZABETH
PARKER-FAWLEY IN SUPPORT OF
PLAINTIFFS' MOTION FOR FINAL
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT, ATTORNEYS'
FEES AND COSTS, AND
ENHANCEMENT AWARDS**

Date: January 6, 2025
Time: 9:00 a.m.
Department: 6

Complaint Filed: June 11, 2020
FAC Filed: January 13, 2021
Trial Date: None Set

DECLARATION OF ELIZABETH PARKER-FAWLEY

I, Elizabeth Parker-Fawley, hereby declare as follows:

1. I am an attorney licensed to practice law in the State of California. I am a member of Lawyers *for* Justice, PC, attorneys of record for Plaintiffs Christian Wirth, Brandon Treiber, and Giancarlo Monroy (“Plaintiffs”) and the Class in the above-captioned matter. The facts set forth in this declaration are within my personal knowledge or based on information and belief, and, if called as a witness, I could and would competently testify as follows.

PRELIMINARY APPROVAL OF SETTLEMENT

2. On August 28, 2024, the Honorable Elihu M. Berle preliminarily approved the Class Action and PAGA Settlement (“Settlement,” “Agreement” or “Settlement Agreement”) entered into between Plaintiffs and Defendants Raceway, Inc. and MB2 Raceway T.O., Inc. (together, “Defendants”) (collectively with Plaintiffs, the “Parties”), and conditionally certified the Class for settlement purposes. The Court preliminarily appointed Plaintiffs as the representatives of the Class (“Class Representatives”). The Court also preliminarily appointed and designated Lawyers *for* Justice, PC as counsel for the Class (“Class Counsel”). The Court approved and ordered the mailing of the Notice of Class Action Settlement (“Class Notice”), adopted the notice, opt-out, and objection procedures, and ordered their implementation. The Court appointed Phoenix Class Action Administration Solutions (“Phoenix” or “Settlement Administrator”) to serve as the third-party settlement administrator and handle the notice and settlement administration process.

3. As of the date of filing the accompanying Motion for Final Approval of Class Action and PAGA Settlement, Attorneys’ Fees and Costs, and Enhancement Awards (“Motion for Final Approval”), no Settlement Class Members have objected to the Class Settlement or the contemplated request for Attorneys’ Fees and Costs, Enhancement Awards, Settlement Administration Costs, and PAGA Penalty Amount.

WORK PERFORMED BY CLASS COUNSEL

4. Several attorneys at Lawyers *for* Justice, PC have been actively performing work in this matter since prior to the commencement of Plaintiffs’ putative class action (i.e., the above-captioned action) on June 11, 2020 in the Los Angeles County Superior Court.

1 5. Before initiating this matter, Lawyers *for* Justice, PC investigated and researched
2 the facts and circumstances underlying the pertinent factual and legal issues and applicable law.
3 This required thorough discussions and interviews between attorneys at our firm and Plaintiffs and
4 research into the various legal issues involved in this matter, namely, the current state of the law
5 as it applied to class certification, off-the-clock theory, meal and rest periods, representative PAGA
6 claims, wage-and-hour law and enforcement, Plaintiffs' claims and allegations, and potential
7 defenses. After conducting an initial investigation, our firm determined that the claims of Plaintiffs
8 were well-suited for class-wide and representative adjudication, owing to what appeared to be a
9 common course of conduct affecting a similarly situated group of current and former hourly-paid
10 or non-exempt employees of Defendants in California employed at either the Thousand Oaks or
11 Sylmar locations, who were not properly compensated for, *inter alia*, all hours worked, non-
12 compliant meal and rest periods, and business expenses.

13 6. Class Counsel conducted significant litigation and formal and informal discovery
14 and investigation into the facts of the case, to assess the veracity, strength, and scope of the claims,
15 and were preparing the case for class certification and trial prior to reaching the Agreement. The
16 Parties exchanged a large volume of information, documents, and data throughout the course of
17 the litigation and in connection with the mediation and settlement negotiations. Class Counsel had
18 the opportunity to interview and obtain information from Plaintiffs and percipient witnesses, and
19 reviewed and analyzed a large volume of information, data, and documents obtained from
20 Plaintiffs, Defendants, and other sources. On July 1, 2021, and November 16, 2021, Class Counsel
21 propounded multiple sets of written discovery requests on both Defendants (including, but not
22 limited to Form Interrogatories—General (Set One), Special Interrogatories (Sets One, Two, and
23 Three), Requests for Production of Documents (Sets One and Two), and noticed depositions of
24 both Defendants' person(s) most knowledgeable, along with accompanying requests for
25 production of documents. The large volume of information, documents, and data reviewed and
26 analyzed by Class Counsel included, and was not limited to: Plaintiffs' employment records, a
27 detailed sampling of Plaintiffs' and other Class Members' time and pay data, Employee Handbook,
28 Employee Handbook Addendum, and company policy acknowledgments, forms, procedures and

1 policies (including, but not limited to, Phone Monitoring Policy, Email, Internet and Computer
2 Use Policy, Kart Safety Practice and Procedure, Negligence Policy, Track Conduct During Races
3 & Meal Period Information), among other information and documents. Class Counsel also
4 developed liability, damages, violation, and penalties valuation models in the course of litigation
5 and in connection with the mediation and settlement negotiations and met and conferred with
6 Defendants' counsel on numerous occasions, e.g., to discuss issues relating to the pleadings, case
7 management, discovery and the production of information, documents, and data in the course of
8 litigation and in connection with mediation and settlement negotiations, and settlement. Other
9 work performed by Class Counsel included, and was not limited to, case strategy and analysis;
10 researching, drafting, reviewing, and/or revising the pleadings, motion-related papers, the
11 mediation briefs, and settlement documents; preparing for and attending court proceedings,
12 mediation, and settlement negotiations, among other tasks.

13 7. As outlined herein, the Parties have conducted significant investigation and formal
14 and informal discovery during the course of litigating the case, mediation, and extensive settlement
15 negotiations. Class Counsel analyzed a large volume of information, documents, and data obtained
16 from Plaintiffs, Defendants, and other sources. The information, documents, and data provided a
17 critical understanding of the nature of the work performed by the Class Members and Aggrieved
18 Employees, as well as Defendants' operations and employment policies, practices, and procedures,
19 and were used in analyzing liability, damages, penalties, and other valuation issues in connection
20 with all phases of the litigation, and ultimately, in connection with the mediation and settlement
21 negotiation process. Class Counsel also performed significant research into the applicable law,
22 which is evolving as it relates to class certification, manageability, off-the-clock theory, regular
23 rate, meal and rest periods, joint employer liability, representative PAGA claims and penalties,
24 wage-and-hour law and enforcement, Plaintiffs' claims and allegations, and Defendants' defenses
25 thereto, as well as facts discovered.

26 8. After conducting significant investigation of the facts and law during the
27 prosecution of the case, counsel for the Parties engaged in extensive settlement negotiations to try
28 to resolve the case. These efforts included participating in a formal mediation session conducted

on July 10, 2023 by Henry Bongiovi, Esq., a well-regarded mediator experienced in handling complex labor and employment matters. During all settlement discussions, the Parties conducted their negotiations at arm's length in an adversarial position. In the course of mediation and settlement discussions, the Parties exchanged information, documents, and data, and discussed various aspects of the case, including and not limited to, the risks and delays of further litigation, the risks and expenses to the Parties of proceeding with class certification and trial, the law relating to class certification, manageability, off-the-clock theory, regular rate, meal and rest periods, joint employer liability, representative PAGA claims, and wage-and-hour law and enforcement, as well as the evidence produced and analyzed, and the possibility of appeals, among other things. Arriving at a settlement that was acceptable to the Parties was not easy. Defendants contended that individualized questions of fact predominate over any common issues, and these issues would pose challenges to class certification and representative adjudication. Defendants and their counsel felt strongly about Defendants' ability to avoid class certification and prevail on the merits, while Plaintiffs and Class Counsel believed that they would be able to obtain class certification and prevail at trial. With the aid of the mediator's evaluation, the Parties ultimately agreed that the cases were well-suited for settlement given the legal issues relating to Plaintiffs' principal claims, as well as the costs and risks to the Parties that would attend further litigation. These risks of further litigation include, and are not limited to, a determination that the claims are unsuitable for class treatment and/or representative adjudication, class de-certification after certification of a class, allowing a jury to decide the claims asserted in the case, and the real possibility of no monetary recovery after years of litigation.

9. By way of the accompanying Motion for Final Approval, Class Counsel seeks attorneys' fees in the amount of \$87,500.00, which is 35% of the Total Settlement Amount of \$250,000.00. Pursuant to the contingency-fee agreement entered into by and between Plaintiffs and Class Counsel, Plaintiffs have agreed to a contingency fee of at least 35% of the recovery.

10. The attorneys' fees sought are commensurate with: (1) the risk that Class Counsel took in commencing the case; (2) the time, effort, and expense that Class Counsel dedicated to the case; (3) the skill and determination that Class Counsel has shown; (4) the results that Class

Counsel has achieved throughout the litigation; (5) the value of the settlement that Class Counsel has achieved in the case; and (6) the other cases that Class Counsel has turned down in order to devote their time and efforts to this matter.

11. While not necessarily required to be demonstrated because the percentage fee is proper for this settlement, Class Counsel has incurred many hours of work in connection with prosecuting the case such that the award of attorneys' fees is also justified under a lodestar analysis. Attorneys at Lawyers for Justice, PC have spent at least 407 hours performing tasks and obtaining recovery in this matter. Attached hereto as "EXHIBIT A" is an Attorney Task and Time Chart that sets forth in detail the nature of the legal services provided by attorneys at Lawyers for Justice, PC and the time incurred by them in performing those services. These hours include work done by several attorneys at Lawyers for Justice, PC. Also, separate from the hours referenced herein and in the chart, Lawyers for Justice, PC had litigation support personnel actively engaged in assisting with the prosecution of this matter.

12. The work performed in this particular matter, the background of Lawyers for Justice, PC, as well as the individual backgrounds, training, and experience of the attorneys who worked on this matter, in litigating complex wage-and-hour actions, and in particular, employment class action and representative action cases, support a reasonable blended hourly rate of compensation of at least \$850 per hour for work performed by Lawyers for Justice, PC. Lawyers for Justice, PC has been awarded attorneys' fees, compensating the firm at the rate of at least \$850 per hour for legal services performed, by courts granting approval of settlements in other wage-and-hour class action and representative action cases: final approval of the class and representative action settlement in *David Dugan v. TEC Equipment, Inc., et al.* (Los Angeles Superior Court Case No. 19STCV01591) was granted on July 8, 2021, and the award of attorneys' fees involved compensation at the rate of \$936.47 per hour; final approval of the class and representative action settlement in *Larry Greenwood, et al. v. Scan Health Plan* (Los Angeles Superior Court Case No. BC715157) was granted on April 20, 2021, and the award of attorneys' fees involved compensation at the rate of \$919.57 per hour; and final approval of the class and representative action settlement in *Seth Swan v. Pace Supply Corp.* (Sonoma County Superior Court Case No.

1 SCV258764) was granted on February 6, 2019, and the award of attorneys' fees involved
2 compensation at the rate of \$855.96 per hour.

3 **EXPERIENCE AND ADEQUACY OF**
4 **LAWYERS *for* JUSTICE, PC**

5 13. For over a decade, Lawyers *for* Justice, PC has almost exclusively focused on the
6 prosecution of consumer and employment class actions, involving wage-and-hour claims, race
7 discrimination, unfair business practices, or consumer fraud. Currently, Lawyers *for* Justice, PC is
8 the attorney of record in dozens of employment-related putative class actions in both state and
9 federal courts in the State of California. Lawyers *for* Justice, PC is comprised of attorneys who
10 focus on litigating complex wage-and-hour class and Private Attorneys General Act ("PAGA")
11 representative actions. Lawyers *for* Justice, PC has successfully litigated cases involving nearly
12 every aspect of California wage and hour law, including payment of overtime and minimum
13 wages, provision of meal and rest breaks and/or premiums wages for same, timely payment of
14 wages, provision of compliant wage statements, reimbursement of business expenses, executive,
15 administrative, and other overtime exemptions to the State of California and federal overtime
16 compensation requirements, PAGA claims, and sister statutes under federal law. Lawyers *for*
17 Justice, PC has recovered millions of dollars on behalf of thousands of individuals in California.

18 14. Edwin Aiwarzian is the Managing Member and Shareholder of Lawyers *for* Justice,
19 PC. He received his Bachelor of Arts degree from Pepperdine University in April of 1999 and
20 earned a Juris Doctor degree from Pepperdine University School of Law in May of 2004. He has
21 extensive formal training in dispute resolution and negotiation from the Straus Institute for Dispute
22 Resolution as part of its Masters in Dispute Resolution degree program. In addition, he has
23 previously served as a pro bono mediator for the Los Angeles County Superior Court. In October
24 of 2000, he obtained a Litigation Paralegal Certificate from the UCLA Extension Program. During
25 the summer of 2000, he studied Legal Writing at Harvard University. From approximately
26 September 2002 to approximately December 2002, he served as a Judicial Extern to the Honorable
27 Kim McLane Wardlaw of the United States Court of Appeals for the Ninth Circuit. From
28 approximately June 2002 to approximately August 2002, he served as a Judicial Extern to the

Honorable Earl Johnson, Jr. of the California Court of Appeal for the Second Appellate District. In December of 2004, he obtained a license to practice law from the California State Bar. For over a decade, through his work at Lawyers *for* Justice, PC, he has almost exclusively focused on the prosecution of consumer and employment class actions. While employed by Lawyers *for* Justice PC, he has argued over 100 motions, taken or defended over 150 depositions, prepared dozens of expert witnesses for deposition or trial, and attended over 175 mediations. Together with other attorneys at the firm, and in many cases in conjunction with co-counsel, he has successfully litigated cases involving the executive, administrative, and other overtime exemptions to the State of California and federal overtime compensation requirements. Under his supervision, Lawyers *for* Justice, PC has successfully obtained class certification by contested motion practice in approximately 16 cases in the last decade and litigated over 1,000 class action or representative action cases.

