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13 Attorneys for Plaintiffs
Stephanie McCoy, Brittney Rourke
14 and the Proposed Class

15 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
16 **FOR THE COUNTY OF RIVERSIDE**

17 STEPHANIE MCCOY, individually, and
on behalf of other members of the general
18 public similarly situated and on behalf of
other aggrieved employees pursuant to the
19 California Private Attorneys General Act;
BRITTNEY ROURKE, individually, and
20 on behalf of other members of the general
public similarly situated;

21 Plaintiffs,

22 vs.

23 VBR DHS MANAGEMENT, LLC, a
24 California limited liability company; and
DOES 1 through 100, inclusive,

25 Defendants.
26
27
28

Case No.: CVRI2104222

**[PROPOSED] ORDER GRANTING
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

Hearing Information:

Date: June 12, 2025
Time: 8:30 a.m.
Dept.: 1
Judge: Hon. Harold W. Hopp

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE THAT** on June 12, 2025, at 8:30 a.m., the Motion for Preliminary
3 Approval of Class Action and PAGA Settlement filed by Plaintiff Stephanie McCoy (“Plaintiff
4 McCoy”) and Plaintiff Brittney Rourke (“Plaintiff Rourke”), on behalf of themselves and a Settlement
5 Class, (collectively “Plaintiffs”) and not opposed by Defendant VBR DHS Management, LLC
6 (“Defendant”), came on for hearing in Department 1 of the Riverside County Superior Court, located
7 at 4050 Main Street, Riverside, CA 92501.

8 After full consideration of the evidence, the pleadings and papers filed by the parties in
9 connection therewith, arguments of counsel and all other matters presented to the Court, and good
10 cause having been shown, IT IS HEREBY ORDERED that Plaintiffs’ Motion for Preliminary
11 Approval of Class Action and PAGA Settlement is GRANTED based on the conditions below.

12 **NOW, THEREFORE, IT IS HEREBY ORDERED:**

13 1. This Order incorporates by reference the definitions in the Settlement Agreement
14 (“Agreement” or “Settlement Agreement”), and all terms defined therein shall have the same meaning in
15 this Order as set forth in the Settlement Agreement.

16 2. The Court recognizes that the parties stipulate and agree to certification of a class for
17 settlement purposes only. For settlement purposes only, the Court conditionally certifies the following
18 settlement class (the “Class Members” or “Settlement Class”): “all current and former hourly-paid or non-
19 exempt employees of Defendant in California between September 16, 2017 through September 4, 2023.”
20 The “Class Period” means the time period from September 16, 2017 to September 4, 2023.

21 3. The Court finds, for settlement purposes only, the requirements of California Code of
22 Civil Procedure section 382 are satisfied. The term “Participating Class Member” means a Class Member
23 who has not requested exclusion from the Settlement.

24 4. Plaintiffs are hereby appointed and designated, for all purposes, as the representatives of
25 the class, and the following attorneys are hereby appointed and designated as counsel for Plaintiffs and the
26 Class (“Class Counsel”):
27
28

1 Zack I. Domb
2 Devin Rauchwerger
3 Eric Y. Hahn
4 DOMB & RAUCHWERGER LLP
5 1055 East Colorado Blvd., Fifth Floor
6 Pasadena, California 91106
7 Telephone: (213) 537-9225
8 Email: zack@dombrauchwerger.com
9 Email: devin@dombrauchwerger.com
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11 Arby Aiwazian
12 Joanna Ghosh
13 Vartan Madoyan
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16 450 N Brand Blvd., Ste. 900
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19 E-Mail: arby@calljustice.com
20 E-Mail: joanna@calljustice.com
21 E-Mail: vartan@calljustice.com
22 E-Mail: helene@calljustice.com

23 Class Counsel is authorized to act on behalf of Class Members with respect to all acts or
24 consents required by, or which may be given pursuant to, the Settlement, and such other acts reasonably
25 necessary to consummate the Settlement. Any Class Member may enter an appearance through
26 counsel of such Class Member's own choosing and at such Class Member's own expense. Any Class
27 Member who does not enter an appearance or appear on his or her own will be represented by Class
28 Counsel.

5. The Court hereby approves on a preliminary basis the Settlement Agreement as appearing
on its face to be fair, reasonable, and adequate and to have been the product of serious, informed, and
extensive negotiations among Plaintiffs, Defendant, and their respective counsel.

