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*Attorneys for Plaintiff MARITZA
MARTINEZ, individually, and on behalf of
other similarly situated employees and
aggrieved employees pursuant to the
California Private Attorneys General Act*

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

MARITZA MARTINEZ and MIGUEL
MARTINEZ, individually, and on behalf of other
similarly situated employees and aggrieved
employees pursuant to the California Private
Attorneys General Act,

Plaintiffs,

vs.

BARRY'S BOOTCAMP, LLC; BARRY'S BAY
AREA; BARRY'S BOOTCAMP SAN DIEGO
LLC; and DOES 1 through 25, inclusive,

Defendants.

Case No.: 25STCV00324

Honorable Elaine Lu
Department 9

**DECLARATION OF MICHAEL
SUTHERLAND OF APEX CLASS
ACTION LLC, THE PROPOSED
SETTLEMENT ADMINISTRATOR**

Date: October 22, 2026
Time: 8:30 a.m.
Dept: 9

Complaint Filed: January 6, 2025
FAC Filed: July 10, 2026
Trial Date: Not Set

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8 MARTINEZ, individually, and on behalf of
9 other similarly situated employees and
aggrieved employees pursuant to the
10 California Private Attorneys General Act

DECLARATION OF MICHAEL SUTHERLAND

I, Michael Sutherland, declare as follows:

1. I am the President of Apex Class Action LLC., a class action settlement administration company headquartered in Irvine, California. I have personal knowledge of the facts outlined in this declaration and, if called as a witness, I could and would competently testify thereto.

2. Apex Class Action’s team has been directly involved with class action administration for a combined 75 years and has successfully managed numerous class action cases during that time. Our team comprises experienced professionals with extensive knowledge of class action settlement administration. In addition, Apex Class Action has the necessary technology and infrastructure to efficiently manage large-scale class action cases. We utilize state-of-the-art software and systems to ensure that all aspects of the administration process are executed accurately and efficiently.

3. The legal practitioners or parties involved do not possess any form of ownership stake or affiliation with Apex Class Action.

4. Apex Class Action has extensive expertise in the dissemination of class action notices and administration of class action settlements. Our range of services includes first-class mail via the United States Postal Service, a bilingual toll-free call center, interactive & static website development and support, enterprise database management, response processing, and Qualified Settlement Fund (QSF) distribution for class actions of various sizes. We uphold the highest level of confidentiality in all our operations, and any class data and communication received by us will be treated with the utmost confidentiality and will not be disclosed to any unauthorized party. Attached is our current CV as **Exhibit A**, highlighting our primary competencies in class action administration.

5. Apex Class Action ensures that Client and Class Member Information is only used for the purposes specified in the relevant agreements or court orders governing the provision of its legal services. To safeguard class member information, Apex Class Action has implemented a comprehensive process to identify, assess, and mitigate risks in all areas of its operations, regularly evaluating the effectiveness of its security measures. Access to class member information is limited to employees, agents, or subcontractors who require it to perform their duties, and Apex Class Action conducts background checks on all personnel with access to sensitive personal information, to

1 ensure they do not pose a threat to the security of client or class member information. To guarantee
2 the security of the settlement administration process, Apex Class Action maintains \$1,000,000.00 in
3 Professional Liability and \$5,000,000.00 in Cyber Liability Insurance coverage, as required by legal
4 standards and best practices in the legal profession.

5 6. Apex Class Action disbursement process involves (i) obtaining a Federal Employer
6 Identification Number (FEIN) from the Internal Revenue Service (IRS) under the name of the
7 settlement case; (ii) establishing a QSF to manage the distribution of settlement funds; (iii) conducting
8 preliminary and final calculations to determine the individual settlement amounts, including attorneys'
9 fees, costs, enhancement awards, and any other court-approved designees; (iv) calculating and
10 reporting state and federal taxes as applicable; (v) and disseminating approved settlement funds and
11 tax forms via First-Class USPS mail.

12 7. The administration fees for Apex Class Action's management of this settlement will not
13 exceed \$9,990.00, as specified in **Exhibit B**. This document presents a comprehensive plan detailing
14 the specific administration services that will be provided.

15
16 I declare under penalty of perjury under the laws of the state of California that the foregoing
17 is true and correct. Executed this 8th day of June 2026, in Irvine, California.

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22 Michael Sutherland
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