

**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

RUDY GONZALEZ, on behalf of himself and all  
others similarly situated,

Plaintiff,

v.

XTREME MANUFACTURING, LLC, et al.,  
Defendants.

Case No. 1:20-cv-01704 JLT SKO

Hon. Jennifer L. Thurston

**CLASS ACTION**

**DECLARATION OF EVELIN REYES  
REGARDING NOTICE AND  
SETTLEMENT ADMINISTRATION**

**DECLARATION OF EVELIN REYES**

I, Evelin Reyes, hereby declare:

1. I am employed as a Case Manager by Simpluris, Inc. (“Simpluris”), the claims administrator in the above-entitled action. Our Corporate Office address is 3194-C Airport Loop Drive, Costa Mesa, CA 92626. My telephone number is (714) 640-5654. I am over twenty-one years of age and authorized to make this declaration on behalf of Simpluris and myself.

2. Simpluris is a Class Action Settlement Administration company located in Costa Mesa, California. It was founded by individuals who have each managed hundreds of settlements, along with professionals in the areas of Software Development, Third-Party Claims Administration, Mail-House Operations, and Call Center Support Management.

3. Simpluris was approved by Counsel for Plaintiff Rudy Gonzalez (“Plaintiffs”), and Xtreme Manufacturing, LLC (“Defendant”), (collectively the “Parties”), to provide settlement administration services in the *Gonzalez v. Xtreme Manufacturing, LLC* case (“Settlement”). In this capacity, Simpluris was charged with (a) establishing and maintaining a related settlement fund account; (b) establishing and maintaining a calendar of administrative deadlines and responsibilities; (c) processing and mailing payments to the Plaintiffs, Class Counsel and Class Members; (d) printing and mailing the Notice of Class Action Settlement; (e) receiving and validating Requests for Exclusion, Objections or Disputes of Work Weeks submitted by Class Members; (f) calculating Employer Payroll Taxes and providing appropriate forms and calculations to Defendant; (g) mailing settlement checks, and (h) other tasks as the Parties mutually agree or the Court orders Simpluris to perform.

**TOLL FREE TELEPHONE HELPLINE**

4. A toll-free telephone number was included in the Class Notice for the purpose of allowing the Class Members to call Simpluris and to make inquiries regarding the Settlement. The system is accessible 24 hours a day, 7 days a week, and will remain in operation throughout the settlement process. Callers have the option to speak with a live call center representative during normal business hours or to leave a message and receive a return call during non-business hours. The toll-free

1 telephone number included in the Notice of Proposed Class Action Settlement was (888) 369-3780 and  
2 was live on December 5, 2022.

3  
4 **NOTIFICATION TO THE CLASS**

5 5. On November 14, 2022, Simpluris received the Court-approved Revised Notice of Class  
6 Action Settlement (hereafter “Class Notice”). The Class Notice advised Class Members of their right  
7 to request exclusion from the Settlement, object to the Settlement, do nothing, and the implications of  
8 each such action. The Class Notice advised Class Members of applicable deadlines and other events,  
9 including the Final Approval Hearing, and how Class Members could obtain additional information.

10 6. On November 14, 2022, Counsel for Defendant provided Simpluris with a mailing list  
11 (“Class List”) containing Class Members’ names, most recent mailing address and telephone numbers,  
12 social security numbers, and pertinent employment information for each Class Member during the  
13 Class Period. The Class List contained data for two hundred and eighteen (218) Class Members.

14 7. The mailing addresses contained in the Class List were processed and updated utilizing  
15 the National Change of Address Database (“NCOA”) maintained by the U.S. Postal Service. The  
16 NCOA contains requested changes of address filed with the U.S. Postal Service. In the event that any  
17 individual had filed a U.S. Postal Service change of address request, the address listed with the NCOA  
18 would be utilized in connection with the mailing of the Notice Packets.