6. A final approval hearing shall be held before this Court on October 27, 2025 at 8:30am in
Department 1 of the Riverside County Superior Court, located at 4050 Main Street, Riverside, CA 92501,
to determine all necessary matters concerning the Settlement, including: whether the proposed settlement
of the Action on the terms and conditions provided for in the Settlement Agreement is fair, adequate and
reasonable and should be finally approved by the Court; whether a Judgment, as provided in the
Settlement, should be entered herein; whether the plan of allocation contained in the Settlement Agreement

1 should be approved as fair, adequate and reasonable to the Class Members; and to finally approve Class
2 Counsels' Fees and Costs Award, the Class Representative Enhancement Payments, and the settlement
3 administration expenses. The Final Approval hearing may be continued without further notice. In the
4 event that the hearing on the motion or final approval is continued, the Administrator (named below) is
5 ordered to provide notice of the new hearing date to anyone who files or has filed an objection to the
6 settlement.

7 7. The Parties shall file a Motion for Final Approval on or before sixteen (16) court days
8 prior to the hearing.

9 8. The Court hereby appoints Phoenix Class Action Administration Solutions as Settlement
10 Administrator and hereby directs the Settlement Administrator to mail or cause to be mailed to Class
11 Members (including the Aggrieved Employees) the Notice by first class mail within fourteen (14) calendar
12 days after the receipt of the Class Data from Defendant using the procedures set forth in the Settlement
13 Agreement. Class Members who do not opt out of the settlement will become Settlement Class Members
14 and will automatically receive their Individual Settlement Payment.

15 9. The Court hereby approves, as to form and content, the Notice of Class Action Settlement
16 and Hearing Date for Final Court Approval ("Class Notice"), Objection Form, and Exclusion Form,
17 attached as EXHIBIT A, EXHIBIT B, and EXHIBIT C, respectively (together, "Notice Packet"). The
18 Court finds that the distribution of the Notice of Class Action Settlement in substantially the manner and
19 form set forth in the Settlement Agreement and this Order meets the requirements of due process, is the
20 best notice practicable under the circumstances, and shall constitute due and sufficient notice to all persons
21 entitled thereto.

22 10. Objections and Requests for Exclusion shall not to be sent to or filed with the Court, but
23 instead should be sent to the Settlement Administrator. The Settlement Administrator shall provide a
24 declaration authenticating each Objection or Request for Exclusion it has received along with the Motion
25 for Final Approval.

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1 11. The Court reserves the right to adjourn or continue the date of the final approval and all
2 dates provided for in the Settlement Agreement without further notice and retains jurisdiction to consider
3 all further applications arising out of or connected with the proposed Settlement.

4 IT IS SO ORDERED.

5
6 Dated: _____

HON. HAROLD W. HOPP
JUDGE OF THE SUPERIOR COURT

EXHIBIT A

COURT APPROVED NOTICE OF CLASS ACTION SETTLEMENT AND HEARING DATE FOR FINAL COURT APPROVAL

Stephanie McCoy, et al. v. VBR DHS Management, LLC
Riverside County Superior Court Case No. CVRI2104222

***The Superior Court for the State of California authorized this Notice. Read it carefully!
It's not junk mail, spam, an advertisement, or solicitation by a lawyer. You are not being sued.***

You may be eligible to receive money from an employee class action lawsuit (“Action”) concerning your current or former employment with VBR DHS Management, LLC. The Action was filed by two former VBR DHS Management, LLC employees, Stephanie McCoy and Brittney Rourke (“Plaintiffs”) and seeks payment of (1) back wages and other relief for a class of employees (“Class Members”) who worked for VBR DHS Management, LLC during the Class Period (September 16, 2017 through and including September 4, 2023); and (2) penalties under the California Private Attorneys General Act (“PAGA”) for all employees who worked for VBR DHS Management, LLC during the PAGA Period (July 13, 2020 through and including September 20, 2022) (“Aggrieved Employees”).

The proposed Settlement has two main parts: (1) a Class Settlement requiring VBR DHS Management, LLC to fund Individual Settlement Payments, and (2) a PAGA Settlement requiring VBR DHS Management, LLC to fund PAGA Payments and to pay penalties to the California Labor and Workforce Development Agency (“LWDA”).

Based on VBR DHS Management, LLC’s records, and the Parties’ current assumptions, **your Individual Settlement Payment is estimated to be \$_____ (less withholding) and your Individual PAGA Payment is estimated to be \$_.** The actual amount you may receive likely will be different and will depend on a number of factors. If no amount is stated for your Individual PAGA Payment, then according to VBR DHS Management, LLC’s records you are not eligible for an Individual PAGA Payment under the Settlement because you did not work during the PAGA Period.

