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and on behalf of all others similarly situated.

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

DALE RYAN WILSON, individually and
on behalf of all others similarly situated,

Plaintiffs,

v.

IDENTITY INTELLIGENCE GROUP,
LLC; IDIQ INC; and DOES 1 through 20,
inclusive,

Defendants.

Case No. CVRI2200927

*Assigned for All Purposes to:
Judge Harold W. Hopp
Dept. 1*

**PLAINTIFF DANIEL ESQUIVEL
SUPPLEMENTAL SUBMISSION IN
SUPPORT OF MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: September 29, 2023
Time: 8:30 a.m.
Dept.: 1

Plaintiff provides this supplemental submission in response to the Court's September 1, 2023 Tentative Ruling on Plaintiffs' Motion for Preliminary Approval of Class Action Settlement. On September 1, 2023, the Court continued the hearing to September 29, 2023 at 8:30 a.m., with instructions to address the concerns outlined in the Tentative Ruling.

Concurrently with this submission, Plaintiffs submit the Supplemental Declaration of Steven A. McNicholl in Support of Motion for Preliminary Approval, with the following exhibits:

- Exhibit 1: Redlined Class Notice

- Exhibit 2: Final Revised Class Notice
 - Exhibit 3: Executed Amendments to Joint Stipulation Settlement Agreement (“Amendments”)
 - Exhibit 4: Confirmation of submission of this Supplemental Briefing to the LWDA
- Plaintiff also submits the Declaration of Steven A. McNicholl (“McNicholl Decl.”).

The chart below lists each of the Court’s concerns from the Minute Order and the revisions/submissions made to address each concern.

Tentative Ruling	Revisions/Submissions
Issue #1 – Range of possible recoveries. If counsel cannot state this, has there been a sufficient investigation/discovery?	Plaintiff’s counsel has done sufficient investigation and discovery. The range of possible recoveries is calculated by the Settlement Administrator based on the class data provided by the Defendant. McNicholl Decl. ¶ 6.
Issue #2 – Why not redistribute funds from uncashed checks to class members who did cash checks.	Redistributing funds from uncashed and undeliverable checks to class members who did cash checks may result in practical problems such as when there are multiple rounds of uncashed checks, increasing the mailing costs each time. The Parties agreed to amend the settlement to require the Settlement Administrator to tender the funds from uncashed and undeliverable check to the State Unclaimed Wages Fund in the name of the employee who did not cash the check or was found undeliverable. The requested revision is shown in Section 3.06(f) of the Amendments.

1		See McNicholl Decl. ¶ 8, Ex 1.
2	Issue #3 – Definition of released parties in the	The Parties amended the PAGA release to
3	PAGA release exceeds that in the CMO and	include the language provided by the Court.
4	the release is not limited to named plaintiff	The requested revision is shown in Section
5	and the State. Why would this release	5.02 of the Amendments. See McNicholl Decl.
6	language not be sufficient: “Plaintiff releases	¶ 10, Ex 1.
7	all claims for statutory penalties that could	
8	have been sought by the Labor Commissioner	
9	for the violations identified in Plaintiff’s pre-	
10	filing letter to the LWDA; Plaintiff does not	
11	release any aggrieved employee’s claim for	
12	wages or damages.”	
13		
14		
15		
16	Issue #4 – Notice still includes Latin terms	Plaintiff’s counsel and Defense counsel
17	and legal terms of art. Can’t we eliminate	reviewed the Class Notice to eliminate all
18	these as required by the CMO?	Latin terms and simplify or eliminate any
19		legal terms of art. See McNicholl Decl. ¶ 12,
20		Ex. 2.

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22 Dated: September 26, 2023

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24 By: Steven McNicholl
25 Steven A. McNicholl
26 Attorneys for Plaintiff
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