19 8. On December 5, 2022, Class Notices were mailed to two hundred and eighteen (218)  
20 Class Members with addresses contained in the Class List via First Class mail or updated via the  
21 NCOA search. A copy of the Class Notice is attached hereto as **Exhibit A**.

22 9. If a Class Member’s Class Notice was returned by the USPS as undeliverable and  
23 without a forwarding address, Simpluris performed an advanced address search (i.e. skip trace) on all of  
24 these addresses by using Accurant, a reputable research tool owned by Lexis-Nexis. Simpluris used the  
25 Class Member’s name and previous address to locate a current address. Through the advanced address  
26 search, Simpluris was able to locate twenty six (26) updated addresses and Simpluris promptly mailed  
27 the Notice Packets to those updated addresses. In addition, Simpluris received zero (0) returned Notice  
28

1 Packet with forwarding addresses. Ultimately, two (2) Notice Packets were undeliverable. This equates  
2 to a successful mail rate of over 99%.

### 3 4 SETTLEMENT AWARDS

5 10. As of this date, there are two hundred and eighteen (218) Class Members who will be  
6 paid their portion of the Net Settlement Fund. .

7 11. The Net Settlement Fund of \$159,936.30 available to pay Class Members was  
8 determined by subtracting the Class Counsel's Fees (\$96,666.67), Class Counsel's Litigation Expenses  
9 (\$12,897.03), Named Plaintiff Service Award (\$5,000.00), the PAGA LWDA Payment (\$7,500.00),  
10 PAGA Aggreieved Employees Payment (\$2,500.00), and the Administration Costs (\$5,500.00) from  
11 the Gross Settlement Amount (\$290,000.00).

12 12. As of this date, \$159,936.30 of the Net Settlement Fund will be disbursed to the Class  
13 Members. The ***average estimated payment*** is \$ 733.65, the ***highest estimated payment*** is \$ 2,227.55.  
14

### 15 REQUESTS FOR EXCLUSION, OBJECTIONS AND DISPUTES

16 13. The deadline to opt out for those Class Members whose Notice Packets were not  
17 returned as undeliverable was January 19, 2023. The latest date for a Class Member whose Notice  
18 Packet was remailed is February 8, 2023. In the event any valid opt-outs or objections are timely  
19 received, I will provide an updated declaration to the Court in advance of the March 10, 2023 scheduled  
20 hearing.  
21

22 14. As of this date, Simpluris has not received any Requests for Exclusion from Class  
23 Members.

24 15. As of this date, Simpluris has not received any Objections to the Settlement from Class  
25 Members.

26 16. As of this date, Simpluris has not received any Disputes of Work Weeks from Class  
27 Members.  
28

### PAGA MEMBERS

1 17. Simpluris is also responsible for distributing the Individual PAGA Payments from the  
2 \$2,500 allocated to PAGA Members. There are 5,001 pay periods worked during the PAGA Period by  
3 185 total PAGA Members.

4 18. The average PAGA distribution is \$13.51 and equates to \$0.50/pay period.  
5

6 **ADMINISTRATION COSTS**

7 19. Simpluris' total costs for services in connection with the administration of this  
8 Settlement, including fees incurred and anticipated future costs for completion of the administration, are  
9 \$5,500.00. Simpluris' work in connection with this matter will continue with the calculation of the  
10 settlement checks, issuance and mailing of those settlement checks, etc., and to do the necessary tax  
11 reporting on such payments.  
12

13 I declare under penalty of perjury under the laws of the State of California that the foregoing is  
14 true and correct. Executed this 3rd day of February, 2023, in Costa Mesa, California.  
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EVELIN REYES

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# **EXHIBIT A**

**Gonzalez v. Xtreme Manufacturing, LLC, (U.S. District Court, Eastern District of California, Case No. 1:20-cv-01704-JLT-SKO)**

*A court authorized this notice. This is not a solicitation.  
This is not a lawsuit against you and you are not being sued.  
However, your legal rights are affected whether you act or don't act.*

«I M<sub>ul</sub> | Bar codeEncoded»

«FirstName» «LastName» «BusinessName»

«Address1» «Address2»

«City», «State» «Zip»-«ZipDPC3»

SIMID  
«SIMID»  
«Barcode\_164152»**NOTICE OF SETTLEMENT OF CLASS AND REPRESENTATIVE ACTION**

To: All current and former non-exempt California employees of Xtreme Manufacturing, LLC who worked at least one shift from December 4, 2016 to March 1, 2022” (the “Class Members”).