The above estimates are based on VBR DHS Management, LLC’s records showing that **you worked _____workweeks** during the Class Period and **you worked _____ Pay periods** during the PAGA Period. If you believe that you worked more workweeks or pay periods during either period, you can submit a challenge by the deadline date. See [Section 4](#) of this Notice.

The Court has already preliminarily approved the proposed Settlement and approved this Notice. The Court has not yet decided whether to grant final approval. Your legal rights are affected whether you act or do not act. Read this Notice carefully. You will be deemed to have carefully read and understood it. At the Final Approval Hearing, the Court will decide whether to finally approve the Settlement and how much of the Settlement will be paid to Plaintiffs and Plaintiffs’ attorneys (“Class Counsel”). The Court will also decide whether to enter a judgment that requires VBR DHS Management, LLC to make payments under the Settlement and requires Class Members and Aggrieved Employees to give up their rights to assert certain claims against VBR DHS Management, LLC.

If you worked for VBR DHS Management, LLC during the Class Period and/or the PAGA Period, you have two basic options under the Settlement:

- (1) **Do Nothing.** You do not have to do anything to participate in the proposed Settlement. If you do nothing, you will be a Participating Class Member, eligible for an Individual Settlement Payment and/or an Individual PAGA Payment. In exchange, as a Participating Class Member, you will give up your right to assert Class Period wage claims and PAGA Period penalty claims against VBR DHS Management, LLC.
- (2) **Opt-Out of the Class Settlement.** You can exclude yourself from the Class Settlement (opt-out) by submitting the written Request for Exclusion or otherwise notifying the Administrator in writing. If you opt-out of the Settlement, you will not receive an Individual Settlement Payment. You will, however, preserve your right to personally pursue Class Period wage claims against VBR DHS Management, LLC, and, if you are an Aggrieved Employee, remain eligible for an Individual PAGA Payment. You cannot opt-out of the PAGA portion of the proposed Settlement.

VBR DHS Management, LLC will not retaliate against you for any actions you take with respect to the proposed Settlement.

SUMMARY OF YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT

You Don't Have to Do Anything to Participate in the Settlement	If you do nothing, you will be a Participating Class Member, eligible for an Individual Settlement Payment and an Individual PAGA Payment (if any). In exchange, you will give up your right to assert the wage claims against VBR DHS Management, LLC that are covered by this Settlement (Released Claims).
You Can Opt-out of the Class Settlement but not the PAGA Settlement The Opt-out Deadline is _____	If you don't want to fully participate in the proposed Settlement, you can opt-out of the Class Settlement by sending the Administrator a written Request for Exclusion. Once excluded, you will be a Non-Participating Class Member and no longer eligible for an Individual Settlement Payment. Non-Participating Class Members cannot object to any portion of the proposed Settlement. See Section 6 of this Notice. You cannot opt-out of the PAGA portion of the proposed Settlement. VBR DHS Management, LLC must pay Individual PAGA Payments to all Aggrieved Employees.

Participating Class Members Can Object to the Class Settlement but not the PAGA Settlement Written Objections Must be Submitted by _____	All Class Members who do not opt-out (“Participating Class Members”) can object to any aspect of the proposed Settlement. The Court’s decision whether to finally approve the Settlement will include a determination of how much will be paid to Class Counsel and Plaintiffs who pursued the Action on behalf of the Class. You are not personally responsible for any payments to Class Counsel or Plaintiffs, but every dollar paid to Class Counsel and Plaintiffs reduces the overall amount paid to Participating Class Members. You can object to the amounts requested by Class Counsel or Plaintiffs if you think they are unreasonable. See Section 7 of this Notice.
You Can Participate in the <u>October 27, 2025</u> Final Approval Hearing	The Court’s Final Approval Hearing is scheduled to take place on _____. You don’t have to attend but you do have the right to appear (or hire an attorney to appear on your behalf at your own cost), in person, by telephone or by using the Court’s virtual appearance platform. Participating Class Members can verbally object to the Settlement at the Final Approval Hearing. See Section 8 of this Notice.
You Can Challenge the Calculation of Your Workweeks/Pay Periods Written Challenges Must be Submitted by _____	The amount of your Individual Settlement Payment and PAGA Payment (if any) depend on how many workweeks you worked at least one day during the Class Period and how many Pay Periods you worked at least one day during the PAGA Period, respectively. The number Class Period Workweeks and number of PAGA Period Pay Periods you worked according to VBR DHS Management, LLC’s records is stated on the first page of this Notice. If you disagree with either of these numbers, you must challenge it by _____. See Section 4 of this Notice.

