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21 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
22 **FOR THE COUNTY OF SAN BERNARDINO**
23

24 LOUIS NORIEGA and THERESA MOORE,
25 individuals, on behalf of themselves and on
26 behalf of all persons similarly situated,

27 Plaintiffs,

28 vs.

29 QVC, INC., a Corporation; and DOES 1
30 through 50, inclusive,

Case No.: CIVSB2319032

Assigned for all Purposes to:
Hon. Jessica Morgan
Dept. S-26

DECLARATION OF MARKUS BULTHUIS

Date: May 28, 2025
Time: 8:30 a.m.
Dept.: S-26

1 I, **MARKUS BULTHUIS**, declare the following facts to be true and correct and if called as a
2 witness would testify competently to the same:

3 1. I am employed as a Senior Project Manager by Simpluris, Inc. (“Simpluris”) the
4 settlement administrator in the above-entitled action. My business address is 3194-C Airport Loop
5 Drive, Costa Mesa, CA 92626. My telephone number is (714) 415-2691. I am over twenty-one years
6 of age and authorized to make this declaration on behalf of Simpluris and myself.

7 2. Simpluris, Inc. is a Class Action Settlement Administration company located in
8 Costa Mesa, CA. It is founded by individuals who have each managed thousands of settlements,
9 along with professionals in the areas of Software Development, Third-Party Claims Administration,
10 Mail-House Operations, and Call Center Support Management.

11 3. Simpluris was appointed by the Court as Settlement Administrator to administer the
12 Settlement in accordance with the terms of the Class Action and PAGA Settlement Agreement (the
13 “Agreement”). Simpluris has been, and if the Court grants final approval of the Settlement, will be
14 responsible for, among other things: (a) printing and mailing in English and Spanish the Notice of
15 Class Action Settlement (“Notice”); (b) receiving undeliverable Notices; (c) receiving and
16 validating requests for exclusion, disputes and objections; (d) calculating individual settlement
17 payments, distributing funds, and tax-reporting following final approval; (e) mailing settlement
18 checks; (f) answering questions from Class Members; and (g) performing such other tasks necessary
19 to effectuate the terms of the Settlement or as the Parties mutually agree or the Court orders
20 Simpluris to perform.

21 4. A toll-free telephone number was included in the Notice for the purpose of allowing
22 the Class Members to call Simpluris and to make inquiries regarding the Settlement. The system is
23 accessible 24 hours a day, 7 days a week, and will remain in operation throughout the settlement
24 process. Callers have the option to speak with a live call center representative during normal
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1 business hours or to leave a message and receive a return call during non-business hours. The toll-
2 free telephone number included in the Notice was 1-833-296-0724.

3 5. On February 6, 2025, Simpluris received the Court-approved Notice. The Notice
4 advised Class Members of their right to opt out from the Settlement, dispute employment
5 information, object to the Settlement, or do nothing, and the implications of each such action. The
6 Notice advised Class Members of applicable deadlines and other events, including the Final
7 Approval Hearing, and how Class Members could obtain additional information. The Class Notice
8 was pre-printed with the name and address of the Class Member and their estimated payment.
9

10 6. On February 20, 2025, Counsel for Defendants provided Simpluris with a mailing
11 list ("Class List") containing the name, last known address, Social Security number, and pertinent
12 employment information during the Class Period for the Class Members. The Class List contained
13 data for one thousand nine hundred twenty-nine (1,929) Class Members, of whom one thousand
14 seven hundred ninety-six (1,796) were also Aggrieved Employees.
15

16 7. The mailing addresses contained in the Class List were processed and updated
17 utilizing the National Change of Address Database ("NCOA") maintained by the U.S. Postal
18 Service. The NCOA contains changes of address filed with the U.S. Postal Service. In the event
19 that any individual had filed a U.S. Postal Service change of address request, the address listed with
20 the NCOA was utilized in connection with the mailing of the Class Notices.
21

22 8. On March 6, 2025, after updating the mailing addresses through the NCOA, Notices
23 were mailed via First Class Mail to one thousand nine hundred twenty-nine (1,929) Class Members
24 contained in the Class List. A sample Notice is attached hereto as Exhibit A.

25 9. As of this date, three hundred six (306) Notices were returned by the post office. For
26 those without forwarding addresses, Simpluris attempted to find a forwarding address using
27 Accurant, a reputable research tool owned by Lexis-Nexis. Simpluris used the Class Member's
28 name and previous address to locate a current address. Altogether, Simpluris re-mailed two hundred

eighty-three (283) Notices to either; a new forwarding address provided by the Post Office, a newfound address using Accurant, or a forwarding address provided by the Class Member. Ultimately, twenty (20) Notices were undeliverable.

10. The Net Settlement Amount of \$829,000.00 available to pay Settlement Class Members was determined as follows:

Gross Settlement Amount:	\$1,500,000.00
Less Attorneys' Fees (Requested)	-\$500,000.00
Less Litigation Costs (Requested)	-\$33,000.00
Less Plaintiff Service Payment (Requested)	-\$20,000.00
Less LWDA PAGA Payment	-\$75,000.00
Less Individual PAGA Payments	-\$25,000.00
<u>Less Settlement Administration:</u>	<u>-\$18,000.00</u>
NET SETTLEMENT AMOUNT	\$829,000.00

11. As of today, there are one thousand nine hundred twenty-eight (1,928) Settlement Class Members who will receive a proportion of the Net Settlement Amount. The highest estimated Individual Class Settlement Payment is \$1,051.13, the lowest estimated Individual Class Settlement Payment is \$7.51, and the average estimated Individual Class Settlement Payment is \$429.98. As of today, there are one thousand seven hundred ninety-six (1,796) Aggrieved Employees who will receive an Individual PAGA Payment. The highest estimated Individual PAGA Payment is \$30.33, the lowest estimated Individual PAGA Payment is \$0.47, and the average estimated Individual PAGA Payment is \$13.92.

12. As of today, Simpluris has received one (1) request for exclusion from the Settlement, from Fidelina Zamora. The deadline for Class Members to submit a request for exclusion is May 5, 2025.

1 13. Class Members who wished to object were directed to submit their objection to the
2 Settlement Administrator. As of this date, Simpluris has not received any objections. The deadline
3 for Class Members to submit an objection is May 5, 2025.

4 14. Class Members who wished to dispute the number of work weeks used to calculate
5 their settlement shares were directed to submit their dispute to the Settlement Administrator. As of
6 this date, Simpluris has not received any work week disputes. The deadline for Class Members to
7 submit a dispute is May 5, 2025.

8 15. Simpluris' total costs for services in connection with the administration of this
9 Settlement, including fees incurred and anticipated future costs for completion of the administration,
10 are not to exceed \$18,000.00. Simpluris' work in connection with this matter will continue with the
11 calculation of the settlement checks, issuance and mailing of those settlement checks, etc., and
12 preparation of the necessary tax reporting on such payments.
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15 I declare under penalty of perjury under the laws of the State of California that the foregoing is true
16 and correct. Executed this 5th day of May, 2025, in Port Orchard, Washington.
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20 Markus Bulthuis
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