All current and former non-exempt California employees of Xtreme Manufacturing, LLC who worked at least one shift from December 1, 2019 to March 1, 2022 (the “PAGA Members”).

A putative class action and representative action under the California Private Attorneys General Act of 2004 (“PAGA”), which was brought on behalf of the Class and PAGA Members (defined above) and against Defendant Xtreme Manufacturing, LLC has been settled for \$290,000.00. As explained in this Notice, if the Court approves this class and PAGA Settlement then you may receive payments under this Settlement. You are receiving this Notice because based on Defendant’ records, you are a Class Member and/or a PAGA Member.

If you are a Class Member and/or a PAGA Member, you are eligible for payment from the Settlement described in this Notice without the need to return a claim form.

**PLEASE READ THIS NOTICE CAREFULLY.**

| <b>YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|---------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>DO NOTHING</b>                                       | If you want to participate and receive your share of the money from the class and PAGA settlement, you do <u>not</u> need to do anything. If you do nothing, you will be mailed a settlement payment and you will release certain claims. <i>[You must, however, keep a current address on file with the Settlement Administrator to ensure receipt of your check.]</i>                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>EXCLUDE YOURSELF FROM THE CLASS SETTLEMENT</b>       | <p>If you ask to be excluded from the class portion of the settlement and money is later awarded, you will not receive any share from the class settlement money. But if you exclude yourself, you keep any rights as an individual to sue Defendant separately about the same legal claims that are being settled here. You may exclude yourself from the settlement by submitting a written Request for Exclusion according to the instructions contained in this Notice. <b>The deadline to submit a Request for Exclusion is January 19, 2023.</b></p> <p>If you are a PAGA Member, even if you exclude yourself from the class action, you will still receive a portion of the PAGA settlement money and be bound by the release of PAGA claims.</p> |
| <b>OBJECT</b>                                           | Object to the Settlement if you think the Settlement is not fair by sending your written objection to the Settlement Administrator and, if you wish, appear at the Final Approval Hearing. If you submit a Request for Exclusion from the Settlement, you cannot also object to it. <b>The deadline to submit an objection is January 19, 2023.</b>                                                                                                                                                                                                                                                                                                                                                                                                       |

- Your rights and options – and the deadlines to exercise them – are explained in this Notice.
- Defendant support the settlement and will not retaliate in any manner against any class member who remains in the class and receives a settlement payment.

## BASIC INFORMATION

### 1. Why was this notice issued

A Court authorized this Notice because you have a right to know about a proposed Settlement of a class and representative PAGA action lawsuit, and about all of your options, before the Court decides whether to approve it. This notice explains the lawsuit, the Settlement, your legal rights, the payments that are available, who is eligible to receive them, and how to get them.

The Court in charge of the case is the U.S. District Court for the Eastern District of California, and the case is known as *Gonzalez v. Xtreme Manufacturing, LLC*, (U.S. District Court, Eastern District of California, Case No. 1:20-cv-01704-JLT-SKO)(the “Action” or the “Lawsuit”).

### 2. What is the Lawsuit about?

On February 22, 2021, Plaintiff Rudy Gonzalez filed a First Amended Class Action Complaint (“Complaint”) alleging wage and hour claims, including the failure to pay minimum wages, the failure to pay overtime wages, the failure to provide meal and rest breaks, the failure to reimburse for all business expenses, the failure to pay all wages due and owing at the end of employment, the failure to provide accurate itemized wage statements, unlawful business practices, the failure to timely provide payroll records to the named plaintiff, the failure to timely provide personnel records to the named plaintiff, and additional PAGA Claims seeking civil penalties for the violations.