1. WHAT IS THE ACTION ABOUT?

Plaintiffs are former VBR DHS Management, LLC employees. The Action accuses VBR DHS Management, LLC of violating California labor laws by failing to pay overtime wages, minimum wages, wages due upon termination and reimbursable expenses, and failing to provide meal periods, rest breaks and accurate itemized wage statements. Based on the same claims, Plaintiffs have also asserted claims for civil penalties under the California Private Attorneys General Act (Labor Code §§ 2698, et seq.) (“PAGA”). Plaintiffs are represented by attorneys in the Action:

Domb & Rauchwerger LLP
 1055 East Colorado Blvd., Fifth Floor
 Pasadena, California 91106

Lawyers for Justice P.C.
 450 N Brand Blvd., Ste 900
 Glendale, California 91203

(“Class Counsel.”)

VBR DHS Management, LLC strongly denies violating any laws or failing to pay any wages and contends it complied with all applicable laws.

2. WHAT DOES IT MEAN THAT THE ACTION HAS SETTLED?

So far, the Court has made no determination whether VBR DHS Management, LLC or Plaintiffs are correct on the merits. In the meantime, Plaintiffs and VBR DHS Management, LLC hired an experienced, neutral mediator in an effort to resolve the Action by negotiating and to end the case by agreement (settle the case) rather than continuing the expensive and time-consuming process of litigation. The negotiations were ultimately successful. By signing a lengthy written settlement agreement (“Agreement”) and agreeing to jointly ask the Court to enter a judgment ending the Action and enforcing the Agreement, Plaintiffs and VBR DHS Management, LLC have negotiated a proposed Settlement that is subject to the Court’s Final Approval. Both sides agree the proposed Settlement is a compromise of disputed claims. By agreeing to settle, VBR DHS Management, LLC does not admit any violations or concede the merit of any claims. Plaintiffs and Class Counsel strongly believe the Settlement is a good deal for you because they believe that: (1) VBR DHS Management, LLC has agreed to pay a fair, reasonable and adequate amount considering the strength of the claims and the risks and uncertainties of continued litigation; and (2) Settlement is in the best interests of the Class Members and Aggrieved Employees. The Court preliminarily approved the proposed Settlement as fair, reasonable and adequate, authorized this Notice, and scheduled a hearing to determine Final Approval.

3. WHAT ARE THE IMPORTANT TERMS OF THE PROPOSED SETTLEMENT?

1. VBR DHS Management, LLC Will Pay \$500,000 as the Total Settlement Amount (Total Settlement). VBR DHS Management, LLC has agreed to deposit the Total Settlement into an account controlled by the Administrator within fifteen (15) business days after the date the Settlement becomes final.

The Administrator will use the Total Settlement to pay the Individual Settlement Payments, Individual PAGA Payments, Class Representative Enhancement Awards, Attorneys’ Fees and Costs, the Settlement Administration Costs, and PAGA Allocation.

2. Court Approved Deductions from Total Settlement. At the Final Approval Hearing, Plaintiffs and/or Class Counsel will ask the Court to approve the following deductions from the Total Settlement, the amounts of which will be decided by the Court at the Final Approval Hearing:
 - A. Up to \$175,000.00 (35% of the Total Settlement) to Class Counsel for attorneys’ fees and up to \$25,000 for their litigation expenses. To date, Class Counsel have worked and incurred expenses on the Action without payment.
 - B. Up to \$5,000 as Class Representative Enhancement Awards to each Plaintiff for filing the Action, working with Class Counsel and representing the Class. Class Representative Enhancement Awards will be the only monies Plaintiffs will receive other than Plaintiffs’ Individual Settlement Payments and any Individual PAGA Payments.

- C. Up to \$15,000 to the Administrator for services administering the Settlement.
- D. Up to \$80,000 for PAGA Penalties, allocated 75% to the LWDA Payment and 25% in Employee PAGA Amount to the Aggrieved Employees based on their PAGA Period Pay Periods.

Participating Class Members have the right to object to any of these deductions. The Court will consider all objections.

