

NOTICE OF SETTLEMENT

To: *All current and former non-exempt employees of The Picerne Group, Inc. and TPG (Cerritos) Acquisition, LLC in California at any time during the period from October 2, 2018 to June 30, 2021.*

PLEASE READ THIS NOTICE CAREFULLY

ACCORDING TO THE PICERNE GROUP, INC. AND TPG (CERRITOS) ACQUISITION, LLC, YOU QUALIFY TO RECEIVE MONEY IN CONNECTION WITH A LEGAL SETTLEMENT. TO ENSURE THAT YOUR PAYMENT IS ACCURATELY CALCULATED, READ THE ENCLOSED SETTLEMENT INFORMATION SHEET AND CONFIRM THAT THE INFORMATION ABOUT YOURSELF AND YOUR EMPLOYMENT WITH THE PICERNE GROUP, INC. AND TPG (CERRITOS) ACQUISITION, LLC IS CORRECT. IF IT IS CORRECT, YOU DO NOT NEED TO DO ANYTHING; YOU WILL RECEIVE YOUR SHARE OF THE SETTLEMENT. IF THE SETTLEMENT INFORMATION SHEET IS INCORRECT, RETURN IT IN ACCORDANCE WITH THE INSTRUCTIONS IN THIS NOTICE.

WHAT IS THIS NOTICE ABOUT?

A settlement (the “Settlement”) has been reached between Plaintiff Mario Dorado (“Plaintiff”) and Defendants The Picerne Group, Inc. and TPG (Cerritos) Acquisition, LLC (collectively referred herein as, “Defendants”), in the action pending in the Court brought on behalf of the following individuals (the “Settlement Group”):

The forty-six (46) current and former non-exempt employees of Defendants in California at any time during the period from October 2, 2018 to June 30, 2021.

The Court has approved the Settlement. You have received this notice because The Picerne Group, Inc.’s and TPG (Cerritos) Acquisition, LLC’s records indicate that you are a member of the Settlement Group. This notice is designed to inform you of how you can provide corrected information to the Settlement Administrator, if necessary, to ensure your receipt of your Settlement Share.

WHAT IS THIS LAWSUIT ABOUT?

On December 6, 2019, Plaintiff brought an action entitled “*Mario Dorado, as an individual and on behalf of all similarly situated employees v. The Picerne Group, Inc. and TPG (Cerritos) Acquisition, LLC*, and DOES 1 through 50, inclusive (the “Action”), pending before Superior Court of the State of California, for the County of Orange (the “Court”), designated as No. 30-2019-01116690-CU-OE-CXC.

In the Action, Plaintiff alleged that Defendants failed to properly pay all wages due to The Picerne Group, Inc. and TPG (Cerritos) Acquisition, LLC employees in California during the period of October 2, 2018 through *June 30, 2021* in violation Labor Code section 2699, *et seq.* claiming violations of specific sections of the Labor Code including 201-203, 226, 226.7, 227.3, 510, 512, 1174, 1194, 1197, 2802, 2698, 2699.3, and 2699.5 of the California Labor Code. Plaintiff sued for civil penalties under the California Labor Code Private Attorneys General Act (“PAGA”), Cal. Lab. Code § 2698 *et seq.* Under PAGA, any recovery of civil penalties is shared between the LWDA, which gets 75% of the penalties recovered, and the allegedly aggrieved employees, who get 25% of the penalties recovered.

Defendants denied and continue to deny all of Plaintiff’s material allegations. Specifically, Defendants contend that they complied with the requirements of the Labor Code and that civil penalties are not recoverable.

After good-faith negotiations in which both sides recognized the substantial risk of an uncertain outcome, Plaintiff and Defendants agreed to settle the Action pursuant to the terms and conditions of the Settlement.

The Settlement represents a compromise and settlement of highly disputed claims. Nothing in the Settlement is intended or will be construed as an admission by Defendants that Plaintiff’s claim in the Action has merit or that it has any liability to Plaintiff or the group of individuals he seeks to represent on that claim. On the contrary, Defendants deny any and all such liability.

WHO IS INCLUDED IN THE SETTLEMENT?

You are included in the Settlement if you fall within the following definition:

The forty-six (46) current and former non-exempt employees of The Picerne Group, Inc. and TPG (Cerritos) Acquisition, LLC in California at any time during the period from October 2, 2018 to June 30, 2021.

You are receiving this notice because Defendants' records indicate that you are part of the Settlement Group.

WHAT WILL I RECEIVE FROM THE SETTLEMENT?