15. Arby Aiwazian is a Member and Shareholder of Lawyers *for* Justice, PC. He received his Bachelor of Arts degree from University of California, Los Angeles and graduated magna cum laude. He earned a Juris Doctor degree, cum laude, from Southwestern Law School. From approximately May 2007 to approximately July 2007, he served as a Judicial Extern to the Honorable Earl Johnson, Jr. of the California Court of Appeal for the Second Appellate District. From approximately August 2008 to approximately December 2008, he served as a Judicial Extern to the Honorable Kim McLane Wardlaw of the United State Court of Appeals for the Ninth Circuit. He was admitted to practice law in California in 2010. He is admitted to practice before all courts of the State of California and all United States District Courts in the State of California. He has worked on many wage-and-hour class action and representative action cases, taking the lead in taking and defending depositions, arguing motions, and attending mediations. He has played an integral role in preparing matters for class certification, including and not limited to, successful certification of a class in *Upson v. Sur La Table* (Los Angeles County Superior Court Case No. BC424012), *Montazemi v. Regus Management* (Los Angeles County Superior Court Case No. BC478769), and *Abdulhaqq v. Urban Outfitters* (Alameda County Superior Court Case No. RG13680477). Under his supervision, dozens of class action or representative cases have resulted

1 in settlements that have been granted court approval. He has handled over 150 mediations and has
2 worked on over 250 class action or representative action cases which have resulted in settlement.

3 16. Joanna Ghosh is a Managing Member of Lawyers *for* Justice, PC. She received a
4 Bachelor of Arts degree from California State University, Los Angeles in 2006, a Master of
5 Science degree from the London School of Economics in 2007, and a Juris Doctor degree from
6 Georgetown University Law Center in 2010. She is admitted to practice in California (since 2010)
7 and in New York (since 2013), and she is admitted to practice in all U.S. District Courts in
8 California, the U.S. Bankruptcy Court for the Central District of California, and the U.S. Supreme
9 Court. She has taken and defended dozens of depositions and successfully handled motion practice
10 in class action cases regarding discovery (including and not limited to, regarding class contact
11 information), class certification (both contested class certification and stipulated class
12 certification), arbitration agreements, coordination, and intervention. She has successfully handled
13 briefing and oral argument on appeal and obtained notable decisions regarding the Private
14 Attorneys General Act and employer efforts to compel arbitration of PAGA claims, e.g., *Roberto*
15 *Betancourt v. Prudential Overall Supply* (Cal. Ct. App., Mar. 7, 2017) 9 Cal.App.5th 439, cert.
16 denied (Cal., May 24, 2017), cert. denied (U.S., Dec. 11, 2017) and *ZB, N.A. v. Superior Court*
17 (2019) 8 Cal.5th 175. She has significant experience with class actions, including and not limited
18 to working on cases to obtain class certification through contested motion practice and working on
19 cases in the post-certification stage (e.g., post-certification discovery, appeal, statistical sampling
20 and pilot study, and trial preparation in conjunction with co-counsel in a case involving a certified
21 class consisting of approximately 2,600 individuals). She also has extensive experience with class
22 action and/or representative action settlements, and she has handled this process in over 500 cases.
23 Under Edwin Aiwazian, Arby Aiwazian, and her supervision, Lawyers *for* Justice, PC has handled
24 the class certification and court approval process for hundreds of class action and/or representative
25 action matters that have successfully resolved. She is a member of the California Employment
26 Lawyers Association and, on several occasions, has been a speaker regarding topics in wage and
27 hour law at the organization's continuing legal education events.

28 17. I am the Director of Legal Operations at Lawyers for Justice, PC. I earned my

1 Bachelor of Arts in History at Chapman University in 2011 and my Juris Doctor from the UCLA
2 School of Law in 2014. In December 2014, I obtained a license to practice law from the California
3 State Bar. I am admitted to practice in all courts in the State of California, as well as the Central,
4 Southern, Northern, and Eastern District Courts of California and the Ninth Circuit Court of
5 Appeal. Since December 2014, I have worked at Lawyers for Justice, PC, and my practice has
6 almost exclusively focused on the prosecution of employment class actions and representative
7 actions, handling cases in all stages of litigation from initial pleadings to assisting with class action
8 trial matters, attending mediations, and preparing class action settlements. Previously, I was in the
9 role of Manager of Litigation, in which I oversaw approximately twenty-five attorneys working
10 on hundreds of employment class actions and representative actions and provided internal training
11 for our litigation practice group and post-bar law clerks. In my current role, I oversee the legal
12 operations of the firm, review and advise attorneys on work product and practices, provide training,
13 and supervise cases from their inception to final accounting. I am a member of the California
14 Lawyers Association Labor & Employment Group and the California Employment Lawyers
15 Association.

16 **LITIGATION COSTS AND EXPENSES INCURRED BY**

17 **LAWYERS FOR JUSTICE, PC**

18 18. To date, Class Counsel has borne all of the risks and costs of litigation and will not
19 receive any compensation until recovery is obtained in this matter. Lawyers *for* Justice, PC seeks
20 reimbursement of **\$17,544.72** in litigation costs and expenses incurred in this matter, as reflected
21 in “**EXHIBIT B**” attached hereto. These expenses were reasonable and necessary in the
22 prosecution of this matter and to obtain the Settlement Agreement.

23 **ENHANCEMENT AWARDS TO PLAINTIFFS**

24 19. In recognition of their efforts and work serving as the Class Representatives, the
25 Settlement Agreement provides for Enhancement Awards in the amount of \$5,000.00 to each
26 Plaintiff (for a total of \$15,000). The requested Enhancement Awards are fair and appropriate.
27 Plaintiffs spent a substantial amount of time and effort to produce relevant documents and
28 information and provided facts and evidence to support the prosecution of the claims. Plaintiffs

were available whenever Class Counsel needed them and actively tried to obtain and provide information that would facilitate the pursuit of the case. Plaintiffs spent numerous hours speaking with Class Counsel about their claims, describing their work experiences with Defendants, and gathering and reviewing documents. Accordingly, it is appropriate for Plaintiffs to receive \$5,000.00 each as Enhancement Awards for their services in the case, in addition to their Individual Settlement Payments and Individual PAGA Payments.

20. I submit that the Agreement is fair, reasonable, and adequate, and is in the best interests of Plaintiffs, Class Members, Aggrieved Employees, and the State of California.

21. The Net Settlement Amount is currently estimated to be \$95,955.28.

22. On September 16, 2024, Phoenix represented that it had received the Class List containing Class Members' last known full name, mailing address, telephone number, Social Security Number, and weeks worked as a non-exempt employee of Defendants in California employed at either the Thousand Oaks or Sylmar locations during the Class Release Period ("Class List"). The Administrator identified data for 274 individuals identified as Class Members who worked 13,123.14 Workweeks, of whom 219 were Aggrieved Employees who worked 10,008.29 PAGA Workweeks. There were two individuals on the list for whom no contact information or Social Security Number was identified. Attached hereto as "EXHIBIT C" is a true and correct copy of the correspondence with representatives from Phoenix regarding receipt of the Class List.

23. On September 30, 2024, Phoenix mailed the Class Notice via U.S. First Class Mail to 272 individuals identified as Class Members in the Class List. The Administrator has not received any Objections or Requests for Exclusion from Class Members to date. Attached hereto as "EXHIBIT D" is a true and correct copy of the most recent Weekly Report provided by Phoenix regarding the Class Notice administration.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 24th day of October 2024, at Glendale, California.



Elizabeth Parker-Fawley

EXHIBIT A

WIRTH, ET AL. V. MB2 RACEWAY, INC., ET. AL.
Los Angeles County Superior Court Case No. 20STCV22600

WIRTH, ET AL. V. MB2 RACEWAY, INC., ET. AL. (WIRTH PAGA CASE)
Los Angeles County Superior Court Case No. 20CHCV00366

MONROY V. MB2 RACEWAY, INC., ET. AL. (MONROY PAGA CASE)
Los Angeles County Superior Court Case No. 20CHCV00483

ATTORNEY TASK AND TIME CHART

TASK	LAWYERS FOR JUSTICE, PC
Investigation and Research / Due Diligence	
Meet and Communicate with Plaintiff Christian Wirth During the Case	36.00
Meet and Communicate with Plaintiff Brandon Treiber During the Case	36.00
Meet and Communicate with Plaintiff Giancarlo Monroy During the Case	34.00
Investigate, Communicate with, and/or Interview Class Members, Aggrieved Employees, and/or Percipient Witnesses	10.00
Pleadings and Court Filings	
Research and Draft Plaintiff Christian Wirth and Brandon Treiber's Class Action Complaint for Damages & Enforcement Under the Private Attorneys General Act, California Labor Code Section 2698, Et Seq. and Legal Research and Analysis of All Claims Involved (filed on June 11, 2020)	7.50
Review Court's Notice of Case Assignment (filed on June 11, 2020)	0.10

Research and Draft Plaintiff Christian Wirth's Complaint for Enforcement Under the Private Attorneys General Act, California Labor Code Section 2698, Et Seq. and Legal Research and Analysis of All Claims Involved (filed on June 22, 2020) (<i>Wirth</i> PAGA Case)	7.00
Review Court's Notice of Case Assignment (filed on June 22, 2020) (<i>Wirth</i> PAGA Case)	0.10
Review Court's Initial Status Conference Order (Complex Litigation Program) (filed on June 23, 2020)	0.10
Draft Plaintiff Christian Wirth's Notice of Related Case (filed on June 25, 2020) (<i>Wirth</i> PAGA Case)	0.20
Draft Plaintiff Christian Wirth and Brandon Treiber's Notice of Related Case (filed on June 26, 2020)	0.20
Review Court's Minute Order Re: Notice of Related Case (filed on July 10, 2020)	0.10
Research and Draft Plaintiffs Christian Wirth and Brandon Treiber's First Amended Complaint for Enforcement Under the Private Attorneys General Act, California Labor Code Section 2698, Et Seq. and Legal Research and Analysis of All Claims Involved (filed on July 16, 2020) (<i>Wirth</i> PAGA Case)	3.00
Meet and Confer with Defendant MB2 Raceway, Inc.'s Counsel, and Draft Joint Initial Status Conference Class Action Response Statement (filed on August 5, 2020)	0.70
Review Court's Minute Order Continuing Initial Status Conference (filed on August 12, 2020)	0.10
Draft Plaintiff Christian Wirth and Brandon Treiber's [Proposed] Order Authorizing Electronic Service (submitted on August 13, 2020)	0.20
Research and Draft Plaintiff Giancarlo Monroy's Complaint for Enforcement Under the Private Attorneys General Act, California Labor Code Section 2698, Et Seq. and Legal Research and Analysis of All Claims Involved (filed on August 19, 2020) (<i>Monroy</i> PAGA Case)	2.50
Review Court's Notice of Case Management Conference (filed on August 19, 2020) (<i>Monroy</i> PAGA Case)	0.10
Review Court's Notice of Case Assignment (filed on August 19, 2020) (<i>Monroy</i> PAGA Case)	0.10
Draft Plaintiff Christian Wirth and Brandon Treiber's Notice of Ruling Re: Initial Status Conference (filed on October 19, 2020)	0.20

Draft Plaintiff Christian Wirth and Brandon Treiber's Notice of Posting Jury Fees (filed on November 24, 2020)	0.20
Review MB2 Raceway, Inc.'s Opposition to the Order to Show Cause Re: Sanctions and Declaration of Dusti Fishback (filed on November 30, 2020)	0.30
Draft Declaration of Jeffrey D. Klein Re: OSC Re: Filing of Joint Status Report and Sanctions (filed on November 30, 2020)	0.70
Meet and Confer with MB2 Raceway, Inc.'s Counsel, and Draft Joint Initial Status Conference Statement (filed on November 30, 2020)	0.70
Review Court's Minute Order Discharging Order to Show Cause Re: Sanctions (filed on December 10, 2020)	0.10
Draft Plaintiff Christian Wirth and Brandon Treiber's Notice of Ruling Re: Status Conference (filed on December 16, 2020)	0.20
Research and Draft Plaintiff Christian Wirth, Brandon Treiber, and Giancarlo Monroy (together, "Plaintiffs") First Amended Class Action Complaint for Damages & Enforcement Under the Private Attorneys General Act, California Labor Code Section 2698, Et Seq. and Legal Research and Analysis of All Claims Involved (filed on January 13, 2021)	2.00
Review and Analyze Defendant MB2 Raceway, Inc. and MB2 Raceway T.O., Inc.'s (together, "Defendants") Answer to Plaintiffs' First Amended Class Action Complaint for Damages and Enforcement Under the Private Attorneys General Act (filed on February 16, 2021)	0.50
Draft Plaintiff Christian Wirth and Brandon Treiber's Request for Dismissal (filed on March 2, 2021) (<i>Wirth</i> PAGA Case)	0.20
Draft Plaintiff Giancarlo Monroy's Request for Dismissal (filed on March 2, 2021) (<i>Monroy</i> PAGA Case)	0.20
Meet and Confer with Defendants' Counsel, and Draft Joint Status Conference Statement (filed on March 29, 2021)	0.70
Draft Plaintiffs' Notice of Ruling Re: Status Conference (filed on April 9, 2021)	0.20