- 3. Net Settlement Distributed to Class Members. After making the above deductions in amounts approved by the Court, the Administrator will distribute the rest of the Total Settlement (the “Net Settlement”) by making Individual Settlement Payments to Participating Class Members based on their Class Period Workweeks. Within twenty (20) business days after the date the Settlement becomes final, the Administrator will mail checks for all Individual Settlement Payments and Individual PAGA Payments.
- 4. Taxes Owed on Payments to Class Members. Plaintiffs and VBR DHS Management, LLC are asking the Court to approve an allocation of 20% of each Individual Settlement Payment to taxable wages (“Wage Portion”) and 80% to penalties and interest. (“Non-Wage Portion.”). The Wage Portion is subject to withholdings and will be reported on IRS W-2 Forms. VBR DHS Management, LLC will separately pay employer payroll taxes it owes on the Wage Portion. The Individual PAGA Payments are counted as penalties rather than wages for tax purposes. The Administrator will report the Individual PAGA Payments and the Non-Wage Portions of the Individual Settlement Payments on IRS 1099 Forms.

Although Plaintiffs and VBR DHS Management, LLC have agreed to these allocations, neither side is giving you any advice on whether your Payments are taxable or how much you might owe in taxes. You are responsible for paying all taxes (including penalties and interest on back taxes) on any Payments received from the proposed Settlement. You should consult a tax advisor if you have any questions about the tax consequences of the proposed Settlement.

- 5. Need to Promptly Cash Payment Checks. The front of every check issued for Individual Settlement Payments/Individual PAGA Payments will show the date when the check expires (the void date). If you don’t cash it by the void date, your check will be automatically cancelled, and the Settlement Administrator will transfer the uncashed checks to the California Controller’s Unclaimed Property Fund in your name thereby leaving no “unpaid residue” subject to the requirements of California Code of Civil Procedure Section 384, subd.
- 6. Requests for Exclusion from the Class Settlement (Opt-Outs). You will be treated as a Participating Class Member, participating fully in the Class Settlement, unless you notify the Administrator in writing, not later than _____, that you wish to opt-out. You may (but are not required to) use the Exclusion Form which is included with this

Notice. Whether you use the Exclusion Form or your own form, you must send a written and signed Request for Exclusion by the _____ Response Deadline. The Request for Exclusion should be a letter from a Class Member or his/her representative setting forth a Class Member's name, present address, telephone number, and a simple statement electing to be excluded from the Settlement. Excluded Class Members (i.e., Non-Participating Class Members) will not receive Individual Settlement Payments, but will preserve their rights to personally pursue their individual wage and hour claims against VBR DHS Management, LLC.

You cannot opt-out of the PAGA portion of the Settlement. Class Members who exclude themselves from the Class Settlement (Non-Participating Class Members) remain eligible for Individual PAGA Payments and are required to give up their right to assert PAGA claims against VBR DHS Management, LLC based on the PAGA Period facts alleged in the Action.

7. The Proposed Settlement Will be Void if the Court Denies Final Approval. It is possible the Court will decline to grant Final Approval of the Settlement or decline to enter a Judgment. It is also possible the Court will enter a Judgment that is reversed on appeal. Plaintiffs and VBR DHS Management, LLC have agreed that, in either case, the Settlement will be void: VBR DHS Management, LLC will not pay any money and Class Members will not release any claims against VBR DHS Management, LLC.
8. Administrator. The Court has appointed a neutral company, Phoenix Settlement Administrators (the "Administrator"), to send this Notice, calculate and make payments, and process Class Members' Requests for Exclusion. The Administrator will also decide Class Member Challenges over Workweeks, mail and re-mail settlement checks and tax forms, and perform other tasks necessary to administer the Settlement. The Administrator's contact information is contained in [Section 9](#) of this Notice.
9. Participating Class Members' Release. After the Judgment is final and VBR DHS Management, LLC has fully funded the Total Settlement and separately paid all employer payroll taxes, Participating Class Members will be legally barred from asserting any of the claims released under the Settlement. This means that unless you opted out by validly excluding yourself from the Class Settlement, you cannot sue, continue to sue, or be part of any other lawsuit against VBR DHS Management, LLC or related entities for wages based on the Class Period facts, as alleged in the Action and resolved by this Settlement.

