

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT AND HEARING DATE FOR COURT APPROVAL
Yoo v. NGL Transportation, LLC, Los Angeles County Superior Court No. BC682160

If you worked as a driver for NGL Transportation, LLC in California, you may be entitled to receive money from a class action settlement.

*The California Superior Court, County of Los Angeles authorized this notice.
This is not a solicitation from a lawyer.*

THIS NOTICE MAY AFFECT YOUR RIGHTS. PLEASE READ IT CAREFULLY.

You are receiving this Notice because the Court has preliminarily approved a proposed settlement in a class action filed on behalf of persons who worked as drivers for NGL Transportation, LLC in California from November 7, 2013 through July 23, 2019. The proposed settlement will resolve all Released Claims (defined below) against NGL Transportation, LLC and Shang-Il Roh (“Defendants”). A court hearing will be held on June 24, 2020 at 11:00 a.m. to determine whether the settlement should receive the Court’s final approval.

If you are a member of the settlement class, you will receive a settlement payment and will be bound by the terms of the release described below, unless you properly submit a timely Request for Exclusion from the settlement (described below). This Notice explains the proposed settlement and provides an estimate of how much money you will receive as a settlement payment if you do not exclude yourself from the settlement. If you do not want to be part of the settlement class, then you must submit a Request for Exclusion (described below) no later than April 13, 2020 otherwise you will be bound by the terms of the settlement.

1. PURPOSE OF THIS NOTICE

The Court has ordered that this Notice be sent to you because Defendants’ records indicate that you are a member of the class. The purpose of this notice is to provide you with information about the lawsuit and the proposed settlement and to advise you of your options.

2. PERSON ELIGIBLE TO RECEIVE A SETTLEMENT PAYMENT

The people eligible to receive a settlement payment are all persons who have worked as drivers and drove company-owned trucks for NGL in California at any time during the Class Period. The Class Period is from November 7, 2013 to July 23, 2019.

3. DESCRIPTION OF THE ACTION

A former NGL employee (“Plaintiff”) filed a class action against Defendants in the Los Angeles County Superior Court on November 7, 2013 (the “Action”). In the Action, the Plaintiff alleges claims for: (1) failure to pay wages earned, (2) failure to pay overtime in violation of Labor Code section 510, (3) failure to provide meal periods and rest breaks in violation of the IWC Wage Order and Labor Code sections 226.7 and 512(a), (4) failure to provide compliant wage statements in violation of Labor Code section 226, (5) failure to pay unpaid wages at time of discharge in violation of Labor Code sections 201 and 202, (6) failure to reimburse for necessary expenditures in violation of Labor Code section 2802, (7) unfair business practices in violation of Business & Professions Code sections 17200, et seq., and (8) recovery of civil penalties pursuant to Labor Code sections 2698-2699.5 (“PAGA”).

Defendants deny all of the Plaintiff’s claims. Among other things, Defendants contend that all employees have been properly compensated and that Defendants complied with all applicable federal and California labor laws.

The Court has made no ruling on the merits of the alleged claims or the defenses asserted by Defendants. The Court has preliminarily approved the proposed settlement. The Court will decide whether to give final approval to the settlement at a hearing scheduled for June 24, 2020 at 11:00 a.m. (the “Final Approval Hearing”).

4. WHO ARE THE ATTORNEYS REPRESENTING THE PARTIES?

FOR MORE INFORMATION CALL 1-800-523-5773

Attorneys representing the class (“Class Counsel”) are:

Aaron C. Gundzik Rebecca Gundzik GUNDZIK GUNDZIK HEEGER LLP 14011 Ventura Blvd., Suite 206E Sherman Oaks, CA 91423 Telephone: (818) 290-7461 Facsimile: (818) 918-2316 aaron.gundzik@gghllp.com rebecca.gundzik@gghllp.com	Daniel M. Holzman CASKEY & HOLZMAN 24025 Park Sorrento, Ste. 400 Calabasas, CA 91302 Telephone: (818) 657-1070 Facsimile: (818) 297-1775 DHolzman@caskeyholzman.com
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Attorneys representing Defendants are:

Stella K. Park LAW OFFICES OF PARK & ZHENG 6 Venture, Suite 270 Irvine, CA 92618	S. Young Lim PARK & LIM 3530 Wilshire Boulevard, Suite 1300 Los Angeles, California 90010
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5. THE TERMS OF THE PROPOSED SETTLEMENT

The following is a summary of the settlement. The specific and complete terms of the proposed Settlement are stated in the Stipulation of Class Action Settlement (“Settlement Agreement”), a copy of which is filed with the Court. You can also obtain a copy of the Settlement Agreement from Class Counsel (see contact information in Section 4 above) or review it on the following website: <http://www.phoenixclassaction.com/yoo-v-ngl-transportation/>.