Meet and Confer with Defendants' Counsel, and Draft Joint Status Conference Statement Regarding Mediation (filed on April 13, 2021)	0.70
Review Court's Minute Order Re: Status Conference (filed on April 19, 2021)	0.10
Draft Plaintiffs' Notice of Ruling (filed on April 30, 2021)	0.20
Draft Plaintiffs' Request for Informal Discovery Conference Statement (filed on October 19, 2021)	0.30
Review Defendants' Answer to Request for Informal Discovery Conference (filed on October 20, 2021)	0.20
Review Court's Minute Order Re: Non-Appearance Case Review Re: Request for Informal Discovery (filed on November 4, 2021)	0.10
Draft Plaintiffs' Mandatory Settlement Conference Statement (filed on December 23, 2021)	1.20
Meet and Confer with Defendants' Counsel, and Draft Joint Status Conference Statement Regarding Mediation (filed on January 5, 2022)	0.50
Draft Plaintiffs' Notice of Ruling Re: Status Conference (filed on January 13, 2022)	0.20
Meet and Confer with Defendants' Counsel, and Draft Joint Status Conference Statement Regarding Mediation (submitted on May 18, 2022)	0.50
Meet and Confer with Defendants' Counsel, and Draft Joint Stipulation to Extend Plaintiffs' Deadline to File Their Motion for Class Certification and [Proposed] Order (filed on May 19, 2022)	1.70
Draft Plaintiffs' Notice of Ruling Re: Plaintiffs' Motion for Class Certification Deadline and Status Conference (filed on May 31, 2022)	0.20
Meet and Confer with Defendants' Counsel, and Draft Joint Stipulation to Extend Plaintiffs' Deadline to File Their Motion for Class Certification and August 22, 2022 Status Conference and [Proposed] Order (submitted on August 2, 2022)	0.70
Review Court's Order Granting Joint Stipulation to Extend Plaintiffs' Deadline to File Their Motion for Class Certification and August 22, 2022 Status Conference (filed on August 3, 2022)	0.10

Meet and Confer with Defendants' Counsel, and Draft Joint Stipulation to Extend Plaintiffs' Deadline to File Motion for Class Certification and Status Conference and [Proposed] Order (filed on September 15, 2022)	0.70
Review Court's Order Granting Joint Stipulation to Extend Plaintiffs' Deadline to File Motion for Class Certification and Status Conference (filed on September 16, 2023)	0.10
Meet and Confer with Defendants' Counsel, and Draft Joint Stipulation to Continue Deadline to File Motion for Class Certification and to Continue Status Conference and [Proposed] Order (filed on December 13, 2022)	0.70
Draft Plaintiffs' Notice of Entry of Order Granting Draft Joint Stipulation to Continue Deadline to File Motion for Class Certification and to Continue Status Conference (filed on December 16, 2022)	0.20
Meet and Confer with Defendants' Counsel, and Draft Joint Status Report and Request to Continue Status Conference (filed on January 18, 2023)	0.70
Draft Plaintiffs' Notice of Ruling Granting Request to Continue Status Conference (filed on January 27, 2023)	0.20
Meet and Confer with Defendants' Counsel, and Draft Joint Status Conference Statement and Notice of Settlement (filed on July 24, 2023)	0.70
Meet and Confer with Defendants' Counsel, and Draft Joint Stipulation to Vacate Plaintiffs' Deadline to File Motion for Class Certification; [Proposed] Order (filed on July 24, 2023)	0.80
Review Court's Order Granting Joint Stipulation to Vacate Plaintiffs' Deadline to File Motion for Class Certification (filed on July 26, 2023)	0.10
Meet and Confer with Defendants' Counsel, and Draft Joint Stipulation to Continue Plaintiffs' Hearing and Deadline to File Motion for Preliminary Approval; [Proposed] Order (filed on November 13, 2023)	0.80
Draft Plaintiffs' Notice of Entry of Order Granting Joint Stipulation to Continue Plaintiffs' Hearing and Deadline to File Motion for Preliminary Approval (filed on November 17, 2023)	0.20
Meet and Confer with Defendants' Counsel, and Draft Joint Stipulation to Continue Plaintiffs' Hearing and Deadline to File Motion for Preliminary Approval; [Proposed] Order (filed on January 30, 2024)	0.80

Review Court's Order Granting Draft Joint Stipulation to Continue Plaintiffs' Hearing and Deadline to File Motion for Preliminary Approval (filed on February 1, 2024)	0.10
Meet and Confer with Defendants' Counsel, and Draft Joint Stipulation to Deem the Filing of Plaintiffs' Motion for Preliminary Approval of Class Action and PAGA Settlement Timely; [Proposed] Order Thereon (filed on May 17, 2024)	0.80
Review Court's Order Granting Joint Stipulation to Deem the Filing of Plaintiffs' Motion for Preliminary Approval of Class Action and PAGA Settlement Timely (filed on May 23, 2024)	0.10
Review Defendants' Notice of Continuance of Motion for Preliminary Approval of Class Action and PAGA Settlement (filed on May 24, 2024)	0.10
Appearances	
Prepare for and Remotely Attend Case Management Conference (August 12, 2020)	0.90
Prepare for and Remotely Attend Case Management Conference (October 15, 2020)	0.90
Prepare for and Remotely Attend Order to Show Cause Re: Sanctions Hearing (December 10, 2020)	1.00
Prepare for and Remotely Attend Case Management Conference (April 5, 2021)	0.50
Prepare for and Remotely Attend Case Management Conference (April 19, 2021)	1.00
Prepare for and Remotely Attend Mandatory Settlement Conference (January 3, 2022)	6.00
Prepare for and Remotely Attend Case Management Conference (January 13, 2022)	0.90
Prepare for and Remotely Attend Case Management Conference (May 26, 2022)	1.00
Prepare for and Remotely Attend Case Management Conference (January 27, 2023)	1.40
Prepare for and Remotely Attend Hearing on Plaintiff's Motion for Preliminary Approval of Class Action Settlement (August 22, 2024)	0.50
Discovery and Deposition	

Draft Letter to Defendant MB2 Raceway, Inc. Re: Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Christian Wirth (served on December 3, 2019)	0.50
Draft Follow-Up Letter to Defendant MB2 Raceway, Inc. Re: Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Christian Wirth (served on January 2, 2020)	0.40
Draft Letter to Defendant MB2 Raceway, Inc. Re: Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Giancarlo Monroy (served on February 3, 2020)	0.50
Draft Follow-Up Letter to Defendant MB2 Raceway, Inc. Re: Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Christian Wirth (served on February 27, 2020)	0.40
Draft Follow-Up Letter to Defendant MB2 Raceway, Inc. Re: Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Giancarlo Monroy (served on February 27, 2020)	0.40
Draft Letter to Defendant MB2 Raceway, Inc. Re: Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Brandon Treiber (served on February 27, 2020)	0.50
Review and Analyze Documents Produced by Defendant MB2 Raceway, Inc. in Response to the Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Christian Wirth (served March 12, 2020)	1.00
Review and Analyze Documents Produced by Defendant MB2 Raceway, Inc. in Response to the Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Giancarlo Monroy (served March 12, 2020)	1.20
Review and Analyze Documents Produced by Defendant MB2 Raceway, Inc. in Response to the Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Brandon Treiber (served March 12, 2020)	1.20
Draft Plaintiffs' Form Interrogatories – General (Set One), Requests for Production of Documents (Set One), Special Interrogatories (Set One), and Special Interrogatories (Set Two) to Defendant MB2 Raceway, Inc. (served on July 1, 2021)	4.00
Draft Plaintiffs' Form Interrogatories – General (Set One), Requests for Production of Documents (Set One), Special Interrogatories (Set One), and Special Interrogatories (Set Two) to Defendant MB2 Raceway T.O., Inc. (served on July 1, 2021)	4.00
Draft Plaintiffs' Notice of Deposition of Person Most Knowledgeable at Defendant MB2 Raceway, Inc. and Requests for Production of Documents (Organizational Structure; August 2, 2021) (served on July 1, 2021)	1.00

Draft Plaintiffs' Notice of Deposition of Person Most Knowledgeable at Defendant MB2 Raceway, Inc. and Requests for Production of Documents (Job Duties; August 3, 2021) (served on July 1, 2021)	1.20
Draft Plaintiffs' Notice of Deposition of Person Most Knowledgeable at Defendant MB2 Raceway. T.O., Inc. and Requests for Production of Documents (Organizational Structure; August 9, 2021) (served on July 1, 2021)	1.00
Draft Plaintiffs' Notice of Deposition of Person Most Knowledgeable at Defendant MB2 Raceway. T.O., Inc. and Requests for Production of Documents (Job Duties; August 10, 2021) (served on July 1, 2021)	1.20
Review and Analyze Documents Produced by Defendants (served on August 17, 2021)	5.60
Review Defendant MB2 Raceway, Inc.'s Responses to Plaintiffs' Form Interrogatories – General (Set One), Requests for Production of Documents (Set One), Special Interrogatories (Set One), and Special Interrogatories (Set Two) (served on August 17, 2021)	3.60
Review Defendant MB2 Raceway T.O., Inc.'s Responses to Plaintiffs' Form Interrogatories – General (Set One), Requests for Production of Documents (Set One), Special Interrogatories (Set One), and Special Interrogatories (Set Two) (served on August 17, 2021)	3.50
Review Defendant MB2 Raceway T.O., Inc.'s Requests for Production of Documents (Set One), Requests for Admission (Set One), Special Interrogatories (Set One) and Form Interrogatories – Employment (Set One) to Plaintiff Giancarlo Monroy (served on September 10, 2021)	2.00
Review Defendant MB2 Raceway T.O., Inc.'s Requests for Production of Documents (Set One), Requests for Admission (Set One), Special Interrogatories (Set One), and Form Interrogatories – Employment (Set One) to Plaintiff Christian Wirth (served on September 10, 2021)	2.10
Review Defendant MB2 Raceway T.O., Inc.'s Requests for Production of Documents (Set One), Requests for Admission (Set One), Special Interrogatories (Set One), and Form Interrogatories – Employment (Set One) to Plaintiff Brandon Treiber (served on September 10, 2021)	2.10
Review Defendant MB2 Raceway, Inc.'s Requests for Production of Documents (Set One), Requests for Admission (Set One), Special Interrogatories (Set One), and Form Interrogatories – Employment (Set One) to Plaintiff Giancarlo Monroy (served on September 10, 2021)	2.00

Review Defendant MB2 Raceway, Inc.'s Requests for Production of Documents (Set One), Requests for Admission (Set One), Special Interrogatories (Set One), and Form Interrogatories – Employment (Set One) to Plaintiff Christian Wirth (served on September 10, 2021)	2.00
Review Defendant MB2 Raceway, Inc.'s Requests for Production of Documents (Set One), Requests for Admission (Set One), Special Interrogatories (Set One), and Form Interrogatories – Employment (Set One) to Plaintiff Brandon Treiber (served on September 10, 2021)	2.00
Draft Plaintiff Giancarlo Monroy's Responses to Defendant MB2 Raceway, Inc.'s Requests for Production of Documents (Set One), Requests for Admission (Set One), Special Interrogatories (Set One) and Form Interrogatories – Employment (Set One) (served on October 27, 2021)	5.50
Draft Plaintiff Giancarlo Monroy's Responses to Defendant MB2 Raceway T.O., Inc.'s Requests for Production of Documents (Set One), Requests for Admission (Set One), Special Interrogatories (Set One) and Form Interrogatories – Employment (Set One) (served on October 27, 2021)	6.50
Draft Plaintiff Brandon Treiber's Responses to Defendant MB2 Raceway, Inc.'s Requests for Production of Documents (Set One), Requests for Admission (Set One), Special Interrogatories (Set One) and Form Interrogatories – Employment (Set One) (served on October 27, 2021)	5.50
Draft Plaintiff Brandon Treiber's Responses to Defendant MB2 Raceway T.O., Inc.'s Requests for Production of Documents (Set One), Requests for Admission (Set One), Special Interrogatories (Set One) and Form Interrogatories – Employment (Set One) (served on October 27, 2021)	6.50
Draft Plaintiff Christian Wirth's Responses to Defendant MB2 Raceway T.O., Inc.'s Requests for Production of Documents (Set One), Requests for Admission (Set One), Special Interrogatories (Set One) and Form Interrogatories – Employment (Set One) (served on October 27, 2021)	6.50
Draft Plaintiff Christian Wirth's Responses to Defendant MB2 Raceway, Inc.'s Requests for Production of Documents (Set One), Requests for Admission (Set One), Special Interrogatories (Set One) and Form Interrogatories – Employment (Set One) (served on October 27, 2021)	5.50
Prepare Plaintiff Brandon Treiber's Document Production (served on October 27, 2021)	3.00
Prepare Plaintiff Christian Wirth's Document Production (served on October 27, 2021)	3.00
Prepare Plaintiff Giancarlo Monroy's Document Production (served on October 27, 2021)	3.20

