

AMENDMENT TO CLASS ACTION AND PAGA SETTLEMENT AGREEMENT

This Amendment (“Amendment”) to the December 18, 2023 Class Action and PAGA Settlement Agreement (“Agreement”) is entered into as of the date on which the last party executes the Amendment, by and between Plaintiff Erica Mittendorff (“Plaintiff”) on the one hand, and Defendant California Boxing Clubs, LLC (now known as “BXNG Holdings, LLC”) (“Defendant”) on the other hand. Plaintiff and Defendant are sometimes collectively referred to herein as “the Parties.”

RECITALS: This Amendment is made with reference to the following:

- A. On December 18, 2023, the Parties entered into the Agreement.
- B. Now, pursuant to section 13.9 of the Agreement, the Parties now wish to amend the Agreement solely to alter the manner and timing of payment by Defendant as set forth in Section 4.3 of the Agreement.

NOW, THEREFORE, with the foregoing recitals which are incorporated by reference herein, in consideration of the mutual promises contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and intending to be mutually and legally bound, the Parties agree as follows:

TERMS AND CONDITIONS

1. Section 4.3 of the Agreement shall be amended to read as follows:

Funding of Gross Settlement Amount. The Gross Settlement Amount will be provided to the Settlement Administrator as follows: \$100,000 was paid on April 16, 2024; and monthly payments of the remaining \$250,000 over 24 months beginning May 4, 2024, and paid by the 4th of each subsequent month, as follows:

Months 1 to 6 (May to October 2024): \$5,000

Months 7 to 12 (November 2024 to April 2025): \$7,500

Months 13 to 18 (May to October 2025): \$12,500

Months 19 to 24 (November 2025 to April 2026): \$16,666.67

The Settlement Administrator will manage the settlement process. The Gross Settlement Amount will be distributed to the Class Members and PAGA Settlement Employees in three distributions. The first distribution of the Gross Settlement Amount will occur within 30 days after Final Approval. The second distribution will occur 15 months after preliminary approval, and the third distribution will occur 27 months after preliminary approval. Any interest that accrues prior to each distribution to the Class Members and

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PAGA Settlement Employees shall be distributed to the Class Members and PAGA Settlement Employees on a pro rata basis along with the distributions. If Defendant fails to make a payment under this funding schedule, Defendant shall be given written notice of such missed payment and will have 10 days to cure. If Defendant fails to cure the missed payment within the 10 days, Defendant will be in default, the entire outstanding balance of the Gross Settlement Amount will immediately come due and payable, and a stipulated judgment shall be entered against Defendant. Defendant will also be liable for the reasonable costs and attorneys' fees incurred to recover the balance of the Gross Settlement Amount.

Agreed to and executed by:

Dated: _____

California Boxing Clubs, LLC (now known as
BXNG Holdings LLC)

Print Name: _____

Its: _____

Dated: 4/30/2024

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Erica Mittendorff

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Agreed to and executed by:

Dated: 04/25/24

California Boxing Clubs, LLC (now known as
BXNG Holdings LLC)

Print Name: Artem Sharshkin

Its: [Signature] Chief Executive Officer

Dated: _____

Erica Mittendorff