The Participating Class Members will be bound by the following release:

"Released Class Claims" means any and all claims under state, federal, or local law, arising out of the claims expressly pleaded in the Action and all other claims, such as those under the California Labor Code, Wage Orders, regulations, and/or other provisions of law, arising during the Class Period, that could have been asserted based on the facts pleaded in the Action for: (1) failure to pay overtime wages; (2) failure to pay meal period premiums; (3) failure to pay rest period premiums; (4) failure to pay minimum wages; (5) failure to timely pay wages upon termination; (6) failure to timely pay wages during employment; (7) failure to provide compliant wage statements; (8) failure to keep requisite

payroll records; (9) failure to reimburse necessary business expenses; and (10) violation of California's unfair competition law."

10. PAGA Release.

The Private Attorney Generals Act claims shall be released as follows:

"Released PAGA Claims' means any and all claims for civil penalties under the California Labor Code Private Attorneys General Act that were alleged in the LWDA Notice and Action, arising during the PAGA Period, for: (1) failure to pay overtime wages; (2) failure to pay meal period premiums; (3) failure to pay rest period premiums; (4) failure to pay minimum wages; (5) failure to timely pay wages upon termination; (6) failure to timely pay wages during employment; (7) failure to provide compliant wage statements; (8) failure to keep requisite payroll records; and (9) failure to reimburse necessary business expenses."

The operative version of the Settlement Agreement was filed with the Court on May 20, 2025 with the Declaration of Devin Rauchwerger in Support of the Motion for Preliminary Approval and was titled "Joint Stipulation of Class Action and PAGA Settlement and Release," and may be examined online on the Riverside County Superior Court's website, known as "eCourt Public Portal," at <https://epublic-access.riverside.courts.ca.gov/public-portal/>. You may also examine the records containing the Settlement Agreement by visiting the Riverside Historic Courthouse, located at 4050 Main Street, Riverside, CA 92501.

4. **HOW WILL THE ADMINISTRATOR CALCULATE MY PAYMENT?**

1. Individual Settlement Payments. Each Settlement Class member shall receive a proportionate settlement share based upon the pro-rata number of Workweeks they worked during the Class Period. To get the estimate that was provided on the first page of this notice, the Settlement Administrator divided the Net Settlement Amount by the Workweeks for all Class Members to yield the Estimated Workweek Value, and multiplied each Class member's individual Workweeks by the Estimated Workweek Value to yield the estimated Individual Settlement Share. If Final Approval is granted, the Settlement Administrator will divide the final Net Settlement Amount by the Workweeks for all Settlement Class Members to yield the Final Workweek Value, and multiply each Settlement Class Member's individual Workweeks by the Final Workweek Value to yield his or her Individual Settlement Share.
2. Individual PAGA Payments. The Administrator will divide the Employee PAGA Amount by the Workweeks during the PAGA Period for all Aggrieved Employees to yield the PAGA Workweeks Value, and multiple each Aggrieved Employee's individual workweeks during the PAGA Period by the PAGA Workweek Value to yield the estimated Individual PAGA Payment.
3. Workweek/Pay Period Challenges. The number of Class Workweeks you worked during the Class Period and the number of workweeks you worked during the PAGA Period, as recorded in VBR DHS Management, LLC's records, are stated in the first page of this

Notice. You have until ____ to challenge the number of Workweeks and/or Pay Periods credited to you. You can submit your challenge by signing and sending a letter to the Administrator via mail, email or fax which contains the name and case number for this Action, is signed by You, states Your full name, address, telephone number, and last four digits of your social security number, states that You dispute the number of Workweeks that has been credited to You and what You contend is the correct number that should be credited to You, includes any information and/or documentation demonstrating that the number of Workweeks that You contend should be credited to You is correct, and is returned by mail to the Administrator at the address specified in [Section 9](#) of this Notice, postmarked on or before the Response Deadline of _____.

Absent evidence rebutting the accuracy of VBR DHS Management, LLC's records and data as they pertain to the number of Workweeks to be credited to the Class Member, VBR DHS Management, LLC's records will be presumed correct and determinative of the dispute. However, if a Class member produces information and/or documents to the contrary, the Settlement Administrator will evaluate the materials submitted by the Class Member and the Settlement Administrator will resolve and determine the number of eligible Workweeks that the disputing Class Member should be credited with under the Settlement.

5. HOW WILL I GET PAID?

- a) Participating Class Members. The Administrator will send, by U.S. mail, a single check to every Participating Class Member (i.e., every Class Member who doesn't opt-out) including those who also qualify as Aggrieved Employees. The single check will combine the Individual Settlement Payment and the Individual PAGA Payment.
- b) Non-Participating Class Members. The Administrator will send, by U.S. mail, a single Individual PAGA Payment check to every Aggrieved Employee who opts out of the Class Settlement (i.e., every Non-Participating Class Member). For those who are also Participating Class Members, the Individual Settlement check and PAGA settlement check will be combined into a single check.