Draft Plaintiff Giancarlo Monroy's Requests for Production of Documents (Set Two) and Special Interrogatories (Set Three) to Defendant MB2 Raceway, Inc. (served on November 16, 2021)	1.50
Draft Plaintiff Christian Wirth's Requests for Production of Documents (Set Two) and Special Interrogatories (Set Three) to Defendant MB2 Raceway, Inc. (served on November 16, 2021)	1.50
Draft Plaintiff Brandon Treiber's Requests for Production of Documents (Set Two) and Special Interrogatories (Set Three) to Defendant MB2 Raceway, Inc. (served on November 16, 2021)	1.50
Review Defendant MB2 Raceway T.O., Inc.'s Supplemental Responses to Plaintiffs' Requests for Production of Documents (Set One), Special Interrogatories (Set One), and Special Interrogatories (Set Two) (served on November 23, 2021)	3.50
Review Defendant MB2 Raceway, Inc.'s Response to Plaintiff Giancarlo Monroy's Requests for Production of Documents (Set Two) and Special Interrogatories (Set Three) (served on December 20, 2021)	1.00
Review Defendant MB2 Raceway, Inc.'s Response to Plaintiff Christian Wirth's Requests for Production of Documents (Set Two) and Special Interrogatories (Set Three) (served on December 20, 2021)	1.00
Review Defendant MB2 Raceway, Inc.'s Response to Plaintiff Brandon Treiber's Requests for Production of Documents (Set Two) and Special Interrogatories (Set Three) (served on December 20, 2021)	1.00
Letters and Correspondence	
Draft Notice to California Labor and Workforce Development Agency Re: Claims of Plaintiff Christian Wirth for Penalties Under the Private Attorneys General Act, California Labor Code section 2698, <i>et seq.</i> ("PAGA") (served on April 2, 2020)	3.00
Draft Notice to California Labor and Workforce Development Agency Re: Claims of Plaintiff Brandon Treiber for Penalties Under the Private Attorneys General Act, California Labor Code section 2698, <i>et seq.</i> ("PAGA") (served on May 8, 2020)	3.00
Draft Notice to California Labor and Workforce Development Agency Re: Claims of Plaintiff Giancarlo Monroy for Penalties Under the Private Attorneys General Act, California Labor Code section 2698, <i>et seq.</i> ("PAGA") (served on June 12, 2020)	3.00
Review Defendant MB2 Raceway, Inc.'s Meet and Confer Letter to Plaintiffs (served on November 5, 2021)	0.60

Review Defendant MB2 Raceway T.O., Inc.'s Meet and Confer Letter to Plaintiffs (served on November 5, 2021)	0.90
Mediation/Settlement	
Review and Analyze Information, Data, and Documents Obtained from Plaintiffs, Defendants (served on June 14, 2023), and Other Sources Prior to Mediation	20.00
Prepare for Mediation, Including Researching Settlement-Related Issues and Merits of Claims, Drafting the Mediation Brief, Compiling the Mediation Exhibits in Support of Mediation Brief, and Performing Damages and Penalties Analysis/Calculations (submitted on July 5, 2023)	30.00
Attend Mediation Session (July 10, 2023; Zoom Video Conference)	5.00
Draft, Review, Revise, Negotiate, and Finalize Memorandum of Understanding Following Mediation (fully executed on July 24, 2023)	4.00
Draft, Review, Revise, Negotiate, and Finalize Class Action and PAGA Settlement (executed on May 9, 2024) and Notice of Class Action and PAGA Settlement	23.50
Law and Motion	
Research and Draft Plaintiffs' <i>Ex Parte</i> Application for an Order Extending Plaintiffs' Deadline to File His Motion for Class Certification, Declaration of Randolph Greenwald in Support Thereof, Exhibits to Declaration of Randolph Greenwald, and [Proposed] Order Thereon (filed on December 10, 2021)	4.00
Review Defendants' Declaration of Kathleen M. Hartman in Opposition of Plaintiffs' <i>Ex Parte</i> Application to Extend Time for Filing Plaintiffs' Motion for Class Certification (filed on December 10, 2021)	0.50
Review Court's Minute Order Granting Plaintiffs' <i>Ex Parte</i> Application for an Order Extending Plaintiffs' Deadline to file Motion for Class Certification (filed on December 15, 2021)	0.10
Research and Draft Plaintiff's Notice of Motion and Motion for Preliminary Approval of Class Action and PAGA Settlement; Memorandum of Points and Authorities, Declaration of Ryan Slinger in Support Thereof, Declaration of Christian Wirth in Support Thereof, Declaration of Brandon Treiber in Support Thereof, Declaration of Giancarlo Monroy in Support Thereof and [Proposed] Order Granting Preliminary Approval of Class Action Settlement (filed on May 13, 2024)	15.00

Review Court's Minute Order Re: Motion for Preliminary Approval of Class Action and PAGA Settlement (filed on August 22, 2024)	0.10
Research and Draft Plaintiffs' [Revised Proposed] Order Granting Preliminary Approval of Class Action and PAGA Settlement (filed on August 27, 2024)	1.00
Review Court's Order Granting Plaintiffs' [Revised Proposed] Order Granting Preliminary Approval of Class Action and PAGA Settlement (filed on August 28, 2024)	0.10
Review and Analyze Settlement Administrator's Declaration Regarding Settlement Notice Administration; and Research and Draft Plaintiff's Motion for Final Approval of Class Action Settlement, Attorneys' Fees and Costs, and Enhancement Award, Declaration of Joanna Ghosh in Support Thereof, and [Proposed] Final Approval Order and Judgment (filed on October 24, 2024)	21.50
Total Hours:	407.00

EXHIBIT B

LAWYERS for JUSTICE PC CASE COST DETAIL

Wirth v. MB2 Raceway, Inc.

<u>Date</u>	<u>Payee</u>	<u>Expense Description</u>	<u>Amount</u>
12/3/2019	U.S. Postmaster	Postage	\$6.85
1/2/2020	U.S. Postmaster	Postage	\$14.00
2/3/2020	U.S. Postmaster	Postage	\$6.95
2/27/2020	U.S. Postmaster	Postage	\$42.30
4/2/2020	U.S. Postmaster	Postage	\$7.65
4/2/2020	Labor & Workforce Development Agency	PAGA Filing Fee	\$75.00
4/17/2020	General Logistics Systems US, Inc.	Courier Service	\$17.10
5/8/2020	U.S. Postmaster	Postage	\$6.95
5/8/2020	General Logistics Systems US, Inc.	Courier Service	\$12.87
5/8/2020	Labor & Workforce Development Agency	PAGA Filing Fee	\$75.00
6/11/2020	Legal Document Server, Inc.	Attorney Service	\$160.23
6/11/2020	Los Angeles Superior Court	Complaint Filing Fee	\$435.00
6/11/2020	Los Angeles Superior Court	Complex Filing Fee	\$1,000.00
6/12/2020	Labor & Workforce Development Agency	PAGA Filing Fee	\$75.00
6/26/2020	Legal Document Server, Inc.	Attorney Service	\$165.00
7/6/2020	Legal Document Server, Inc.	Attorney Service	\$110.00
8/5/2020	Legal Document Server, Inc.	Attorney Service	\$205.00
8/11/2020	Legal Document Server, Inc.	Attorney Service	\$110.00
8/14/2020	Los Angeles Superior Court	Stipulation & Order Fee	\$40.00
8/14/2020	Legal Document Server, Inc.	Attorney Service	\$316.40
8/17/2020	Los Angeles Superior Court	Remote Appearance Fee	\$15.00
9/3/2020	Legal Document Server, Inc.	Attorney Service	\$110.00
10/8/2020	General Logistics Systems US, Inc.	Courier Service	11.98
10/9/2020	Legal Document Server, Inc.	Attorney Service	\$205.00
10/19/2020	Legal Document Server, Inc.	Attorney Service	\$95.00
10/20/2020	Los Angeles Superior Court	Remote Appearance Fee	\$15.00
11/24/2020	Legal Document Server, Inc.	Attorney Service	\$115.25
11/24/2020	Los Angeles Superior Court	Jury Fee	\$150.00
11/30/2020	Legal Document Server, Inc.	Attorney Service	\$245.00
12/14/2020	Legal Document Server, Inc.	Attorney Service	\$175.00
12/15/2020	Los Angeles Superior Court	Remote Appearance Fee	\$15.00
12/16/2020	Legal Document Server, Inc.	Attorney Service	\$145.00
1/5/2021	One Legal	Attorney Service	\$16.68
1/13/2021	Legal Document Server, Inc.	Attorney Service	\$245.00
1/13/2021	One Legal	Attorney Service	\$16.68
3/2/2021	Legal Document Server, Inc.	Attorney Service	\$15.20
3/4/2021	Case Anywhere LLC	Attorney Service	\$109.20
3/30/2021	Legal Document Server, Inc.	Attorney Service	\$205.00
4/9/2021	Legal Document Server, Inc.	Attorney Service	\$205.00
4/13/2021	Legal Document Server, Inc.	Attorney Service	\$175.00
4/30/2021	Legal Document Server, Inc.	Attorney Service	\$205.00

LAWYERS for JUSTICE PC CASE COST DETAIL

Wirth v. MB2 Raceway, Inc.

6/4/2021	Case Anywhere LLC	Attorney Service	\$144.00
9/3/2021	Case Anywhere LLC	Attorney Service	\$198.00
9/15/2021	General Logistics Systems US, Inc.	Courier Service	\$70.53
9/20/2021	General Logistics Systems US, Inc.	Courier Service	\$45.02
10/19/2021	One Legal	Stipulation & Order Fee	\$16.68
10/21/2021	ProLegal	Attorney Service	\$157.63
10/21/2021	One Legal	Attorney Service	\$175.01
10/21/2021	Los Angeles Superior Court	Motion Fee	\$360.00
10/25/2021	One Legal	Attorney Service	\$100.08
10/26/2021	One Legal	Attorney Service	\$18.45
10/26/2021	Los Angeles Superior Court	Motion Fee	\$60.00
10/28/2021	One Legal	Attorney Service	\$16.68
12/7/2021	Case Anywhere LLC	Attorney Service	1,170.00
3/4/2022	Case Anywhere LLC	Attorney Service	\$162.00
5/20/2022	Legal Document Server, Inc.	Attorney Service	16.55
5/20/2022	Los Angeles Superior Court	Stipulation & Order Fee	20.00
5/31/2022	Legal Document Server, Inc.	Attorney Service	\$15.20
6/7/2022	Case Anywhere LLC	Attorney Service	132.00
7/28/2022	Legal Document Server, Inc.	Attorney Service	11.75
8/8/2022	Los Angeles Superior Court	Document Download Fee	5.40
9/15/2022	Legal Document Server, Inc.	Attorney Service	\$17.30
9/15/2022	Los Angeles Superior Court	Stipulation & Order Fee	\$20.00
11/23/2022	General Logistics Systems US, Inc.	Courier Service	28.52
12/8/2022	General Logistics Systems US, Inc.	Courier Service	28.13
12/8/2022	Case Anywhere LLC	Attorney Service	126.00
12/13/2022	Legal Document Server, Inc.	Attorney Service	17.30
12/13/2022	Los Angeles Superior Court	Stipulation & Order Fee	20.00
12/16/2022	Legal Document Server, Inc.	Attorney Service	\$15.95
1/19/2023	Legal Document Server, Inc.	Attorney Service	\$15.95
1/30/2023	Legal Document Server, Inc.	Attorney Service	\$15.95
3/3/2023	Case Anywhere LLC	Attorney Service	\$144.00
5/5/2023	General Logistics Systems US, Inc.	Courier Service	18.92
6/2/2023	Case Anywhere LLC	Attorney Service	\$120.00
6/15/2023	Henry J. Bongiovi	Mediation Fee	6,000.00
7/10/2023	Melissa LeBlanc	Travel Reimbursement	17.12
7/24/2023	Legal Document Server, Inc.	Attorney Service	\$18.15
7/24/2023	Los Angeles Superior Court	Stipulation & Order Fee	\$20.00
9/4/2023	Case Anywhere LLC	Attorney Service	\$132.00
11/13/2023	Legal Document Server, Inc.	Attorney Service	17.54
11/13/2023	Los Angeles Superior Court	Stipulation & Order Fee	20.00
11/17/2023	Legal Document Server, Inc.	Attorney Service	16.15
12/8/2023	Case Anywhere LLC	Attorney Service	132.00

LAWYERS for JUSTICE PC CASE COST DETAIL
Wirth v. MB2 Raceway, Inc.