Defendants have agreed to pay \$330,000.00 to settle any and all obligations for the claims covered by the Settlement. This amount is called the Gross Settlement Amount. The Gross Settlement Amount will be used to cover all payments to the settlement class, settlement administration costs, attorneys’ fees and costs, service and release awards to the Plaintiff, and funds owed to the state of California in settlement of penalties. All of these payments will be deducted from the Gross Settlement Amount. The remaining amount (called the Net Settlement Amount) will be distributed to class members who do not timely submit Requests for Exclusion, as discussed below.

(a) Attorneys’ Fees and Costs: Class Counsel have worked on this matter without compensation and have advanced funds to pay for expenses necessary to prosecute the class action. Accordingly, under the settlement, Class Counsel may request an amount not to exceed \$110,000 to compensate them for their work on the case, plus their reasonable costs and expenses incurred in the litigation not to exceed \$18,000. Subject to court approval, the attorneys’ fees and costs will be deducted from the Gross Settlement Amount.

(b) Service and Release Award: The Plaintiff is requesting a Service and Release Award not to exceed \$10,000, in addition to the amount that he will receive as a member of the class, to compensate him for undergoing the burden and expense of bringing and prosecuting the action, and for the broader release of claims he is required to execute. Subject to court approval, the Service and Release Award will be deducted from the Gross Settlement Amount.

(c) Settlement Administration Costs: The Settlement Administrator, Phoenix Class Administration Solutions has advised the parties that the settlement administration costs will not exceed \$8,000. Subject to court approval, the settlement administration costs will be deducted from the Gross Settlement Amount.

(d) Payment to State of California: A total of \$10,000 of the Gross Settlement Amount will be allocated to settle allegations that Defendants owe penalties to the state for alleged violations of the California Labor Code. Of this amount, \$7,500 (75%) will be paid to the California Labor & Workforce Development Agency (“LWDA”). Subject to court approval, the \$7,500 payment to the LWDA will also be deducted from the Gross Settlement Amount. The other 25%, which is \$2,500, will be distributed to class members as part of the Net Settlement amount discussed below.

(e) Payments to Settlement Class Members: The remainder of the Gross Settlement Amount (called the Net Settlement Amount) will be distributed to class members who do not exclude themselves from the settlement (called Settlement Class Members). The amount of each Settlement Class Member’s share of the Net Settlement Amount will be calculated by dividing the individual’s number of Qualifying Work Weeks by the total number of all participating Class Members’ Qualifying Work Weeks and multiplying that fraction by the Net Settlement Amount.

6. WHAT YOU WILL RECEIVE UNDER THE SETTLEMENT

FOR MORE INFORMATION CALL 1-800-523-5773

According to Defendant's records, you worked a total of «Work_week» Qualifying Work Weeks during the Class Period. Under the settlement, you will receive approximately «Est_Settlement_Amount». This amount may increase or decrease based on various factors, including the number of class members who submit Requests for Exclusion, the amounts approved by the Court for attorneys' fees and costs, settlement administration costs, service and release awards to Plaintiffs, payment to the LWDA, and disputes by other class members regarding the number of Qualifying Work Weeks worked during the Class Period.

To receive your settlement payment, you do not need to do anything. You will receive a settlement payment unless you exclude yourself from the settlement.

7. PAYMENT SCHEDULE

The Settlement Stipulation provides that Defendants will pay the \$330,000 Gross Settlement Amount in 24 monthly payments beginning on August 30, 2019 and ending on July 30, 2021. If these payments are all timely made, settlement payments to class members will be made in two installments as follows: (1) approximately 50% in August 2020 and (2) approximately 50% in August 2021.

You will have 180 days after the Settlement Administrator mails each settlement check to cash it; otherwise it will be voided and the amount of your settlement payment will be sent to the California State Controller's Office as unclaimed property in your name and you will need to contact that agency to obtain your funds. For tax purposes, one-third of your settlement payment shall be attributed to wages and reported on a W-2 form; one-third as penalties; and one-third as interest. The amount of interest and penalties will be reported on an IRS Form 1099. Nothing in this Notice should be construed as providing you with tax advice. You should consult with your tax advisor concerning the tax consequences of the payment you receive.

8. RELEASE OF CLAIMS

Unless you submit a valid Request for Exclusion (described below), you will release Defendants NGL Transportation, LLC and Shang-II Roh and their past, present and/or future, direct and/or indirect, officers, directors, members, managers, employees, agents, representatives, attorneys, insurers, partners, investors, shareholders, administrators, parent companies, subsidiaries, affiliates, divisions, predecessors, successors, assigns, and joint venturers from all causes of action and factual or legal theories that were alleged in the Complaint or arise from facts alleged in the Complaint, including all damages, penalties, interest and other amounts recoverable under said claims, causes of action or legal theories of relief. The time period governing these Released Claims shall be at any time from November 7, 2013 through July 23, 2019. Claims and damages that were not alleged in the Complaint and do not arise from the facts alleged in the Complaint are specifically excluded from the release.

9. YOUR OPTIONS

As a member of the class you have four options. Each option will affect your rights, which you should understand before making your decision. Your rights regarding each option, and the procedure you must follow to select each option, are explained below:

(a) You Can Do Nothing.