Defendant denies all of the claims in the Lawsuit. However, Defendant has agreed to settle the Lawsuit to avoid continued litigation. The Settlement is not an admission of any wrongdoing by Defendant or an indication that any law was violated.

### 3. What is a class action?

In a class action lawsuit, a Class Representative (in this case, Rudy Gonzalez) sues on behalf of others who may have similar claims, who are called a class or class members.

### 4. Why is there a Settlement?

The Court did not decide in favor of the Plaintiff, nor did the Court decide in favor of Defendant. Instead, both sides agreed to a no-fault settlement of the Lawsuit (“Settlement”). That way, they avoid the cost of further litigation including a trial, and the people affected will get compensation from the Settlement.

### 5. Who are the Parties in these Lawsuits?

Plaintiff Rudy Gonzalez was an employee of the Defendant. The Defendant is Xtreme Manufacturing, LLC.

### 6. Who are the Attorneys representing the Plaintiff and the Class?

Mayall Hurley, P.C.  
Robert J. Wasserman  
Email: [rwasserman@mayallaw.com](mailto:rwasserman@mayallaw.com)  
Jenny D. Baysinger  
Email: [jbaysinger@mayallaw.com](mailto:jbaysinger@mayallaw.com)  
Attorney at Law  
Mayall Hurley, P.C.  
2453 Grand Canal Blvd.  
Stockton, CA 95207  
Tel: (209) 477-3833  
Fax: (209) 473-4818

You also have the right to hire an attorney (at your own cost) to represent you, or to enter an appearance and represent yourself.

## THE TERMS OF THE SETTLEMENT

### 7. What is the Settlement Amount?

The proposed Settlement provides for a maximum payment of \$290,000.00 to fully and finally resolve all claims in the Lawsuit (referred to as the “Total Settlement Amount”). Class Counsel will apply to the Court for attorneys’ fees of up to 96,666.67; litigation costs estimated at \$14,000; a “Class Representative Service Payment” of up to \$5,000 to the Plaintiff for his work and effort in prosecuting this case, risks taken for the payment of costs in the event of loss, and a general release of all claims; settlement administration expenses to Simpluris, Inc., estimated at \$5,500; and a “PAGA Payment” to the California Labor Workforce and Development Agency (“LWDA”) and PAGA Members in settlement of claims for penalties under PAGA. The exact amount of the attorneys’ fees, litigation costs, Class Representative service payments, and settlement administration expenses will be determined by the Court at the Final Approval hearing if the Settlement is approved.

Following the Court-approved deductions, the remaining portion of the Settlement, the Net Settlement Amount (“NSA”), is estimated to be \$158,833.33. The NSA will be apportioned and paid out entirely, *automatically*, to all “Participating Class Members,” who are the Settlement Class Members who do not ask to be excluded from the class action settlement, as “Individual Settlement Payments.”

No portion of the Total Settlement Amount will revert to Defendant under any circumstances.

### 8. How will the Individual Settlement Payments be calculated and how much will my award be?

Participating Class Members will receive a pro-rata share of the NSA based on the number of weeks they worked for Defendant during the time period of December 4, 2016 to March 1, 2022 (the “Class Settlement Period”).

**Here’s how it works** – the NSA will be entirely distributed to the Participating Class Members. The NSA allocated to each individual Participating Class Member will be based on the individual’s total number of weeks worked during the Class Settlement Period, in relation to the total number of weeks worked by all Participating Class Members. Weeks will be calculated according to Defendant’s records.

Based on Defendant’s records, you worked «MERGED\_WW» work weeks during the Class Settlement Period and your estimated Individual Settlement Payment is \$«MERGED\_Class\_EstSettAmnt\_CALC», before applicable tax withholdings, although the actual amount that is paid may be lower or higher than the amount estimated. If you wish to dispute your number of workweeks during the Class Settlement Period, you must notify the Settlement Administrator in writing, no later than January 19, 2023. Please provide any proof you may have that you were employed by Defendant for a different number of weeks during the Class Settlement Period.