1/30/2024	Legal Document Server, Inc.	Attorney Service	\$17.54
1/30/2024	Los Angeles Superior Court	Stipulation & Order Fee	\$20.00
3/5/2024	Case Anywhere LLC	Attorney Service	\$126.00
5/14/2024	Legal Document Server, Inc.	Attorney Service	\$199.07
5/14/2024	Los Angeles Superior Court	Motion Fee	\$60.00
5/20/2024	Legal Document Server, Inc.	Attorney Service	\$17.54
5/20/2024	Los Angeles Superior Court	Stipulation & Order Fee	\$20.00
6/5/2024	Case Anywhere LLC	Attorney Service	\$174.00
Total:			15,861.40

LAWYERS for JUSTICE PC CASE COST DETAIL
Wirth v. MB2 Raceway (PAGA)

<u>Date</u>	<u>Payee</u>	<u>Expense Description</u>	<u>Amount</u>
10/8/2020	Legal Document Server, Inc.	Attorney Service	\$15.20
8/11/2020	Legal Document Server, Inc.	Attorney Service	\$110.00
9/4/2020	Legal Document Server, Inc.	Attorney Service	\$110.00
7/15/2020	Legal Document Server, Inc.	Attorney Service	\$11.00
7/16/2020	Legal Document Server, Inc.	Attorney Service	\$15.20
7/6/2020	Legal Document Server, Inc.	Attorney Service	\$110.00
6/22/2020	Legal Document Server, Inc.	Attorney Service	\$28.93
6/22/2020	Los Angeles Superior Court	Complaint Filing Fee	\$435.00
6/25/2020	Legal Document Server, Inc.	Attorney Service	\$13.70
Total:			\$849.03

LAWYERS for JUSTICE PC CASE COST DETAIL
Monroy v. MB2 Raceway, Inc. (PAGA)

<u>Date</u>	<u>Payee</u>	<u>Expense Description</u>	<u>Amount</u>
6/12/2020	Labor & Workforce Development Agency	PAGA Filing Fee	\$75.00
6/12/2020	U.S. Postmaster	Postage	\$13.90
8/19/2020	Legal Document Server, Inc.	Attorney Service	\$30.43
8/19/2020	Los Angeles Superior Court	Complaint Filing Fee	\$435.00
9/3/2020	Legal Document Server, Inc.	Attorney Service	\$220.00
10/8/2020	Legal Document Server, Inc.	Attorney Service	\$15.20
10/8/2020	General Logistics Systems US, Inc.	Courier Service	\$11.98
10/13/2020	General Logistics Systems US, Inc.	Courier Service	\$17.58
3/2/2021	Legal Document Server, Inc.	Attorney Service	\$15.20
Total:			\$834.29

EXHIBIT C



Elizabeth Parker-Fawley <elizabeth@calljustice.com>

RE: Wirth v. MB2 Raceway, Superior Court of California for the County of Los Angeles, Case No. 20STCV22600)

10 messages

Taylor Mitzner <Taylor@phoenixclassaction.com>

Mon, Sep 16, 2024 at 9:19 AM

To: "Kathleen M. Hartman" <KHartman@ctsclaw.com>, Ryan Slinger <r.slinger@calljustice.com>, Elizabeth Parker-Fawley <elizabeth@calljustice.com>, Joanna Ghosh <j Joanna@calljustice.com>, Jhessica Tor <jhessica@calljustice.com>, Sina Lui <sina@calljustice.com>

Cc: Mike Moore <mike@phoenixclassaction.com>

Good morning Counsel,

Please be advised that we are in receipt of the class data. Below is our updated mailing timeline; please let me know if you have any questions.

Preliminary Approval: 8/28/24

Description	Time frame	Deadline <i>per Order</i>
First Installment Funding	\$125,000 due within 10 days of Preliminary Approval.	RECD \$125,000 9/10/24
Data Due	21 days from Preliminary Approval.	RECD 9/16/24
Initial Mailing	14 days from receipt of data.	9/30/24
Response Deadline	45 days from Initial Mailing.	11/14/24
Dec Due	Phoenix Estimate	12/2/24 (file by 12/23/24)
Final Approval	Per Order.	1/6/25 at 9:00 am

Best regards,

Taylor

**Taylor Mitzner**

Phoenix Group Coordinator, Case Management & Shareholder

Direct: (949) 910-2153

Email: taylor@phoenixclassaction.com

www.phoenixclassaction.com

CONFIDENTIALITY NOTICE: This e-mail, and any attached documents, files or previous e-mail messages, is intended for the addressee only. E-mail may contain confidential information that is legally privileged. Do not read this e-mail if you are not the intended recipient.

If you are not the intended recipient of this e-mail, you are hereby notified that any disclosure, copying, distribution or use of any information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify us by reply e-mail and destroy the original transmission and its attachments without reading, saving or copying any of it. Thank you.

From: Taylor Mitzner

Sent: Tuesday, September 10, 2024 10:23 AM

To: Kathleen M. Hartman <KHartman@ctsclaw.com>; Ryan Slinger <r.slinger@calljustice.com>; Elizabeth Parker-Fawley <elizabeth@calljustice.com>; Joanna Ghosh <joanna@calljustice.com>; Jhessica Tor <jhessica@calljustice.com>; Sina Lui <sina@calljustice.com>

Cc: Mike Moore <mike@phoenixclassaction.com>

Subject: RE: Administration of Class Action and Private Attorneys General Act Settlement in Wirth v. MB2 Raceway, Superior Court of California for the County of Los Angeles, Case No. 20STCV22600)

Hello Counsel,

Please be advised that we received a wire from Defendant in the amount of \$125,000.00 for the first installment.

Best regards,
Taylor



Taylor Mitzner

Phoenix Group Coordinator, Case Management & Shareholder

Direct: (949) 910-2153

Email: taylor@phoenixclassaction.com

www.phoenixclassaction.com

CONFIDENTIALITY NOTICE: This e-mail, and any attached documents, files or previous e-mail messages, is intended for the addressee only. E-mail may contain confidential information that is legally privileged. Do not read this e-mail if you are not the intended recipient.

If you are not the intended recipient of this e-mail, you are hereby notified that any disclosure, copying, distribution or use of any information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify us by reply e-mail and destroy the original transmission and its attachments without reading, saving or copying any of it. Thank you.

From: Kathleen M. Hartman <KHartman@ctsclaw.com>

Sent: Monday, September 9, 2024 4:11 PM

To: Taylor Mitzner <Taylor@phoenixclassaction.com>; Ryan Slinger <r.slinger@calljustice.com>; Elizabeth Parker-Fawley <elizabeth@calljustice.com>; Joanna Ghosh <joanna@calljustice.com>; Jhessica Tor <jhessica@calljustice.com>; Sina Lui <sina@calljustice.com>

Cc: Mike Moore <mike@phoenixclassaction.com>

Subject: RE: Administration of Class Action and Private Attorneys General Act Settlement in Wirth v. MB2 Raceway, Superior Court of California for the County of Los Angeles, Case No. 20STCV22600)

My client said the bank put a fraud alert on the transfer. She has that cleared up so you should have it tomorrow. Please let me know if you do not receive it.



Kathleen M. Hartman | Partner

2601 Main Street, Suite 800, Irvine, California 92614

Tel: 949/261-CTSC(2872) | Fax: 949/261-6060

E-Mail: khartman@ctsclaw.com | Website: www.ctsclaw.com

NOTICE: This e-mail and any attachments contain information from the law firm of Callahan, Thompson, Sherman & Caudill, LLP, and are intended solely for the use of the named recipient or recipients. This e-mail may contain privileged attorney/client communications or work product. Any dissemination of this e-mail by anyone other than an intended recipient is strictly prohibited. If you are not a named recipient, you are prohibited from any further viewing of the e-mail or any attachments or from making any use of the e-mail or attachments. If you believe you have received this e-mail in error, please notify the sender immediately and permanently delete the e-mail, any attachments, and all copies thereof from any drives or storage media and destroy any printouts of the e-mail or attachments. Thank you.

From: Taylor Mitzner <Taylor@phoenixclassaction.com>
Sent: Monday, September 9, 2024 9:11 AM
To: Kathleen M. Hartman <KHartman@ctsclaw.com>; Ryan Slinger <r.slinger@calljustice.com>; Elizabeth Parker-Fawley <elizabeth@calljustice.com>; Joanna Ghosh <joanna@calljustice.com>; Jhessica Tor <jhessica@calljustice.com>; Sina Lui <sina@calljustice.com>
Cc: Mike Moore <mike@phoenixclassaction.com>
Subject: RE: Administration of Class Action and Private Attorneys General Act Settlement in Wirth v. MB2 Raceway, Superior Court of California for the County of Los Angeles, Case No. 20STCV22600)

Hi Kate,

Thank you for your message. Our bank is only showing that the \$1.00 test wire was received. Do you happen to have the IMAD number for the transfer of the first installment so that we can track it on our end?

Best regards,

Taylor



Taylor Mitzner

Phoenix Group Coordinator, Case Management & Shareholder

Direct: (949) 910-2153

Email: taylor@phoenixclassaction.com

www.phoenixclassaction.com

CONFIDENTIALITY NOTICE: This e-mail, and any attached documents, files or previous e-mail messages, is intended for the addressee only. E-mail may contain confidential information that is legally privileged. Do not read this e-mail if you are not the intended recipient.

If you are not the intended recipient of this e-mail, you are hereby notified that any disclosure, copying, distribution or use of any information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify us by reply e-mail and destroy the original transmission and its attachments without reading, saving or copying any of it. Thank you.

From: Kathleen M. Hartman <KHartman@ctsclaw.com>
Sent: Saturday, September 7, 2024 9:45 AM
To: Taylor Mitzner <Taylor@phoenixclassaction.com>; Ryan Slinger <r.slinger@calljustice.com>; Elizabeth Parker-Fawley <elizabeth@calljustice.com>; Joanna Ghosh <joanna@calljustice.com>; Jhessica Tor <jhessica@calljustice.com>; Sina Lui <sina@calljustice.com>
Cc: Mike Moore <mike@phoenixclassaction.com>

Subject: RE: Administration of Class Action and Private Attorneys General Act Settlement in Wirth v. MB2 Raceway, Superior Court of California for the County of Los Angeles, Case No. 20STCV22600)

Hi,

The First installment was wired 9/5/2024 after receipt of the wiring/payment instructions and confirmation of receipt of the test wiring of \$1.

I am not sure what you mean by the next installment. Perhaps you are referring to the test wire?

Kate



Kathleen M. Hartman | Partner

2601 Main Street, Suite 800, Irvine, California 92614

Tel: 949/261-CTSC(2872) | Fax: 949/261-6060

E-Mail: khartman@ctsclaw.com | Website: www.ctsclaw.com

NOTICE: This e-mail and any attachments contain information from the law firm of Callahan, Thompson, Sherman & Caudill, LLP, and are intended solely for the use of the named recipient or recipients. This e-mail may contain privileged attorney/client communications or work product. Any dissemination of this e-mail by anyone other than an intended recipient is strictly prohibited. If you are not a named recipient, you are prohibited from any further viewing of the e-mail or any attachments or from making any use of the e-mail or attachments. If you believe you have received this e-mail in error, please notify the sender immediately and permanently delete the e-mail, any attachments, and all copies thereof from any drives or storage media and destroy any printouts of the e-mail or attachments. Thank you.

From: Taylor Mitzner <Taylor@phoenixclassaction.com>

Sent: Friday, September 6, 2024 2:18 PM

To: Ryan Slinger <r.slinger@calljustice.com>; Kathleen M. Hartman <KHartman@ctsclaw.com>; Elizabeth Parker-Fawley <elizabeth@calljustice.com>; Joanna Ghosh <joanna@calljustice.com>; Jhessica Tor <jhessica@calljustice.com>; Sina Lui <sina@calljustice.com>

Cc: Mike Moore <mike@phoenixclassaction.com>

Subject: RE: Administration of Class Action and Private Attorneys General Act Settlement in Wirth v. MB2 Raceway, Superior Court of California for the County of Los Angeles, Case No. 20STCV22600)

Hello Counsel,

I'm following up on the next installment payment that was due on 9/3. Defense Counsel, please advise if you have any updates.

Best regards,
Taylor



Taylor Mitzner

Phoenix Group Coordinator, Case Management & Shareholder

Direct: (949) 910-2153

Email: taylor@phoenixclassaction.com

www.phoenixclassaction.com

CONFIDENTIALITY NOTICE: This e-mail, and any attached documents, files or previous e-mail messages, is intended for the addressee only. E-mail may contain confidential information that is legally privileged. Do not read this e-mail if you are not the intended recipient.

If you are not the intended recipient of this e-mail, you are hereby notified that any disclosure, copying, distribution or use of any information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify us by reply e-mail and destroy the original transmission and its attachments without reading, saving or copying any of it. Thank you.

From: Taylor Mitzner

Sent: Wednesday, August 28, 2024 8:44 AM

To: Mike Moore <mike@phoenixclassaction.com>; Ryan Slinger <r.slinger@calljustice.com>; Kathleen M. Hartman <KHartman@ctsclaw.com>

Cc: Elizabeth Parker-Fawley <elizabeth@calljustice.com>; Joanna Ghosh <joanna@calljustice.com>; Jhessica Tor <jhessica@calljustice.com>; Sina Lui <sina@calljustice.com>; Kevin Lee <kevin@phoenixclassaction.com>

Subject: RE: Administration of Class Action and Private Attorneys General Act Settlement in Wirth v. MB2 Raceway, Superior Court of California for the County of Los Angeles, Case No. 20STCV22600)

Good morning Counsel,

My name is Taylor, and I will be your case manager for this settlement. At the end of this email is our administration timeline. *Please provide the Order granting Preliminary Approval and the approved Notice when available.*

Defense Counsel, please let me know if you'd like to upload the data to our FTP portal; if so, I can provide your account credentials. To mitigate potential dataset issues, Phoenix requires that all class information be provided in a **singular, workable Excel spreadsheet**.

Please let me know if you have any questions. I look forward to working with you all.

Preliminary Approval: tentative 8/22/24

Description	Time frame	Deadline
First Installment Funding	\$125,000 due within 10 days of Preliminary Approval.	9/3/24 (9/1 – Sunday, 9/2 – Labor Day)
Data Due	21 days from Preliminary Approval.	9/10/24 per Tentative Order
Initial Mailing	14 days from receipt of data.	9/24/24 per Tentative Order
Response Deadline	45 days from Initial Mailing.	11/25/24 per Tentative Order
Dec Due	Phoenix Estimate	11/11/24 (file by 12/23/24)
Final Approval	Per Order.	1/6/25 at 9:00 am

Best regards,

Taylor



Taylor Mitzner

Phoenix Group Coordinator, Case Management & Shareholder

Direct: (949) 910-2153

Email: taylor@phoenixclassaction.com

www.phoenixclassaction.com

CONFIDENTIALITY NOTICE: This e-mail, and any attached documents, files or previous e-mail messages, is intended for the addressee only. E-mail may contain confidential information that is legally privileged. Do not read this e-mail if you are not the intended recipient.