Your check will be sent to the same address as this Notice. If you change your address, be sure to notify the Administrator as soon as possible. [Section 9](#) of this Notice has the Administrator's contact information.

6. HOW DO I OPT-OUT OF THE CLASS SETTLEMENT?

Submit a written and signed letter with your name, present address, telephone number, and a simple statement that you do not want to participate in the Settlement. You may (but are not required to) use the Exclusion Form included with this Class Notice. The Administrator will exclude you based on any writing communicating your request be excluded. Be sure to personally sign your request, identify the Action as *Stephanie McCoy, et al. v. VBR DHS Management, LLC*, and include your identifying information (full name, address, telephone number, and last four digits of your social security number for verification purposes) and a statement indicating you request to be excluded from the Settlement. **The Administrator must**

be sent your request to be excluded by _____, or it will be invalid. [Section 9](#) of the Notice has the Administrator's contact information.

7. HOW DO I OBJECT TO THE SETTLEMENT?

Only Participating Class Members have the right to object to the Settlement. Before deciding whether to object, you may wish to see what Plaintiffs and VBR DHS Management, LLC are asking the Court to approve. At least 16 days before the _____ Final Approval Hearing, Class Counsel and/or Plaintiffs will file in Court (1) a Motion for Final Approval that includes, among other things, the reasons why the proposed Settlement is fair, and (2) a Motion for Fees, Litigation Expenses and Service Award stating (i) the amount Class Counsel is requesting for attorneys' fees and litigation expenses; and (ii) the amounts Plaintiffs are requesting as a Class Representative Enhancement Awards. Upon reasonable request, Class Counsel (whose contact information is in [Section 9](#) of this Notice) will send you copies of these documents at no cost to you. You can also view them on the Administrator's Website _____ (url) or the Court's website _____ (url).

A Participating Class Member who disagrees with any aspect of the Agreement, the Motion for Final Approval and/or Motion for Fees, Litigation Expenses and Service Award may wish to object, for example, that the proposed Settlement is unfair, or that the amounts requested by Class Counsel or Plaintiffs are too high or too low. **The deadline for sending written objections to the Administrator is _____.** You may (but are not required to) use the Objection Form included with this Class Notice. Be sure to tell the Administrator what you object to, why you object, and any facts that support your objection. Make sure you identify the Action as *Stephanie McCoy, et al. v. VBR DHS Management, LLC*, Riverside Superior Court Case No. CVRI2104222; and include your full name, the last four digits of your social security number, and your current address; state the specific reason(s) for the objection; identify or include any and all evidence and supporting papers (including, without limitation, all briefs, written evidence, and declarations) for the Court to consider; and sign and date the objection. [Section 9](#) of this Notice has the Administrator's contact information.

Alternatively, a Participating Class Member can object (or personally retain a lawyer to object at your own cost) by attending the Final Approval Hearing; you do not need to submit a written objection to object to the Settlement at the Final Approval Hearing. You (or your attorney) should be ready to tell the Court what you object to, why you object, and any facts that support your objection. See [Section 8](#) of this Notice (immediately below) for specifics regarding the Final Approval Hearing.

8. CAN I ATTEND THE FINAL APPROVAL HEARING?

You can, but don't have to, attend the Final Approval Hearing on _____ in Department 1 of the Riverside Superior Court, Riverside Historic Courthouse, located at 4050 Main Street Riverside, CA 92501. At the Hearing, the judge will decide whether to grant Final Approval of the Settlement and how much of the Total Settlement will be paid to Class Counsel, Plaintiffs, and the Administrator. The Court will invite comment from objectors, Class Counsel and Defense Counsel before making a decision. You can attend (or hire a lawyer to attend) the hearing. Check the Court's website for the most current information (<https://epublic-access.riverside.courts.ca.gov/public-portal/>)

It's possible the Court will reschedule the Final Approval Hearing. You should check the Administrator's website ____ beforehand or contact Class Counsel to verify the date and time of the Final Approval Hearing.