Individual Settlement Payments shall be subject to applicable withholding taxes on that portion of the payment allocated to wages. Individual Settlement Payments will be allocated 20% to wages for which an IRS W-2 form will be issued, and 80% to penalties and interest for which an IRS 1099 form will be issued as required. You will be responsible for the tax consequences of your Individual Settlement Payments, for filing your own returns and reporting all income received to state and federal taxing authorities, and for payment of any other applicable taxes due. You should consult with a tax advisor concerning the tax consequences of the Individual Settlement Payment you could receive under the Settlement.

### 9. How will the PAGA Payment be distributed?

The Parties will seek approval from the Court to designate \$10,000.00 of the Total Settlement Amount as penalties recoverable under the PAGA. 75% of this amount, or \$7,500.00, will be paid to the LWDA, as required by law. The remaining 25% of this amount, or \$2,500.00, will be distributed to the PAGA Members as “Individual PAGA Payments.” The Individual PAGA Payments are paid in addition to any Individual Settlement Payments (the Individual Settlement Payment and the Individual PAGA Payments are the “Settlement Payment”). 100% of the PAGA Payment will be treated as penalties and interest. You should consult with a tax advisor concerning the tax consequences of the Individual PAGA Payment you could receive under the Settlement.

Not all Class Members are PAGA Members entitled to an Individual PAGA Payment. You are only a PAGA Member if you worked for Defendant during the period December 1, 2019 to March 1, 2022 (the “PAGA Settlement Period”). The

Individual PAGA Payments will be calculated on a pro-rata basis based on the number of pay periods that you worked during the PAGA Settlement Period. Based on Defendant's records, your total pay periods during the PAGA Settlement Period is «MERGED\_PAGAPayPeriod\_CALC». Based on that, your anticipated approximate Individual PAGA Payment is \$«MERGED\_PAGA\_EstSettAmnt». If you wish to dispute your number of pay periods during the PAGA Settlement Period, you must notify the Settlement Administrator in writing, no later than January 19, 2023. Please provide any proof you may have that you were employed by Defendant for a different number of pay periods during the PAGA Settlement Period.

## HOW TO GET PAYMENT

### 10. How can I get my Settlement Payment?

If the Settlement is approved, you do not need to do anything to receive a Settlement Payment. If the Court approves the Settlement at a final approval hearing, your Settlement Payment will be mailed to the address on file with the Settlement Administrator. **It is your responsibility to keep the Settlement Administrator informed of any change in your address, as your Settlement Payment will be mailed to the last known address it has on file for you** if the Court approves the settlement.

### 11. When can I expect to receive my Settlement Payment?

If the Court approves the Settlement, and there are no pending objections, your share of the Settlement will be paid after the Court grants final approval of the Settlement. ***Your share of the Settlement will be mailed to the address on file for you.*** Again, if this address is not correct, or if you move after you receive this Notice, you should notify the Settlement Administrator by mail or by calling the Settlement Administrator at 888-369-3780.