If you are not the intended recipient of this e-mail, you are hereby notified that any disclosure, copying, distribution or use of any information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify us by reply e-mail and destroy the original transmission and its attachments without reading, saving or copying any of it. Thank you.

From: Mike Moore <mike@phoenixclassaction.com>

Sent: Wednesday, August 28, 2024 7:47 AM

To: Ryan Slinger <r.slinger@calljustice.com>

Cc: Elizabeth Parker-Fawley <elizabeth@calljustice.com>; Joanna Ghosh <joanna@calljustice.com>; Jhessica Tor <jhessica@calljustice.com>; Sina Lui <sina@calljustice.com>; Kathleen M. Hartman <KHartman@ctsclaw.com>; Taylor Mitzner <Taylor@phoenixclassaction.com>; Kevin Lee <kevin@phoenixclassaction.com>

Subject: RE: Administration of Class Action and Private Attorneys General Act Settlement in Wirth v. MB2 Raceway, Superior Court of California for the County of Los Angeles, Case No. 20STCV22600)

Hi Ryan,

Thank you for the update and attachment. It has been forwarded to your case manager.

Be well.

Best Regards,

Mike



Michael E. Moore

Phoenix Group CEO & Managing Partner

Direct: 949.331.0131

Ofc: 800.523.5773

Email: mike@phoenixclassaction.com

1411 N. Batavia St., Suite 105

Orange, CA 92863

www.phoenixclassaction.com

CONFIDENTIALITY NOTICE: This e-mail, and any attached documents, files or previous e-mail messages, is intended for the addressee only. E-mail may contain confidential information that is legally privileged. Do not read this e-mail if you are not the intended recipient.

If you are not the intended recipient of this e-mail, you are hereby notified that any disclosure, copying, distribution or use of any information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify us by reply e-mail and destroy the original transmission and its attachments without reading, saving or copying any of it. Thank you.

From: Ryan Slinger <r.slinger@calljustice.com>

Sent: Tuesday, August 27, 2024 12:00 PM

To: Mike Moore <mike@phoenixclassaction.com>

Cc: Elizabeth Parker-Fawley <elizabeth@calljustice.com>; Joanna Ghosh <joanna@calljustice.com>; Jhessica Tor <jhessica@calljustice.com>; Sina Lui <sina@calljustice.com>; Kathleen M. Hartman <KHartman@ctsclaw.com>

Subject: Re: Administration of Class Action and Private Attorneys General Act Settlement in Wirth v. MB2 Raceway, Superior Court of California for the County of Los Angeles, Case No. 20STCV22600)

Hi Mike,

Attached is the Minute Order from August 22, 2024.

With kind regards,

Ryan Slinger

Attorney

The information contained in this e-mail is legally privileged and confidential information intended only for the use of the individual or entity named above. If the receiver of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this email message is strictly prohibited and may violate the legal rights of others. If you have received this message in error, please immediately notify the sender by reply email or telephone, and delete it from your system. Thank you.

On Thu, Aug 22, 2024 at 2:40 PM Ryan Slinger <r.slinger@calljustice.com> wrote:

Dear Mike,

On August 22, 2024, the Court granted tentative preliminary approval of, and appointed Phoenix as the administrator of, the class action and Private Attorneys General Act settlement in **Wirth v. MB2 Raceway**, Superior Court of

California for the County of Los Angeles, Case No. 20STCV22600.

Please find attached:

- PDF of declaration attaching the original settlement agreement
- Phoenix's quote

I will attached:

- PDF of the Court's minute order from August 22, 2024, on which date the Court granted preliminary approval of the settlement
- PDF of the Court's order granting preliminary approval of the settlement
- Word Copy of the Court Approved Class Notice (requires further Court Approval)

when they become available.

Additionally, the Court has required Phoenix to post the Order Granting Preliminary Approval and the Motion for Preliminary Approval Documents on its website by August 27, 2024.

Accordingly, I will provide those to you by Monday August 26, 2024.

Please assign a case manager and process this matter for settlement notice administration.

To ensure proper administration of the notice and settlement process, and to ensure that there are no data issues, delays, or surprises which cause the expenditure of additional resources of the Court and parties, **I request that Class Counsel be informed contemporaneously of the following issues should they arise (as opposed to at the end of the notice process): when individuals self-identify as Class Members and request to be added to the Class, if any individuals are being added or deleted from the Class, or if adjustments are taking place as to the Workweeks and/or calculation of settlement payments after mailing of the Class Notice to the Class.**

With kind regards,

Ryan Slinger

Attorney

The information contained in this e-mail is legally privileged and confidential information intended only for the use of the individual or entity named above. If the receiver of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this email message is strictly prohibited and may violate the legal rights of others. If you have received this message in error, please immediately notify the sender by reply email or telephone, and delete it from your system. Thank you.

Ryan Slinger <r.slinger@calljustice.com>

Tue, Sep 24, 2024 at 4:47 PM

To: Taylor Mitzner <Taylor@phoenixclassaction.com>

Cc: "Kathleen M. Hartman" <KHartman@ctsc law.com>, Elizabeth Parker-Fawley <elizabeth@calljustice.com>, Joanna Ghosh <joanna@calljustice.com>, Jhessica Tor <jhessica@calljustice.com>, Sina Lui <sina@calljustice.com>, Mike Moore

<mike@phoenixclassaction.com>

Hi Taylor,

Following up to confirm that the Class Notices are still on track to be mailed by September 30th.

With kind regards,

Ryan Slinger
Attorney



The information contained in this e-mail is legally privileged and confidential information intended only for the use of the individual or entity named above. If the receiver of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this email message is strictly prohibited and may violate the legal rights of others. If you have received this message in error, please immediately notify the sender by reply email or telephone, and delete it from your system. Thank you.

[Quoted text hidden]

Taylor Mitzner <Taylor@phoenixclassaction.com>

Wed, Sep 25, 2024 at 9:19 AM

To: Ryan Slinger <r.slinger@calljustice.com>

Cc: "Kathleen M. Hartman" <KHartman@ctsclaw.com>, Elizabeth Parker-Fawley <elizabeth@calljustice.com>, Joanna Ghosh <joanna@calljustice.com>, Jhessica Tor <jhessica@calljustice.com>, Sina Lui <sina@calljustice.com>, Mike Moore <mike@phoenixclassaction.com>

Hi Ryan,

Thank you for your message. We are reviewing some data questions with Defense Counsel and will circulate the preliminary calculations for review once these are resolved. The mailing is still scheduled for 9/30; I will update the parties if anything changes.

Please let me know if you have any questions or need additional information.

Best regards,

Taylor



Taylor Mitzner

Phoenix Group Coordinator, Case Management & Shareholder

Direct: (949) 910-2153

Email: taylor@phoenixclassaction.com

www.phoenixclassaction.com

CONFIDENTIALITY NOTICE: This e-mail, and any attached documents, files or previous e-mail messages, is intended for the addressee only. E-mail may contain confidential information that is legally privileged. Do not read this e-mail if you are not the intended recipient.

If you are not the intended recipient of this e-mail, you are hereby notified that any disclosure, copying, distribution or use of any information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify us by reply e-mail and destroy the original transmission and its attachments without reading, saving or copying any of it. Thank you.

[Quoted text hidden]

Taylor Mitzner <Taylor@phoenixclassaction.com>

Wed, Sep 25, 2024 at 10:13 AM

To: Ryan Slinger <r.slinger@calljustice.com>, "Kathleen M. Hartman" <KHartman@ctsclaw.com>, Elizabeth Parker-Fawley <elizabeth@calljustice.com>, Joanna Ghosh <joanna@calljustice.com>, Jhessica Tor <jhessica@calljustice.com>, Sina Lui <sina@calljustice.com>

Cc: Mike Moore <mike@phoenixclassaction.com>

Hello Counsel,

Attached are the mailing calculations and formatted Notice for your review.

Based on the data provided by Defendant, there are 274 class members who worked a total of 13,023.85 weeks during the Class Period. The escalator clause was not triggered.

The Notice will be mailed in English only. Any changes made to the documents or information to be merged have been highlighted for your reference. All highlights will be removed before printing.

Please note that 2 class members are missing addresses and Social Security Numbers in the class list. Defense Counsel has informed us that their client does not have contact information for these employees.

Please advise of any changes, or if we have your approval to proceed with the mailing.

Best regards,

Taylor



Taylor Mitzner

Phoenix Group Coordinator, Case Management & Shareholder

Direct: (949) 910-2153

Email: taylor@phoenixclassaction.com

www.phoenixclassaction.com

CONFIDENTIALITY NOTICE: This e-mail, and any attached documents, files or previous e-mail messages, is intended for the addressee only. E-mail may contain confidential information that is legally privileged. Do not read this e-mail if you are not the intended recipient.

If you are not the intended recipient of this e-mail, you are hereby notified that any disclosure, copying, distribution or use of any information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify us by reply e-mail and destroy the original transmission and its attachments without reading, saving or copying any of it. Thank you.

From: Ryan Slinger <r.slinger@calljustice.com>

Sent: Tuesday, September 24, 2024 4:47 PM

To: Taylor Mitzner <Taylor@phoenixclassaction.com>

Cc: Kathleen M. Hartman <KHartman@ctsclaw.com>; Elizabeth Parker-Fawley <elizabeth@calljustice.com>; Joanna Ghosh <joanna@calljustice.com>; Jhessica Tor <jhessica@calljustice.com>; Sina Lui <sina@calljustice.com>; Mike Moore <mike@phoenixclassaction.com>

[Quoted text hidden]

[Quoted text hidden]

2 attachments

 **20240925_MB2 Raceway_PreliminaryCalcs_Redacted.xlsx**
129K

 **2024.08.27_MB2 Raceway_Class Notice (RS).pdf**
246K

Ryan Slinger <r.slinger@calljustice.com>

Wed, Sep 25, 2024 at 11:33 AM

To: Taylor Mitzner <Taylor@phoenixclassaction.com>

Cc: "Kathleen M. Hartman" <KHartman@ctsclaw.com>, Elizabeth Parker-Fawley <elizabeth@calljustice.com>, Joanna Ghosh <joanna@calljustice.com>, Jhessica Tor <jhessica@calljustice.com>, Sina Lui <sina@calljustice.com>, Mike Moore <mike@phoenixclassaction.com>

Hi Taylor,

This is approved. Please move forward with mailing the class notices.

With kind regards,

Ryan Slinger
Attorney



The information contained in this e-mail is legally privileged and confidential information intended only for the use of the individual or entity named above. If the receiver of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this email message is strictly prohibited and may violate the legal rights of others. If you have received this message in error, please immediately notify the sender by reply email or telephone, and delete it from your system. Thank you.

[Quoted text hidden]

Taylor Mitzner <Taylor@phoenixclassaction.com>

Wed, Sep 25, 2024 at 1:16 PM

To: Ryan Slinger <r.slinger@calljustice.com>

Cc: "Kathleen M. Hartman" <KHartman@ctsclaw.com>, Elizabeth Parker-Fawley <elizabeth@calljustice.com>, Joanna Ghosh <joanna@calljustice.com>, Jhessica Tor <jhessica@calljustice.com>, Sina Lui <sina@calljustice.com>, Mike Moore <mike@phoenixclassaction.com>

Thank you, Ryan! I will confirm with all parties once the mailing has been completed.

[Quoted text hidden]

Taylor Mitzner <Taylor@phoenixclassaction.com>

Thu, Sep 26, 2024 at 8:27 AM

To: Ryan Slinger <r.slinger@calljustice.com>, "Kathleen M. Hartman" <KHartman@ctsclaw.com>, Elizabeth Parker-Fawley <elizabeth@calljustice.com>, Joanna Ghosh <joanna@calljustice.com>, Jhessica Tor <jhessica@calljustice.com>, Sina Lui <sina@calljustice.com>

Cc: Mike Moore <mike@phoenixclassaction.com>

Good morning Counsel,

Please be advised that we received additional data clarifying some class members' employment dates. The new total workweeks are 13,123.14.

Given the parties' approval, we will proceed with the mailing as scheduled. I will confirm once completed; please let me know if you have any questions in the meantime.

[Quoted text hidden]

**20240926_MB2 Raceway_PreliminaryCalcs_Redacted.xlsx**

128K

Taylor Mitzner <Taylor@phoenixclassaction.com>

Mon, Sep 30, 2024 at 8:07 AM

To: Ryan Slinger <r.slinger@calljustice.com>, "Kathleen M. Hartman" <KHartman@ctsclaw.com>, Elizabeth Parker-Fawley <elizabeth@calljustice.com>, Joanna Ghosh <joanna@calljustice.com>, Jhessica Tor <jhessica@calljustice.com>, Sina Lui <sina@calljustice.com>

Cc: Mike Moore <mike@phoenixclassaction.com>

Good afternoon Counsel,

Please be advised the initial mailing was completed today. I will send weekly reports starting November 11th.

Should you need any Class Member addresses updated and/or Notice Packets re-mailed, please direct your request to Notice@phoenixclassaction.com.

[Quoted text hidden]

Ryan Slinger <r.slinger@calljustice.com>

Mon, Sep 30, 2024 at 4:04 PM

To: Taylor Mitzner <Taylor@phoenixclassaction.com>

Cc: "Kathleen M. Hartman" <KHartman@ctsclaw.com>, Elizabeth Parker-Fawley <elizabeth@calljustice.com>, Joanna Ghosh <joanna@calljustice.com>, Jhessica Tor <jhessica@calljustice.com>, Sina Lui <sina@calljustice.com>, Mike Moore <mike@phoenixclassaction.com>

Hi Taylor,

Thank you for the update. Please confirm that weekly reports will begin October 11th, not November 11th. Thank you.