9. HOW CAN I GET MORE INFORMATION?

The Agreement sets forth everything VBR DHS Management, LLC and Plaintiffs have promised to do under the proposed Settlement. The easiest way to read the Agreement, the Judgment or any other Settlement documents is to go to Phoenix Settlement Administrators's website at ____ (url) _____. You can also telephone or send an email to Class Counsel or the Administrator using the contact information listed below, or consult the Superior Court website by going to (<https://epublic-access.riverside.courts.ca.gov/public-portal/>) and entering the Case Number for the Action, Case Number CVRI2104222.

The pleadings and other records in this litigation may be examined online on the Riverside County Superior Court's website, known as "eCourt Public Portal," at <https://epublic-access.riverside.courts.ca.gov/public-portal/>.

After arriving at the website, click the "Search" tab at the top of the page, then select the Document Downloads link, enter the case number and click "Submit." Images of every document filed in the case may be viewed at a minimal charge. You may also view images of every document filed in the case free of charge by using one of the computer terminal kiosks available at each court location that has a facility for civil filings.

DO NOT TELEPHONE THE SUPERIOR COURT TO OBTAIN INFORMATION ABOUT THE SETTLEMENT.

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Phoenix Settlement Administrators

Email Address: Notice@phoenixclassaction.com

Mailing Address: P.O. Box 7208, Orange, California 92863

Telephone: 800-523-5773

Fax Number: 949-209-2503

10. WHAT IF I LOSE MY SETTLEMENT CHECK?

If you lose or misplace your settlement check before cashing it, the Administrator will replace it as long as you request a replacement before the void date on the face of the original check.

11. WHAT IF I CHANGE MY ADDRESS?

To receive your check, you should immediately notify the Administrator if you move or otherwise change your mailing address.

EXHIBIT B

Stephanie McCoy, et al. v. VBR DHS Management, LLC
Superior Court of California, County of Riverside, Case No. CVRI2104222

OBJECTION FORM

USE AND RETURN THIS FORM ONLY IF YOU WISH TO OBJECT TO THE CLASS SETTLEMENT.

If you wish to object to the Class Settlement, you must state all grounds for your objection accompanied by any legal support (space is provided below for doing so), attach any papers, briefs, or other documents you are relying on for your objection, sign on the following page, and return this form by mail to the Settlement Administrator, at the following mailing address, postmarked on or before **[RESPONSE DEADLINE]**.

[Phoenix Settlement Administrators]
[INSERT MAILING ADDRESS]

If you do not wish to object to the Class Settlement, you should not return this form – you do not need to take any action. If the proposed settlement receives final approval from the Court, the Settlement Administrator will send you a check by U.S. Mail, at the last address the Settlement Administrator has on file for you.

I wish to object to the Class Settlement on the following grounds:

[illegible]

Date: _____

Full Name: _____

Address: _____

Telephone Number: (____) _____

Signature: _____

To ensure that this form is properly processed on your behalf and to avoid confusion in the event that multiple individuals having the same or similar names submit this form, please provide the last 4 digits of your Social Security Number to the administrator so that your identity may be confirmed:

EXHIBIT C

Stephanie McCoy, et al. v. VBR DHS Management, LLC
Superior Court of California, County of Riverside, Case No. CVRI2104222

EXCLUSION FORM

USE AND RETURN THIS FORM ONLY IF YOU WISH TO EXCLUDE YOURSELF FROM THE CLASS SETTLEMENT.

If you wish to exclude yourself from the Class Settlement, you must read and sign the following statement and return this form to the Settlement Administrator, by mail, postmarked on or before **[RESPONSE DEADLINE]**, at the following mailing address:

**[Phoenix Settlement Administrators]
[INSERT MAILING ADDRESS]**

If you do not wish to exclude yourself from the Class Settlement (and you wish to receive a payment from the Class Settlement), you should not return this form – you do not need to take any action.

I request to be excluded from the class action settlement in the matter of *Stephanie McCoy, et al. v. VBR DHS Management, LLC*. By excluding myself from the class action settlement, I understand that I will not be bound by the settlement and release of the Class Released Claims, and that I will not receive an Individual Settlement Payment. I also understand that submission of a request for exclusion from the class settlement will not exclude me from the Private Attorney Generals Act (“PAGA”) portion of the settlement and that if I am entitled to receive one, I will still receive an Individual PAGA Payment even if I request exclusion from the class action settlement.

Date: _____

Full Name: _____

Address: _____

Telephone Number: (____) _____

Signature: _____

To ensure that this form is properly processed on your behalf and to avoid confusion in the event that multiple individuals having the same or similar names submit this form, please provide the last 4 digits of your Social Security Number to the administrator so that your identity may be confirmed:
