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5 THE SPIVAK LAW FIRM

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11 Attorneys for Plaintiff,

12 KIMBERLY DAWN VANDERMOST, and all others similarly situated

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

14 **FOR THE COUNTY OF LOS ANGELES**

15 **(UNLIMITED JURISDICTION)**

16 KIMBERLY DAWN VANDERMOST, on
17 behalf of herself and all others similarly situated,
18 and the general public, and as an “aggrieved
19 employee” on behalf of other “aggrieved
20 employees” and the State of California under the
21 Labor Code Private Attorneys General Act of
22 2004,

23 *Plaintiff(s),*

24 vs.

25 DYWIDAG SYSTEMS INTERNATIONAL,
26 USA, INC., a New York corporation; and DOES
27 1–50, inclusive,

28 *Defendant(s).*

Case No. 23STCV06697

PROOF OF SERVICE

Hearing Date: February 5, 2026

Hearing Time: 10:00 a.m.

Hearing Dept.: SSC-7, The Honorable
Samantha P. Jessner

Action filed: March 28, 2023

Trial Date: Not Set



SPIVAK LAW
EMPLOYEE RIGHTS

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1 **PROOF OF SERVICE**

2
3 State of California,
4 County of Los Angeles

5 1. I am a citizen of the United States and am employed in the County of Los Angeles,
6 State of California. I am over the age of 18 years, and not a party to the within action. My business
7 address is 1875 Century Park East, 7th Fl, Los Angeles, CA 90067.

8 2. I am familiar with the practice of The Spivak Law Firm, for collection and
9 processing of correspondence for mailing with the United States Postal Service. It is the practice
10 that correspondence is deposited with the United States Postal Service the same day it is
11 submitted for mailing.

12 On Tuesday, September 23, 2025, I caused to have electronically served the following
13 documents described as:

- 14 1. PLAINTIFF KIMBERLY DAWN VANDERMOST'S NOTICE OF
15 MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION
16 SETTLEMENT;
17 2. PLAINTIFF KIMBERLY DAWN VANDERMOST'S MEMORANDUM
18 OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION FOR
19 PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT;
20 3. DECLARATION OF DAVID SPIVAK IN SUPPORT OF PLAINTIFF
21 KIMBERLY DAWN VANDERMOST'S MOTION FOR
22 PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT;
23 4. DECLARATION OF KIMBERLY DAWN VANDERMOST IN
24 SUPPORT OF PLAINTIFF'S MOTION FOR PRELIMINARY
25 APPROVAL OF CLASS ACTION SETTLEMENT; and
26 5. [PROPOSED] ORDER PRELIMINARILY APPROVING CLASS
27 ACTION SETTLEMENT.

28 with the third-party cloud service listed below. In doing so, notifications of such filings were
electronically mailed to the interested parties which appear on the third-party cloud service's
service list in this action as follows:

21 **Joshua B. Wagner, Esq.**
22 **GORDON REES SCULLY MANSUKHANI, LLP**
23 **633 West Fifth Street, 52nd Floor**
24 **Los Angeles, CA 90071**
25 **jwagner@grsm.com**

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27 ///

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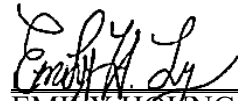
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1 XXXX (BY ELECTRONIC SERVICE) Based on a court order or an agreement of the parties to
2 accept electronic service, I caused the documents to be sent to the persons at the electronic service
addresses listed above via third-party cloud service **FILE & SERVEXPRESS**.

3 EXECUTED on Tuesday, September 23, 2025, at Burbank, California.

4 XXXX (State) I declare under penalty of perjury under the laws of the State of California that
the above is true and correct.

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7 _____
8 EMILY HOUNG LY
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