With kind regards,

Ryan Slinger
Attorney



The information contained in this e-mail is legally privileged and confidential information intended only for the use of the individual or entity named above. If the receiver of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this email message is strictly prohibited and may violate the legal rights of others. If you have received this message in error, please immediately notify the sender by reply email or telephone, and delete it from your system. Thank you.

[Quoted text hidden]

Taylor Mitzner <Taylor@phoenixclassaction.com>

Mon, Sep 30, 2024 at 4:10 PM

To: Ryan Slinger <r.slinger@calljustice.com>

Cc: "Kathleen M. Hartman" <KHartman@ctsclaw.com>, Elizabeth Parker-Fawley <elizabeth@calljustice.com>, Joanna Ghosh <joanna@calljustice.com>, Jhessica Tor <jhessica@calljustice.com>, Sina Lui <sina@calljustice.com>, Mike Moore <mike@phoenixclassaction.com>

Hi Ryan,

Thank you for catching that – confirming that weekly reports will begin on October 11th.

Best regards,

Taylor



Taylor Mitzner

Phoenix Group Coordinator, Case Management & Shareholder

Direct: (949) 910-2153

Email: taylor@phoenixclassaction.com

www.phoenixclassaction.com

CONFIDENTIALITY NOTICE: This e-mail, and any attached documents, files or previous e-mail messages, is intended for the addressee only. E-mail may contain confidential information that is legally privileged. Do not read this e-mail if you are not the intended recipient.

If you are not the intended recipient of this e-mail, you are hereby notified that any disclosure, copying, distribution or use of any information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify us by reply e-mail and destroy the original transmission and its attachments without reading, saving or copying any of it. Thank you.

From: Ryan Slinger <r.slinger@calljustice.com>

Sent: Monday, September 30, 2024 4:04 PM

To: Taylor Mitzner <Taylor@phoenixclassaction.com>

Cc: Kathleen M. Hartman <KHartman@ctsclaw.com>; Elizabeth Parker-Fawley <elizabeth@calljustice.com>; Joanna Ghosh <joanna@calljustice.com>; Jhessica Tor <jhessica@calljustice.com>; Sina Lui <sina@calljustice.com>; Mike Moore <mike@phoenixclassaction.com>

Subject: Re: Wirth v. MB2 Raceway, Superior Court of California for the County of Los Angeles, Case No. 20STCV22600)

Hi Taylor,

Thank you for the update. Please confirm that weekly reports will begin October 11th, not November 11th. Thank you.

With kind regards,

Ryan Slinger

Attorney



The information contained in this e-mail is legally privileged and confidential information intended only for the use of the individual or entity named above. If the receiver of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this email message is strictly prohibited and may violate the legal rights of others. If you have received this message in error, please immediately notify the sender by reply email or telephone, and delete it from your system. Thank you.

On Mon, Sep 30, 2024 at 4:01 PM Taylor Mitzner <Taylor@phoenixclassaction.com> wrote:

Good afternoon Counsel,

Please be advised the initial mailing was completed today. I will send weekly reports starting November 11th.

Should you need any Class Member addresses updated and/or Notice Packets re-mailed, please direct your request to Notice@phoenixclassaction.com.

Best regards,

Taylor



Taylor Mitzner

Phoenix Group Coordinator, Case Management & Shareholder

Direct: (949) 910-2153

Email: taylor@phoenixclassaction.com

www.phoenixclassaction.com

CONFIDENTIALITY NOTICE: This e-mail, and any attached documents, files or previous e-mail messages, is intended for the addressee only. E-mail may contain confidential information that is legally privileged. Do not read this e-mail if you are not the intended recipient.

If you are not the intended recipient of this e-mail, you are hereby notified that any disclosure, copying, distribution or use of any information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify us by reply e-mail and destroy the original transmission and its attachments without reading, saving or copying any of it. Thank you.

From: Taylor Mitzner

Sent: Thursday, September 26, 2024 8:27 AM

To: Ryan Slinger <r.slinger@calljustice.com>; Kathleen M. Hartman <KHartman@ctsclaw.com>; Elizabeth Parker-Fawley <elizabeth@calljustice.com>; Joanna Ghosh <joanna@calljustice.com>; Jhessica Tor <jhessica@calljustice.com>; Sina Lui <sina@calljustice.com>

Cc: Mike Moore <mike@phoenixclassaction.com>

Subject: RE: Wirth v. MB2 Raceway, Superior Court of California for the County of Los Angeles, Case No. 20STCV22600)

Good morning Counsel,

Please be advised that we received additional data clarifying some class members' employment dates. The new total workweeks are 13,123.14.

Given the parties' approval, we will proceed with the mailing as scheduled. I will confirm once completed; please let me know if you have any questions in the meantime.

Best regards,
Taylor

**Taylor Mitzner**

Phoenix Group Coordinator, Case Management & Shareholder

Direct: (949) 910-2153

Email: taylor@phoenixclassaction.com

www.phoenixclassaction.com

CONFIDENTIALITY NOTICE: This e-mail, and any attached documents, files or previous e-mail messages, is intended for the addressee only. E-mail may contain confidential information that is legally privileged. Do not read this e-mail if you are not the intended recipient.

If you are not the intended recipient of this e-mail, you are hereby notified that any disclosure, copying, distribution or use of any information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify us by reply e-mail and destroy the original transmission and its attachments without reading, saving or copying any of it. Thank you.

From: Ryan Slinger <r.slinger@calljustice.com>

Sent: Wednesday, September 25, 2024 11:33 AM

To: Taylor Mitzner <Taylor@phoenixclassaction.com>

Cc: Kathleen M. Hartman <KHartman@ctsclaw.com>; Elizabeth Parker-Fawley <elizabeth@calljustice.com>; Joanna Ghosh <joanna@calljustice.com>; Jhessica Tor <jhessica@calljustice.com>; Sina Lui <sina@calljustice.com>; Mike Moore <mike@phoenixclassaction.com>

Subject: Re: Wirth v. MB2 Raceway, Superior Court of California for the County of Los Angeles, Case No. 20STCV22600)

Hi Taylor,

This is approved. Please move forward with mailing the class notices.

With kind regards,

Ryan Slinger

Attorney



The information contained in this e-mail is legally privileged and confidential information intended only for the use of the individual or entity named above. If the receiver of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this email message is strictly prohibited and may violate the legal

rights of others. If you have received this message in error, please immediately notify the sender by reply email or telephone, and delete it from your system. Thank you.

On Wed, Sep 25, 2024 at 11:00 AM Taylor Mitzner <Taylor@phoenixclassaction.com> wrote:

Hello Counsel,

Attached are the mailing calculations and formatted Notice for your review.

Based on the data provided by Defendant, there are 274 class members who worked a total of 13,023.85 weeks during the Class Period. The escalator clause was not triggered.

The Notice will be mailed in English only. Any changes made to the documents or information to be merged have been highlighted for your reference. All highlights will be removed before printing.

Please note that 2 class members are missing addresses and Social Security Numbers in the class list. Defense Counsel has informed us that their client does not have contact information for these employees.

Please advise of any changes, or if we have your approval to proceed with the mailing.

Best regards,

Taylor



Taylor Mitzner

Phoenix Group Coordinator, Case Management & Shareholder

Direct: (949) 910-2153

Email: taylor@phoenixclassaction.com

www.phoenixclassaction.com

CONFIDENTIALITY NOTICE: This e-mail, and any attached documents, files or previous e-mail messages, is intended for the addressee only. E-mail may contain confidential information that is legally privileged. Do not read this e-mail if you are not the intended recipient.

If you are not the intended recipient of this e-mail, you are hereby notified that any disclosure, copying, distribution or use of any information contained in or attached to this transmission is **STRICTLY PROHIBITED**. If you have received this transmission in error, please immediately notify us by reply e-mail and destroy the original transmission and its attachments without reading, saving or copying any of it. Thank you.

From: Ryan Slinger <r.slinger@calljustice.com>
Sent: Tuesday, September 24, 2024 4:47 PM
To: Taylor Mitzner <Taylor@phoenixclassaction.com>
Cc: Kathleen M. Hartman <KHartman@ctsclaw.com>; Elizabeth Parker-Fawley <elizabeth@calljustice.com>; Joanna Ghosh <joanna@calljustice.com>; Jhessica Tor <jhessica@calljustice.com>; Sina Lui <sina@calljustice.com>; Mike Moore <mike@phoenixclassaction.com>
Subject: Re: Wirth v. MB2 Raceway, Superior Court of California for the County of Los Angeles, Case No. 20STCV22600)

Hi Taylor,

Following up to confirm that the Class Notices are still on track to be mailed by September 30th.

With kind regards,

Ryan Slinger

Attorney



The information contained in this e-mail is legally privileged and confidential information intended only for the use of the individual or entity named above. If the receiver of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this email message is strictly prohibited and may violate the legal rights of others. If you have received this message in error, please immediately notify the sender by reply email or telephone, and delete it from your system. Thank you.

On Mon, Sep 16, 2024 at 9:19 AM Taylor Mitzner <Taylor@phoenixclassaction.com> wrote:

Good morning Counsel,

Please be advised that we are in receipt of the class data. Below is our updated mailing timeline; please let me know if you have any questions.

Preliminary Approval: 8/28/24

Description	Time frame	Deadline <i>per Order</i>
First Installment Funding	\$125,000 due within 10 days of Preliminary Approval.	RECD \$125,000 9/10/24

Data Due	21 days from Preliminary Approval.	RECD 9/16/24
Initial Mailing	14 days from receipt of data.	9/30/24
Response Deadline	45 days from Initial Mailing.	11/14/24
Dec Due	Phoenix Estimate	12/2/24 (file by 12/23/24)
Final Approval	Per Order.	1/6/25 at 9:00 am

Best regards,

Taylor



Taylor Mitzner

Phoenix Group Coordinator, Case Management & Shareholder

Direct: (949) 910-2153

Email: taylor@phoenixclassaction.com

www.phoenixclassaction.com

CONFIDENTIALITY NOTICE: This e-mail, and any attached documents, files or previous e-mail messages, is intended for the addressee only. E-mail may contain confidential information that is legally privileged. Do not read this e-mail if you are not the intended recipient.

If you are not the intended recipient of this e-mail, you are hereby notified that any disclosure, copying, distribution or use of any information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify us by reply e-mail and destroy the original transmission and its attachments without reading, saving or copying any of it. Thank you.

From: Taylor Mitzner

Sent: Tuesday, September 10, 2024 10:23 AM

To: Kathleen M. Hartman <KHartman@ctsclaw.com>; Ryan Slinger <r.slinger@calljustice.com>; Elizabeth Parker-Fawley <elizabeth@calljustice.com>; Joanna Ghosh <joanna@calljustice.com>; Jhessica Tor <jhessica@calljustice.com>; Sina Lui <sina@calljustice.com>

Cc: Mike Moore <mike@phoenixclassaction.com>

Subject: RE: Administration of Class Action and Private Attorneys General Act Settlement in Wirth v. MB2 Raceway, Superior Court of California for the County of Los Angeles, Case No. 20STCV22600)

Hello Counsel,

Please be advised that we received a wire from Defendant in the amount of \$125,000.00 for the first installment.

Best regards,
Taylor



Taylor Mitzner

Phoenix Group Coordinator, Case Management & Shareholder

Direct: (949) 910-2153

Email: taylor@phoenixclassaction.com

www.phoenixclassaction.com

CONFIDENTIALITY NOTICE: This e-mail, and any attached documents, files or previous e-mail messages, is intended for the addressee only. E-mail may contain confidential information that is legally privileged. Do not read this e-mail if you are not the intended recipient.

If you are not the intended recipient of this e-mail, you are hereby notified that any disclosure, copying, distribution or use of any information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify us by reply e-mail and destroy the original transmission and its attachments without reading, saving or copying any of it. Thank you.

From: Kathleen M. Hartman <KHartman@ctsclaw.com>

Sent: Monday, September 9, 2024 4:11 PM

To: Taylor Mitzner <Taylor@phoenixclassaction.com>; Ryan Slinger <r.slinger@calljustice.com>; Elizabeth Parker-Fawley <elizabeth@calljustice.com>; Joanna Ghosh <joanna@calljustice.com>; Jhessica Tor <jhessica@calljustice.com>; Sina Lui <sina@calljustice.com>

Cc: Mike Moore <mike@phoenixclassaction.com>

Subject: RE: Administration of Class Action and Private Attorneys General Act Settlement in Wirth v. MB2 Raceway, Superior Court of California for the County of Los Angeles, Case No. 20STCV22600)

My client said the bank put a fraud alert on the transfer. She has that cleared up so you should have it tomorrow. Please let me know if you do not receive it.



Kathleen M. Hartman | Partner

2601 Main Street, Suite 800, Irvine, California 92614

Tel: 949/261-CTSC(2872) | Fax: 949/261-6060

E-Mail: khartman@ctsclaw.com | Website: www.ctsclaw.com

NOTICE: This e-mail and any attachments contain information from the law firm of Callahan, Thompson, Sherman & Caudill, LLP, and are intended solely for the use of the named recipient or recipients. This e-mail may contain privileged attorney/client communications or work product. Any dissemination of this e-mail by anyone other than an intended recipient is strictly prohibited. If you are not a named recipient, you are prohibited from any further viewing of the e-mail or any attachments or from making any use of the e-mail or attachments. If you believe you have received this e-mail in error, please notify the sender immediately and permanently delete the e-mail, any attachments, and all copies thereof from any drives or storage media and destroy any printouts of the e-mail or attachments. Thank you.