If you do nothing, you will be a member of the settlement class and will receive settlement payments, as described in Section 6, above. You will also be bound by the release of claims set forth in Section 8, above.

(b) You Can Contest the Calculation of Your Settlement Payment as Stated in this Notice.

You can contest the number of Qualified Work Weeks identified for you in Section 6 above. To do so, you must provide the Settlement Administrator with a written explanation of your position. The statement must also include your full name, current address and telephone number, and must identify this case (*Yoo v. NGL Transportation, LLC*, BC682160). You must provide written documentation supporting the number of Qualified Work Weeks that you worked; otherwise, the number listed above will be presumed correct. You must postmark your written statement no later than April 13, 2020. The Settlement Administrator will consider the documentation you submit and will communicate with you and the parties as necessary regarding the dispute to determine whether an adjustment is warranted before making a final determination regarding your settlement payment. The Settlement Administrator will mail you its final determination.

(c) You Can Exclude Yourself from the Settlement Class.

If you do not want to remain a member of the settlement class, you can request exclusion (i.e., opt out) by sending the Settlement Administrator a written Request for Exclusion at the address specified in Section 11 below. The deadline to postmark a Request for Exclusion is **April 13, 2020**. A Request for Exclusion is a written statement unambiguously requesting to be excluded from the settlement class. The Request for Exclusion must include the case name (*Yoo v. NGL Transportation, LLC*, BC682160), your name, current address and telephone number, and the last four digits of your social security number (for verification purposes). You must also sign the Request for Exclusion. You should keep a copy of your Request for Exclusion. Moreover, to demonstrate

receipt by the Settlement Administrator, you may elect to send your Request for Exclusion via certified mail. Requests for Exclusion that do not include all required information, or that are not postmarked on or before the deadline, will not be valid.

If you submit a valid and timely Request for Exclusion, you will not be bound by the settlement or the release of claims in Section 8 above; however, you will not receive any money under the settlement. You will also be barred from objecting to this settlement. By opting out of the settlement class, you will retain whatever rights or claims you may have against Defendants.

If you do not submit a timely and valid Request for Exclusion from the settlement class by the deadline specified above, you will be bound by all terms and conditions of the settlement if it is approved by the Court and by the judgment, and you will receive a settlement payment.

(d) You Can Object to the Settlement.

If you are a member of the settlement class who does not submit a Request for Exclusion from the settlement, you may object to the settlement by sending your written objections to the Settlement Administrator at the address specified in Section 11 below. The deadline to postmark objections is **April 13, 2020**. Only class members who have not requested exclusion may object to the settlement.

Your objection must state the basis of your objection and include any papers and briefs in support of your position. Your objection must be signed and must contain your current address and telephone number (or that of your attorney) and refer to this case (*Yoo v. NGL Transportation, LLC*, BC682160).

If you object to the settlement and if the Court approves the settlement notwithstanding your objections, you will receive a settlement payment and you will be bound by the terms of the settlement and be deemed to have released all of the Released Claims as set forth in Section 8 above, and you will not be permitted to file a Request for Exclusion.

10. FINAL APPROVAL HEARING ON PROPOSED SETTLEMENT

The Final Approval Hearing on the fairness and adequacy of the proposed settlement, the plan of distribution, the service and release awards to the Plaintiffs, and Class Counsel's request for attorneys' fees and costs, and other issues will be held on June 24, 2020 at 11:00 a.m., in Department 7 of the Los Angeles County Superior Court, Spring Street Courthouse, located at 312 N. Spring Street, Los Angeles, CA 90012. You may attend the Final Approval Hearing and be heard even if you do not submit an objection to the settlement. The Final Approval Hearing may be continued to another date without further notice. If you plan to attend the Final Approval Hearing, it is recommended that you contact the Settlement Administrator to confirm the date and time.

11. NON-RETALIATION

Defendants will not retaliate or take any adverse action against a class member for participating in the settlement.

12. ADDITIONAL INFORMATION.

This Notice only summarizes the lawsuit and settlement. For more information, you may inspect the Court file at the Los Angeles County Superior Court, Spring Street Courthouse, Department 7, located at 312 N. Spring Street, Los Angeles, CA 90012. You may also review the settlement agreement and other documents on-line at <http://www.phoenixclassaction.com/yoo-v-n-gl-transportation/> or you may contact the Settlement Administrator as follows:

Phoenix Class Administration Solutions
Telephone: (800) 523-5773
Facsimile: (949) 209-2503
Email: notice@phoenixclassaction.com
Website: <http://www.phoenixclassaction.com/yoo-v-n-gl-transportation/>

You may also contact Class Counsel at the address and telephone number provided in Section 4 above. If your address changes or is different from the address on the envelope enclosing this Notice, please promptly notify the settlement administrator.

PLEASE DO NOT CALL OR WRITE THE COURT ABOUT THIS NOTICE