### 12. What am I giving up to get a Settlement Payment?

**Participating Class Members will be giving up or "releasing" the claims described below:**

**Release of Class and PAGA Claims:** After the Court grants final approval of the Settlement, each Participating Settlement Class Member will be bound by the approval and judgment and thereby fully and forever release Defendant and its past, present and/or future, direct and/or indirect, owners, officers, directors, members, managers, employees, agents, representatives, attorneys, insurers, parent companies, subsidiaries, affiliates, successors, and assigns (the "Released Parties") from all causes of action and claims that were alleged in the Action, or predicate claims that reasonably could have been alleged based on the facts and legal theories asserted in the Action, including, but not limited to, statutory, constitutional, contractual or common law claims for wages, damages, unpaid costs or expenses, statutory and civil penalties, liquidated damages, punitive damages, interest, attorneys' fees, litigation costs, restitution, or equitable relief, arising out of or based upon the allegations in the Action, including the California Labor Code, the Fair Labor Standards Act, the California Industrial Welfare Commission Wage Orders, the PAGA, and the California Business and Professions Code § 17200, et seq. These released claims include, without limitation, the following categories of allegations, to the fullest extent such claims are releasable by law: (a) all claims for failure to pay minimum wages; (b) all claims for failure to pay overtime wages, including all claims for the alleged omission of any kind of remuneration when calculating an employee's regular rate of pay; (c) all claims for failure to provide compliant meal periods and pay related premiums at the regular rate; (d) all claims for failure to provide compliant rest periods and pay related premiums at the regular rate; (e) all claims for failure to reimburse business expenses; (f) all claims for failure to pay timely current wages and associated penalties; (g) all claims for failure to pay final wages; and (h) all claims for failure to provide accurate wages statements. The PAGA Members also release all causes of action and claims that were alleged in the Action, or predicate claims that reasonably could have been alleged based on the facts and legal theories asserted in the Action, that seek civil penalties and other relief available pursuant to the PAGA against the Released Parties.

## EXCLUDING YOURSELF FROM THE CLASS SETTLEMENT

### 13. Can I exclude myself from the class settlement?

If you do not wish to participate in the class settlement for whatever reason, you can exclude yourself from the class settlement (that is, "opt out" of the Settlement). If you opt out, you keep your right to sue the Defendant for the same claims on an individual basis. However, you cannot opt out of the PAGA portion of the Settlement. To opt out and exclude

yourself from the Class and this Settlement so that you do not become a Participating Settlement Class Member, you must provide a signed and dated letter to the Administrator requesting to be excluded from the Class. The letter must state in substance:

“I have read and understand the Notice of Settlement of Class and Representative Action and I wish to exclude myself from the Settlement described in the Notice.”

Your letter requesting to exclude yourself must include the case name, *Gonzalez v. Xtreme Manufacturing, LLC*, (U.S. District Court, Eastern District of California, Case No. 1:20-cv-01704-JLT-SKO), your full name, current address and telephone number. It must be addressed to the Administrator at *Gonzalez v. Xtreme Manufacturing, LLC* c/o Settlement Administrator, P.O. Box 26170, Santa Ana, California 92799, postmarked on or before January 19, 2023. Requests for exclusion postmarked after this date may be disregarded.

**14. If I don't exclude myself from the class settlement, can I sue Defendant for the same thing later?**

No. Unless you exclude yourself from the class settlement, you give up any right to sue Defendant for the claims that this Settlement resolves. ***If you have a separate arbitration or lawsuit already against any of the Defendant, you should speak to your lawyer in that case immediately.*** You may need to exclude yourself from this Class and this case by the above deadline in order to continue your separate arbitration or lawsuit.

**15. If I exclude myself from the class settlement, can I get money from this settlement?**

Not from the Class Settlement. If you request to be excluded from the Settlement, you will not receive an Individual Settlement Payment. You also will not be able to object to the Settlement as explained below. Your Individual Settlement Payment will be redistributed to the Participating Class Members.

However, if you are a PAGA Member, you will receive an Individual PAGA Payment regardless of whether you exclude yourself from the class settlement.

No portion of the Total Settlement Amount will go back to Defendant as a result of any person opting out of the Settlement.

**OBJECTING TO THE SETTLEMENT**

**16. How do I tell the Court that I don't like the Settlement?**

If you don't think the Settlement is fair, and you don't request to be excluded from the class settlement, you can object to the Settlement and tell the Court that you don't agree with the Settlement or some part of it before the Court decides whether to grant final approval of the Settlement.

To object in writing, you must submit a timely written objection to the Administrator. Your objection must state that you object to the proposed Settlement of this case entitled *Gonzalez v. Xtreme Manufacturing, LLC*, (U.S. District Court, Eastern District of California, Case No. 1:20-cv-01704-JLT-SKO). Be sure to include your name, address, telephone number, and signature, and the specific reasons you object to the Settlement. You must mail your written objection to the Administrator at *Gonzalez v. Xtreme Manufacturing, LLC* c/o Settlement Administrator, P.O. Box 26170, Santa Ana, California 92799, postmarked on or before January 19, 2023. Requests for exclusion postmarked after this date may be disregarded.