From: Taylor Mitzner <Taylor@phoenixclassaction.com>

Sent: Monday, September 9, 2024 9:11 AM

To: Kathleen M. Hartman <KHartman@ctsclaw.com>; Ryan Slinger <r.slinger@calljustice.com>; Elizabeth Parker-Fawley <elizabeth@calljustice.com>; Joanna Ghosh <joanna@calljustice.com>; Jhessica Tor <jhessica@calljustice.com>; Sina Lui <sina@calljustice.com>

Cc: Mike Moore <mike@phoenixclassaction.com>

Subject: RE: Administration of Class Action and Private Attorneys General Act Settlement in Wirth v. MB2 Raceway, Superior Court of California for the County of Los Angeles, Case No. 20STCV22600)

Hi Kate,

Thank you for your message. Our bank is only showing that the \$1.00 test wire was received. Do you happen to have the IMAD number for the transfer of the first installment so that we can track it on our end?

Best regards,

Taylor



Taylor Mitzner

Phoenix Group Coordinator, Case Management & Shareholder

Direct: (949) 910-2153

Email: taylor@phoenixclassaction.com

www.phoenixclassaction.com

CONFIDENTIALITY NOTICE: This e-mail, and any attached documents, files or previous e-mail messages, is intended for the addressee only. E-mail may contain confidential information that is legally privileged. Do not read this e-mail if you are not the intended recipient.

If you are not the intended recipient of this e-mail, you are hereby notified that any disclosure, copying, distribution or use of any information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify us by reply e-mail and destroy the original transmission and its attachments without reading, saving or copying any of it. Thank you.

From: Kathleen M. Hartman <KHartman@ctsclaw.com>

Sent: Saturday, September 7, 2024 9:45 AM

To: Taylor Mitzner <Taylor@phoenixclassaction.com>; Ryan Slinger <r.slinger@calljustice.com>; Elizabeth Parker-Fawley <elizabeth@calljustice.com>; Joanna Ghosh <joanna@calljustice.com>; Jhessica Tor <jhessica@calljustice.com>; Sina Lui <sina@calljustice.com>

Cc: Mike Moore <mike@phoenixclassaction.com>

Subject: RE: Administration of Class Action and Private Attorneys General Act Settlement in Wirth v. MB2 Raceway, Superior Court of California for the County of Los Angeles, Case No. 20STCV22600)

Hi,

The First installment was wired 9/5/2024 after receipt of the wiring/payment instructions and confirmation of receipt of the test wiring of \$1.

I am not sure what you mean by the next installment. Perhaps you are referring to the test wire?

Kate



Kathleen M. Hartman | Partner

2601 Main Street, Suite 800, Irvine, California 92614

Tel: 949/261-CTSC(2872) | Fax: 949/261-6060

E-Mail: khartman@ctsclaw.com | Website: www.ctsclaw.com

NOTICE: This e-mail and any attachments contain information from the law firm of Callahan, Thompson, Sherman & Caudill, LLP, and are intended solely for the use of the named recipient or recipients. This e-mail may contain privileged attorney/client communications or work product. Any dissemination of this e-mail by anyone other than an intended recipient is strictly prohibited. If you are not a named recipient, you are prohibited from any further viewing of the e-mail or any attachments or from making any use of the e-mail or attachments. If you believe you have received this e-mail in error, please notify the sender immediately and permanently delete the e-mail, any attachments, and all copies thereof from any drives or storage media and destroy any printouts of the e-mail or attachments. Thank you.

From: Taylor Mitzner <Taylor@phoenixclassaction.com>
Sent: Friday, September 6, 2024 2:18 PM
To: Ryan Slinger <r.slinger@calljustice.com>; Kathleen M. Hartman <KHartman@ctsclaw.com>; Elizabeth Parker-Fawley <elizabeth@calljustice.com>; Joanna Ghosh <joanna@calljustice.com>; Jhessica Tor <jhessica@calljustice.com>; Sina Lui <sina@calljustice.com>
Cc: Mike Moore <mike@phoenixclassaction.com>
Subject: RE: Administration of Class Action and Private Attorneys General Act Settlement in Wirth v. MB2 Raceway, Superior Court of California for the County of Los Angeles, Case No. 20STCV22600)

Hello Counsel,

I'm following up on the next installment payment that was due on 9/3. Defense Counsel, please advise if you have any updates.

Best regards,
Taylor



Taylor Mitzner

Phoenix Group Coordinator, Case Management & Shareholder

Direct: (949) 910-2153

Email: taylor@phoenixclassaction.com

www.phoenixclassaction.com

CONFIDENTIALITY NOTICE: This e-mail, and any attached documents, files or previous e-mail messages, is intended for the addressee only. E-mail may contain confidential information that is legally privileged. Do not read this e-mail if you are not the intended recipient.

If you are not the intended recipient of this e-mail, you are hereby notified that any disclosure, copying, distribution or use of any information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify us by reply e-mail and destroy the original transmission and its attachments without reading, saving or copying any of it. Thank you.

From: Taylor Mitzner
Sent: Wednesday, August 28, 2024 8:44 AM
To: Mike Moore <mike@phoenixclassaction.com>; Ryan Slinger <r.slinger@calljustice.com>; Kathleen M. Hartman <KHartman@ctsclaw.com>
Cc: Elizabeth Parker-Fawley <elizabeth@calljustice.com>; Joanna Ghosh <joanna@calljustice.com>; Jhessica Tor <jhessica@calljustice.com>; Sina Lui <sina@calljustice.com>; Kevin Lee <kevin@phoenixclassaction.com>
Subject: RE: Administration of Class Action and Private Attorneys General Act Settlement in Wirth v. MB2 Raceway, Superior Court of California for the County of Los Angeles, Case No. 20STCV22600)

Good morning Counsel,

My name is Taylor, and I will be your case manager for this settlement. At the end of this email is our administration timeline. *Please provide the Order granting Preliminary Approval and the approved Notice when available.*

Defense Counsel, please let me know if you'd like to upload the data to our FTP portal; if so, I can provide your account credentials. To mitigate potential dataset issues, Phoenix requires that all class information be provided in a **singular, workable Excel spreadsheet**.

Please let me know if you have any questions. I look forward to working with you all.

Preliminary Approval: tentative 8/22/24

Description	Time frame	Deadline
First Installment Funding	\$125,000 due within 10 days of Preliminary Approval.	9/3/24 (9/1 – Sunday, 9/2 – Labor Day)
Data Due	21 days from Preliminary Approval.	9/10/24 per Tentative Order
Initial Mailing	14 days from receipt of data.	9/24/24 per Tentative Order
Response Deadline	45 days from Initial Mailing.	11/25/24 per Tentative Order
Dec Due	Phoenix Estimate	11/11/24 (file by 12/23/24)
Final Approval	Per Order.	1/6/25 at 9:00 am

Best regards,

Taylor



Taylor Mitzner

Phoenix Group Coordinator, Case Management & Shareholder

Direct: (949) 910-2153

Email: taylor@phoenixclassaction.com

www.phoenixclassaction.com

CONFIDENTIALITY NOTICE: This e-mail, and any attached documents, files or previous e-mail messages, is intended for the addressee only. E-mail may contain confidential information that is legally privileged. Do not read this e-mail if you are not the intended recipient.

If you are not the intended recipient of this e-mail, you are hereby notified that any disclosure, copying, distribution or use of any information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify us by reply e-mail and destroy the original transmission and its attachments without reading, saving or copying any of it. Thank you.

From: Mike Moore <mike@phoenixclassaction.com>

Sent: Wednesday, August 28, 2024 7:47 AM

To: Ryan Slinger <r.slinger@calljustice.com>

Cc: Elizabeth Parker-Fawley <elizabeth@calljustice.com>; Joanna Ghosh <joanna@calljustice.com>; Jhessica Tor <jhessica@calljustice.com>; Sina Lui <sina@calljustice.com>; Kathleen M. Hartman <KHartman@ctsclaw.com>; Taylor Mitzner <Taylor@phoenixclassaction.com>; Kevin Lee <kevin@phoenixclassaction.com>

Subject: RE: Administration of Class Action and Private Attorneys General Act Settlement in Wirth v. MB2 Raceway, Superior Court of California for the County of Los Angeles, Case No. 20STCV22600)

Hi Ryan,

Thank you for the update and attachment. It has been forwarded to your case manager.

Be well.

Best Regards,

Mike



Michael E. Moore

Phoenix Group CEO & Managing Partner

Direct: 949.331.0131

Ofc: 800.523.5773

Email: mike@phoenixclassaction.com

1411 N. Batavia St., Suite 105

Orange, CA 92863

www.phoenixclassaction.com

CONFIDENTIALITY NOTICE: This e-mail, and any attached documents, files or previous e-mail messages, is intended for the addressee only. E-mail may contain confidential information that is legally privileged. Do not read this e-mail if you are not the intended recipient.

If you are not the intended recipient of this e-mail, you are hereby notified that any disclosure, copying, distribution or use of any information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify us by reply e-mail and destroy the original transmission and its attachments without reading, saving or copying any of it. Thank you.

From: Ryan Slinger <r.slinger@calljustice.com>

Sent: Tuesday, August 27, 2024 12:00 PM

To: Mike Moore <mike@phoenixclassaction.com>

Cc: Elizabeth Parker-Fawley <elizabeth@calljustice.com>; Joanna Ghosh <joanna@calljustice.com>; Jhessica Tor <jhessica@calljustice.com>; Sina Lui <sina@calljustice.com>; Kathleen M. Hartman <KHartman@ctsclaw.com>

Subject: Re: Administration of Class Action and Private Attorneys General Act Settlement in Wirth v. MB2 Raceway, Superior Court of California for the County of Los Angeles, Case No. 20STCV22600)

Hi Mike,

Attached is the Minute Order from August 22, 2024.

With kind regards,

Ryan Slinger

Attorney

The information contained in this e-mail is legally privileged and confidential information intended only for the use of the individual or entity named above. If the receiver of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this email message is strictly prohibited and may violate the legal rights of others. If you have received this message in error, please immediately notify the sender by reply email or telephone, and delete it from your system. Thank you.

On Thu, Aug 22, 2024 at 2:40 PM Ryan Slinger <r.slinger@calljustice.com> wrote:

Dear Mike,

On August 22, 2024, the Court granted tentative preliminary approval of, and appointed Phoenix as the administrator of, the class action and Private Attorneys General Act settlement in **Wirth v. MB2 Raceway**, Superior Court of California for the County of Los Angeles, Case No. 20STCV22600.

Please find attached:

- PDF of declaration attaching the original settlement agreement
- Phoenix's quote

I will attached:

- PDF of the Court's minute order from August 22, 2024, on which date the Court granted preliminary approval of the settlement
- PDF of the Court's order granting preliminary approval of the settlement
- Word Copy of the Court Approved Class Notice (requires further Court Approval)

when they become available.

Additionally, the Court has required Phoenix to post the Order Granting Preliminary Approval and the Motion for Preliminary Approval Documents on its website by August 27, 2024.

Accordingly, I will provide those to you by Monday August 26, 2024.

Please assign a case manager and process this matter for settlement notice administration.

To ensure proper administration of the notice and settlement process, and to ensure that there are no data issues, delays, or surprises which cause the expenditure of additional resources of the Court and parties, **I request that Class Counsel be informed contemporaneously of the following issues should they arise (as opposed to at the end of the notice process): when individuals self-identify as Class Members and request to be added to the Class, if any individuals are being added or deleted from the Class, or if adjustments are taking place as to the Workweeks and/or calculation of settlement payments after mailing of the Class Notice to the Class.**

With kind regards,

Ryan Slinger

Attorney

The information contained in this e-mail is legally privileged and confidential information intended only for the use of the individual or entity named above. If the receiver of this message is not the intended recipient, you

are hereby notified that any dissemination, distribution or copying of this email message is strictly prohibited and may violate the legal rights of others. If you have received this message in error, please immediately notify the sender by reply email or telephone, and delete it from your system. Thank you.

EXHIBIT D



Class Size:	<u>272</u>
Class Period:	<u>6/11/2016 - 10/22/2023</u>
PAGA Period:	<u>4/2/2019 - 10/22/2023</u>
Opt-Out Deadline:	<u>11/14/2024</u>
Final Approval Hearing:	<u>1/6/2025</u>

Report Date:
Friday, October 18, 2024

Weekly Report
For
Wirth, et al. v. MB2 Raceway, Inc.

MAILINGS

Notice Mailing Date:	<u>9/30/2024</u>	Total Notices Mailed:	<u>272</u>
Notices Returned:	<u>18</u>	Notices Requested:	<u>0</u>
Notices Traced:	<u>18</u>	Notices Retailed:	<u>15</u>
Notices Forwarded:	<u>0</u>	Notices Returned 2nd Time:	<u>0</u>
		Notices Undeliverable:	<u>3</u>

OPT-OUTS

Opt-Outs Received:	<u>0</u>	Dispute:	<u>0</u>
Deficient:	<u>0</u>	Invalid:	<u>0</u>
% of Class Submitted Opt-Out:	<u>0 %</u>	Late:	<u>0</u>
		Objections:	<u>0</u>

Thank you for choosing Phoenix Settlement Administrators (PSA) to work with you on this matter.
Please feel free to contact us at 800-523-5773 with any questions.

*Phoenix Settlement Administrators
P.O. Box 7208, Orange, CA 92863
Phone: 800-523-5773 Fax: 949-209-2503
www.phoenixclassaction.com*