

SUPERIOR COURT OF CALIFORNIA IN AND FOR ALAMEDA COUNTY

Notice of Class Certification

If you are or were an hourly employee at Wood Tech, Inc. at any time since May 10, 2018, a class action lawsuit may affect your rights.

A court authorized this notice. This is not a solicitation from a lawyer.

- A former Wood Tech employee, Hung Pham, has sued Wood Tech, Inc. and Juan D. Figueroa for violating the California Labor Code.
- The Superior Court in and for Alameda County has decided that this lawsuit should proceed as a class action on behalf of all current and former Wood Tech employees employed by Wood Tech at any time between May 10, 2018 and the present. According to Wood Tech’s records, this includes you.
- The Court has not decided whether Wood Tech or Juan Figueroa have done anything wrong. There is no money available now, and no guarantee there will be. The sole purpose of this notice is to inform you that you have a decision to make about whether to remain in the Class or opt out of it, and to provide you information so that you can make an informed decision:

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT	
DO NOTHING	Stay in this lawsuit. Await the outcome. Give up certain rights. By doing nothing, you keep the possibility of getting money or benefits that may come from a trial or a settlement. But, you give up any rights to sue Wood Tech or Juan Figueroa separately about the same legal claims at issue in this lawsuit.
ASK TO BE EXCLUDED	Get out of this lawsuit. Get no benefits from it. Keep rights. If you ask to be excluded and money or benefits are later awarded, you won’t share in those. But, you keep any rights to sue Wood Tech or Juan Figueroa separately about the same legal claims at issue in this lawsuit.

- Your options are explained in this notice. To ask to be excluded, you must act before May 4, 2023.
- A trial date in the case has not yet been set. If money or benefits are obtained from Wood Tech, you will be notified about how to obtain your share.

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BASIC INFORMATION

1. Why did I get this notice?

Wood Tech, Inc.’s employment records show that you currently work, or previously worked, for Wood Tech, Inc at any time between May 10, 2018, and the present. This notice explains that the California Superior Court in and for Alameda County has allowed, or “certified,” a class action lawsuit that may affect you. You have legal rights and options that you may exercise before the Court holds a trial. The trial is to decide whether the claims being made against Wood Tech, Inc. and Juan Figueroa, on your behalf, are correct. Judge Brad Seligman is overseeing this class action. The lawsuit is known as Pham v. Wood Tech, Inc. et al., Case Number 22CV011080.

2. What is this lawsuit about?

This lawsuit alleges that Wood Tech, Inc. and Juan Figueroa collectively violated California law by failing to provide its hourly employees lawful meal and rest breaks, failing to pay its employees for all hours worked, failing to pay employees all their earned wages at the time they stopped working for Wood Tech, Inc., and failing to provide employees with accurate pay stubs showing all hours worked and wages earned. The lawsuit also claims that Wood Tech, Inc. and Juan Figueroa failed to maintain accurate records of all hours worked, including the start and end time of all meal breaks.

3. What is a class action and who is involved?

In a class action lawsuit, one or more people called “Class Representatives” (in this case Hung Pham) sue on behalf of other people who have similar claims. The people together are a “Class” or “Class Members.” The individuals who sued—and all the Class Members—are called the Plaintiffs. The company and individuals they sued (in this case Wood Tech, Inc. and Juan Figueroa) are called the “Defendants.” One court resolves the issues for everyone in the Class— except for those people who choose to exclude themselves from the Class.

4. Why is this lawsuit a class action?

The Court decided that this lawsuit can be a class action and move towards a trial because it meets the requirements of California Code of Civil Procedure section 382, which governs class actions in California courts. Specifically, the Court found that:

- There are at least 155 individuals who are or were employed by Wood Tech as hourly employees since May 10, 2018;
- There are legal questions and facts that are common to each of these employees;
- Hung Pham’s claims are typical of the claims of the rest of the Class;
- Mr. Pham, and the lawyers representing the Class will fairly and adequately represent the Class’ interests;
- The common legal questions and facts are more important than questions that affect only individuals; and
- This class action will be more efficient than having many individual lawsuits.