If you have questions regarding this Settlement, you should contact attorneys for Plaintiff and the Class (see Paragraph 6 above) or the Settlement Administrator. Please **DO NOT** contact attorneys for Defendant or any of the Defendant's managers and supervisors, or owners.

**THE COURT'S FINAL FAIRNESS HEARING**

**17. When and where will the Court decide whether to approve the settlement?**

The Court will hold a Final Approval hearing in Courtroom 4, 7<sup>th</sup> Floor of the United States District Court for the Eastern District of California located at the Robert E. Coyle United States Courthouse, 2500 Tulare Street, Fresno, California 93721 on March 10, 2023, at 9:00 a.m. At this hearing the Court will determine whether the Settlement should be finally approved as fair, reasonable, and adequate. The Court will also be asked to approve Class Counsel's request for attorneys' fees and litigation costs, the Class Representatives' Enhancement Awards, and the Settlement Administrator's fees and expenses. The Court may reschedule the Final Approval hearing without further notice to Class Members. However, any

Class Member who has submitted an objection and indicated an intention to speak at the Final Approval Hearing will be notified by Class Counsel of any rescheduling of the date and time of the Final Fairness hearing.

**18. Do I have to come to the hearing?**

No. Class Counsel will answer any questions from the Judge. But you are welcome to come at your own expense to support or object to the settlement. If you send your timely written objection to the Settlement Administrator, you don't have to come to Court to object but you can if you wish to. As long as you mailed your written objection on time, the Court will consider it. You may also hire, and if required pay, your own lawyer to attend if you so desire.

**19. May I speak at the hearing?**

You may appear at the Final Approval Hearing and ask the Court for permission to speak, however, to be sure that any objection will be considered by the Court, you should submit a timely written objection, or a notice of intent to appear at the hearing. To do so, please timely submit the objection or notice of intent to appear to the Settlement Administrator listed in section 16 no later than January 19, 2023. **For comments or objections to be considered by the Court at the Final Approval Hearing, you must file comments with the Clerk of the Court indicating briefly the nature of your comments, support, or objection.**

**GETTING MORE INFORMATION**

**20. Who may I contact if I have questions about the settlement?**

This Notice is only a summary of the Lawsuit and proposed Settlement. For more information, you may personally inspect the files and the Settlement Agreement at the U.S. District Court for the Eastern District of California located at the Robert E. Coyle United States Courthouse, 2500 Tulare Street, Fresno, California 93721, during regular Court hours. You may also contact Class Counsel if you need more information or have questions. You may also contact the Settlement Administrator by calling toll free 1-888-369-3780, or you can write to Settlement Administrator, at:

Gonzalez v. Xtreme Manufacturing, LLC  
c/o Settlement Administrator  
P.O. Box 26170  
Santa Ana, CA 92799

**PLEASE DO NOT CONTACT THE CLERK OF THE COURT, THE JUDGE, DEFENDANT OR ANY OF THEIR MANAGERS, SUPERVISORS, OWNERS OR ATTORNEYS FOR INFORMATION.**

**ADDITIONAL IMPORTANT INFORMATION**

A. **It is your responsibility to ensure that the Settlement Administrator** has your current mailing address and telephone number on file, as this will be the address to which your Settlement Payment will be sent if the Settlement is approved.

B. **Settlement Payment checks should be cashed promptly upon receipt.** Proceeds of checks which remain uncashed after 180 days from the date of issuance will be forwarded to the State of California Unclaimed Property Fund in the name of each Settlement Class Member and/or PAGA Member who did not cash his or her Settlement Payment check. If your Settlement Payment check is lost or misplaced, you should contact the Settlement Administrator immediately to request a replacement.