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10 Attorneys for Plaintiff, Sydney Houser
11

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **FOR THE COUNTY OF SAN DIEGO**

14 SYDNEY HOUSER, on behalf of herself and
15 all others similarly situated,

16 Plaintiff,

17 v.

18 THE FISH HOUSE VERA CRUZ, INC., a
California Corporation; and DOES 1 to 100,

19 Defendants.
20

Case No. 37-2023-00045659-CU-OE-NC

Assigned for All Purposes To:
Hon. Cynthia A. Freeland
Department: N-27

**DECLARATION OF NATHALIE
HERNANDEZ OF ILYM GROUP, INC.,
REGARDING DISBURSEMENT OF
SETTLEMENT FUNDS**

1 I, Nathalie Hernandez, declare as follows:

2 1. I am a resident of the United States of America and am over the age of 18. I am a Case
3 Manager for ILYM Group, Inc., ("ILYM Group"), the professional settlement services provider
4 that has been retained by the Parties to serve as the Settlement Administrator for the above
5 captioned *Houser v. The Fish House Vera Cruz, Inc.* matter. I am authorized to make this
6 declaration on behalf of ILYM Group and myself. The following statements are based on my own
7 personal knowledge and information provided by other ILYM Group employees working under
8 my supervision and, if called upon to testify, I could and would testify competently to such facts.

9 2. ILYM Group was engaged by the Parties' Counsel and subsequently approved and
10 appointed by the Court to provide notification services and settlement administration, pursuant to
11 the terms of the Settlement, in the above referenced Action. Duties performed to-date include: (a)
12 printing and mailing the *Notice of Class Action and PAGA Settlement and Hearing Date for Final*
13 *Court Approval* (referred to as "Notice Packet"); (b) receiving and processing requests for
14 exclusion; (c) resolving Settlement Class Members' disputes over the number of workweeks
15 Defendant has record of them working during the Class Period, which was pre-printed on their
16 individualized Notice Packet; (d) calculating individual settlement award amounts; (e) processing
17 and mailing settlement award checks; (f) handling tax withholdings as required by the Settlement
18 and the law; (g) preparing, issuing and filing tax returns and other applicable tax forms; (h)
19 handling the distribution of any unclaimed funds pursuant to the terms of the Settlement; and (i)
20 performing other tasks as the Parties mutually agree to and/or the Court orders ILYM Group to
21 perform.

22 3. The total Settlement Fund was \$174,569.91. The breakdown of the Settlement Fund is
23 as follows:

- 24 a. \$86,134.25 for gross payment of the individual settlement payments to the 257
25 Participating Class Members.
- 26 b. \$60,200.00 for payment of Class Counsel fees.
- 27 c. \$8,090.75 for payment of Class Counsel costs.
- 28 d. \$5,000.00 for an enhancement payment to Sydney Houser.

- 1 e. \$6,950.00 for payment of the administration fees to ILYM Group.
- 2 f. \$5,625.00 for the PAGA payment to the California Labor and Workforce
3 Development Agency.
- 4 g. \$2,569.91 for payment of the employer's portion of applicable payroll taxes on
5 the individual settlement payments.
- 6 4. On February 26, 2025, the payment of attorney fees and costs to Janelle Carney -
7 Attorney At Law, APC and Frontier Law Center, in the amount of \$68,290.75, was completed.
- 8 5. On February 26, 2025, ILYM Group issued and mailed the settlement award checks to
9 the 257 Participating Class Members. The total net amount sent to the Participating Class
10 Members was \$79,823.23, as \$6,311.02 was withheld for payment of the employee's portion of
11 applicable payroll taxes.
- 12 6. On February 26, 2025, ILYM Group issued and mailed an enhancement payment to
13 Sydney Houser, in the amount of \$5,000.00.
- 14 7. On February 26, 2025, a payment of the settlement administration fees to ILYM
15 Group, in the amount of \$6,950.00, was completed.
- 16 8. On February 26, 2025, ILYM Group issued and mailed the PAGA payment to the
17 LWDA, in the amount of \$5,625.00.
- 18 9. February 26, 2025, a payment to the Internal Revenue Service, for all applicable
19 federal payroll taxes in the amount of \$7,296.85, was completed.
- 20 10. On February 26, 2025, payment to the Employment Development Department, for all
21 applicable State payroll taxes in the amount of \$1,584.08 was completed.
- 22 11. The deadline for the Participating Class Members to cash their settlement award
23 checks is August 25, 2025; 180 days after its issuance. The value of the un-cashed checks will
24 be submitted to the State's Controller's Office – Unclaimed Property Fund after the check
25 cashing deadline. In this submission, we will provide the name, contact information, social
26 security number, and unclaimed amount for each individual. ILYM Group will hold these
27 unclaimed funds until such time it is required to transfer said funds to the State Controller's
28 Office subsequent to the following process: the State Controller's Office will then use the

1 information provided in the aforementioned paperwork to contact the individuals to notify them
2 that they have unclaimed funds and how to obtain them. On a future date assigned by the State
3 Controller's Office, ILYM Group will send the Holder Remit Reminder Letter to the State
4 Controller's Office with the updated final unclaimed amount and class member's name and
5 contact information of who remain unclaimed and then, transfer all unclaimed funds to the State
6 Controller's Office at its instruction. This process typically takes around one (1) year from the
7 date of the submission of the paperwork before the State Controller directs our office to
8 transmit funds. At that time, ILYM Group will transmit the unclaimed monies to the State
9 Controller's Office of Unclaimed Property.

10 I declare under penalty of perjury under the laws of the State of California and the United
11 States that the foregoing is true and correct to the best of my knowledge and that this
12 Declaration was executed this 1st day of May 2025, at Tustin, California.

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15 *Nathalie Hernandez*
16 NATHALIE HERNANDEZ
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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SAN BERNARDINO

I am employed in the County of San Bernardino, State of California. I am over the age of eighteen (18) and not a party to the within action; my business address is 14758 Pipeline Avenue, Suite E, Second Floor, Chino Hills, CA 91709-6025.

On May 7, 2025, I served the foregoing document described as:

**DECLARATION OF NATHALIE HERNANDEZ OF ILYM GROUP, INC.,
REGARDING DISBURSEMENT OF SETTLEMENT FUNDS**

on INTERESTED PARTIES in this action by placing a copy thereof enclosed in a sealed envelope addressed as stated below:

Harvey Berger, Esq.
Matthew Baker, Esq.
Berger & Williams, LLP
401 B Street, Suite 2000
San Diego, California 92101
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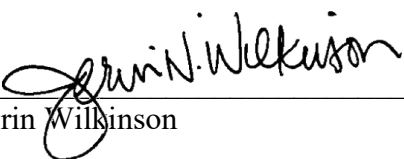
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XX BY E-MAIL: I electronically served the above-mentioned document to each of the above recipients at their respective e-mail addresses. My e-address is: Jerin@JanelleCarneyLaw.com

California Labor & Workforce Development Agency
Via Online Filing
<http://www.dir.ca.gov/private-attorneys-general-act/private-attorneys-general-act.html>

Executed on May 7, 2025 at Chino Hills, California.

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



Jerin Wilkinson