- Settlement Shares.** Subject to the terms and conditions of the settlement and release agreement between Parties and court approval, the Total Settlement Amount is one hundred thirty thousand dollars (\$130,000.00). The Net Settlement Amount is equal to fifty-nine thousand six hundred and sixty-seven dollars (\$59,667.00) after deduction from the Total Settlement Amount of (i) the Representative Plaintiff's Payment in the amount of five thousand (\$5,000.00) dollars, (ii) the Plaintiff's Counsel Fees and Expenses Payment, in the total, maximum amount of forty-three thousand three hundred thirty-three dollars (\$43,333.00) for attorneys' fees (one-third (1/3) of the Total Settlement Amount) and expenses not to exceed fifteen thousand dollars (\$15,000.00). and (iii) the Settlement Administrator's fees and expenses not to exceed seven thousand dollars (\$7,000). Pursuant to PAGA, 75% of the Net Settlement Amount in the amount of forty-four thousand seven hundred fifty dollars and twenty-five cents (\$44,750.25) will go to the LWDA. The remaining 25% of the Net Settlement Amount in the amount of fourteen thousand nine hundred and sixty dollars and seventy-five cents (\$14,916.75) will be distributed to Settlement Group Members in proportion to the number of weeks that they were an employee of The Picerne Group, Inc. and TPG (Cerritos) Acquisition, LLC
- Payment of Settlement Shares.** The Settlement Shares and other amounts awarded by the Court will be paid after entry of the final judgment. Checks for Settlement Shares must be cashed within 180 days after they are issued, or else the funds they represent will go to the State of California in your name and held for your benefit.
- Dispute of Settlement Group Member Information.** If you dispute the validity of any of the information shown on your enclosed Settlement Information Sheet, including the number of workweeks used to calculate your Settlement Share, you must report your dispute to the Settlement Administrator to resolve the matter. In order to do so, you must return the enclosed Settlement Information Sheet to the Settlement Administrator by the deadline of **October 13, 2021**, informing the Settlement Administrator of the fact of the dispute and the basis for your contention that a different information is correct for you (including any documentary evidence that you have to support your contention). In the event of such a dispute, Defendants will review payroll and personnel records to verify the correct information. After consultation with you, Defendants', and Plaintiff's Counsel, the Settlement Administrator will make a preliminary determination of the correct information, and will present it to you. If you do not agree with the preliminary determination by the Settlement Administrator, you have a right to file an objection with the Superior Court of Orange County where this case is pending within ten (10) days presenting evidence supporting your contention for the court's resolution of the disagreement. The Court's resolution will be final, binding on the Parties and the PAGA Settlement Group Member, and non-appealable.
- Settlement Group Member Release.** The Settlement approved by the Court includes a release by Settlement Group of any and all representative claims under PAGA of whatever kind or nature, whether known or unknown, arising during the Covered Period based on the facts alleged by Plaintiff in the Action and Plaintiff's notice letter to LWDA, including but not limited to PAGA claims for alleged violations of Labor Code sections 201-203, 226, 226.7, 227.3, 510, 512, 1174, 1194, 1197, 2802, 2698, 2699.3, and 2699.5, the Industrial Welfare Commission Wage Orders, and any resulting claim for attorneys' fees and costs (the "Released Claims").

"Covered Period" means the period of time from October 2, 2018, through June 30, 2021.

WHAT ARE MY RIGHTS AS A SETTLEMENT GROUP MEMBER?

1. **Participating in Settlement.** You are a part of the Settlement Group, and therefore, you will be bound by the terms of the Settlement and any final judgment that may be entered by the Court and you will be deemed to have released the PAGA claims against Defendants and the other released parties described above. As a member of the Settlement Group, you will not be responsible for the payment of attorneys' fees or reimbursement of litigation expenses unless you retain your own counsel, in which event you will be responsible for your own attorneys' fees and expenses.
2. **Settlement Information Sheet.** The enclosed Settlement Information Sheet provides the information on which your Settlement Share will be calculated and an estimate of your Settlement Share. If the information in the Settlement Information Sheet (including your mailing address) is correct, you need not return the form. If the information contained in the Settlement Information Sheet is not correct, correct the information on the sheet and return it to the Settlement Administrator. If you believe information (other than your name, mailing address, and the last four digits of your Social Security Number) is incorrect, state on the Settlement Information Sheet what you contend is the correct information and also include any documentation you have to support that contention. The Settlement Information Sheet must be completed and returned to the Settlement Administrator postmarked by not later than October 13, 2021. It is your obligation to keep the Settlement Administrator informed of any changes in your mailing address until your Settlement Share is received. Failing to provide the Settlement Administrator with any change of your mailing address may prevent you from receiving your Settlement Share.
3. **The Settlement Administrator's Address.** If applicable, send your corrected Settlement Information Sheet to the Settlement Administrator at the following address.

Dorado v.. The Picerne Group, Inc. and TPG (Cerritos) Acquisition, LLC, et al.
c/o Phoenix Settlement Administrators
P.O. Box 7208
Orange, CA 92863
Toll-Free Phone Number: (800) 523-5773

GETTING MORE INFORMATION

The above is a summary of the basic terms of the Settlement. For the precise terms and conditions of the Settlement, you are referred to the detailed Settlement Agreement, which may be located through the following link www.phoenixclassaction.com/tpg, or from the Clerk of the Court. The pleadings and other records in this litigation including the Settlement Agreement, may also be examined at the Office of the Clerk of the Court, Superior Court of California for Orange County, 700W. Civic Center Drive, Santa Ana, CA 92702, during the Clerk's normal business hours; or you may contact Plaintiff's Counsel as follows: Kevin Mahoney, Mahoney Law Group, APC, 249 East Ocean Boulevard, Suite 814, Long Beach, CA 90802, (562) 590-5550,

PLEASE DO NOT TELEPHONE THE COURT OR DEFENDANTS' COUNSEL FOR INFORMATION REGARDING THIS SETTLEMENT OR THE CLAIM PROCESS. YOU MAY, HOWEVER, CALL ANY OF PLAINTIFF'S COUNSEL LISTED ABOVE.

Dated: June 30, 2021.
By Order of the Court