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Attorneys for Plaintiff RIGOBERTO DURAN RAMIREZ on behalf of himself and all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ORANGE

RIGOBERTO DURAN RAMIREZ, individually and on behalf of himself and all other similarly situated,

Plaintiff,

v.

FYDAQ COMPANY, INC., a California corporation, and DOES 1-50, inclusive,

Defendants.

Case No. 30-2023-01355489-CU-OE-CXC

Assigned for All Purposes to:
Hon. Melissa R. McCormick
Dept.: CX105

NOTICE OF MOTION AND MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT

Date: February 11, 2027
Time: 2:00 p.m.

Complaint Filed: October 12, 2023
Trial Date: None

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on February 11, 2027, at 2:00 p.m., or as soon thereafter as counsel may be heard, in Department CX105 of the above-entitled Court, located at 700 Civic Center Drive West, Santa Ana, California 92701, Plaintiff Rigoberto Duran Ramirez will and hereby does move this Court for an Order Granting Preliminary Approval of Class Action and PAGA Settlement.

1. Provisionally certifying the following Class for purposes of settlement: all non-exempt persons who are or were employed by Defendant FYDAQ Company, Inc. in the State of California at any time during the period from October 12, 2019 through June 30, 2025 ("Class Period");

2. Preliminarily appointing Plaintiff as Class Representative for purposes of settlement only;

3. Appointing James Hawkins and Christina Lucio of James Hawkins, APLC as Class Counsel for purposes of settlement;

4. Preliminarily approving the class action portion of the Settlement as fair, adequate, and reasonable, and approving the PAGA portion of the settlement based upon the terms set forth in the Class Action and PAGA Settlement Agreement (the "Settlement"), including payment by FYDAQ of the non-reversionary Gross Settlement Amount of $368,399.35;

5. Preliminarily approving the payment of reasonable attorneys' fees and costs from the Gross Settlement Amount in an amount of up to one-third of the Gross Settlement Amount ($112,799.78), plus actual litigation costs up to $13,000.00;

6. Preliminarily approving the Class Representative's Service Payment to Plaintiff Rigoberto Duran Ramirez in an amount of up to $2,500.00 from the Gross Settlement Amount to compensate Plaintiff for the burden, responsibility, time, effort, and risk involved in coming forward on behalf of the Class;

7. Preliminarily approving the payment of $14,777.93 to the LWDA, representing seventy-five percent (75%) of the PAGA penalties allocated from the Gross Settlement Amount of

$19,703.91;

8. Preliminarily approving the payment of $4,925.98 to individual Aggrieved Employees, representing twenty-five percent (25%) of the PAGA penalties allocated from the Gross Settlement Amount of $19,703.91;

9. Preliminarily approving ILYM Group, Inc. as the Settlement Administrator and further approving distribution of not-to-exceed $6,950.00 from the Gross Settlement Amount to cover the Settlement Administrator's expenses in administering this Settlement;

10. Directing distribution to the Class of the Notice of Class Action and PAGA Settlement (the "Class Notice"), including notice of the opportunity to exclude oneself from, or object to, the Settlement (except for its PAGA component); and

11. Setting a date for a final fairness hearing to determine, following dissemination of Notice to the Class, whether to grant final approval to the Settlement.

This Motion is based upon this Notice of Motion and Motion; the Memorandum of Points and Authorities in Support thereof; the Declarations of James R. Hawkins, Esq., Christina M. Lucio, Esq., Rigoberto Duran Ramirez, and Tony Rogers of ILYM Group, Inc. in support thereof; the Class Action and PAGA Settlement Agreement; the Proposed Order Granting Motion for Preliminary Approval of the Class Action and PAGA Settlement Agreement; the other records, pleadings, and papers filed in this Action; and upon such other evidence or argument as may be presented to the Court at the hearing of this Motion.

As this Motion is unopposed, Plaintiff also respectfully requests relief from the page limit requirement set by California Rules of Court, Rule 3.1113(d)

Dated: October 7, 2026

JAMES HAWKINS APLC

By: /s/ Nicholas Schieffelin
James Hawkins
Christina M. Lucio
Mitchell J. Murray
Nicholas Schieffeln

Attorneys for Plaintiff Rigoberto Duran Ramirez