More information about why the Court is allowing this lawsuit to proceed as a class action can be found in the Court’s Order Certifying the Class, which is available at <https://www.phoenixclassaction.com/pham-v-wood-tech/>

THE CLAIMS IN THE LAWSUIT

5. What does the lawsuit claim?

Plaintiff says in his lawsuit that Defendants failed to provide the Class with lawful meal and rest breaks as required by California law. Plaintiff also says that Defendants failed to pay the Class for all hours worked, failed to pay the Class all their earned wages at the time they stopped working for Defendants, and failed to provide the Class with accurate pay stubs showing all the hours worked and wages earned. You can read the Plaintiff's Class Action Complaint at <https://www.phoenixclassaction.com/pham-v-wood-tech/>.

6. How do Defendants answer?

Defendants deny that they did anything wrong and contend that they have always maintained lawful meal and rest break policies. Defendants also deny that they have failed to pay the Class for all the hours worked, provide accurate pay stubs, and pay the Class all wages earned at the time when they left Wood Tech, Inc.

7. Has the Court decided who is right?

The Court hasn't decided whether Plaintiff or Defendants is correct. By establishing the Class and issuing this Notice, the Court is not suggesting that the Plaintiff will win or lose this case. The Plaintiff must prove his claims at a trial that has not yet been set.

8. What is the Plaintiff asking for?

The Plaintiff is asking that Wood Tech change its policies and practices to comply with California law. The Plaintiff is also asking the Court to make Defendants pay the Class all wages, penalties, and interest owed for each unlawful meal and rest break, for all hours worked, for inaccurate pay stubs, and "waiting time penalties".

9. Is there any money available now?

No money or benefits are available now because the Court has not yet decided whether Defendants did anything wrong, and the two sides have not settled the case.

WHO IS IN THE CLASS

10. Am I part of this Class?

Judge Seligman has decided that all current and former hourly paid individuals who were employed by Wood Tech, Inc. at any time from May 10, 2018, through the present, are Class Members.

11. I'm still not sure if I am included.

If you are still not sure whether you are included, you can call the Administrator at (800) 523-5773. You can also get free help by calling or writing to the lawyers representing the Class in this case, at the phone number or address listed in question 21.

YOUR RIGHTS AND OPTIONS

You have to decide whether to stay in the Class or ask to be excluded before the trial, and you have to decide this now.

12. What happens if I do nothing at all?

You don't have to do anything now if you want to keep the possibility of getting money or benefits from this lawsuit. By doing nothing you are staying in the Class. If you stay in and the Plaintiff obtains money or benefits, either as a result of the trial or a settlement, you will be notified about how you may obtain a share. Keep in mind that if you do nothing now, regardless of whether the Plaintiff wins or loses the trial, you will not be able to sue, or continue to sue, Wood Tech, Inc.—as part of any other lawsuit—about the same legal claims that are the subject of this lawsuit. You will also be legally bound by the Orders the Court issues and judgments the Court makes in this class action.

13. Why would I ask to be excluded?

If you already have your own lawsuit against Wood Tech, Inc. concerning the same legal rights that are the subject of this case—and want to continue with it—you need to ask to be excluded from the Class. If you exclude yourself from the Class—which also means to remove yourself from the Class, and is sometimes called “opting-out” of the Class—you won’t get any money or benefits from this lawsuit even if the Plaintiff obtains them as a result of the trial or from any settlement (that may or may not be reached) between Plaintiff and Defendants. However, you may then be able to sue or continue to sue Wood Tech, Inc. for the Labor Code violations you may have experienced. If you exclude yourself, you will not be legally bound by the Court’s judgments in this class action. If you start your own lawsuit against Wood Tech, Inc. after you exclude yourself, you’ll have to hire and pay your own lawyer for that lawsuit, and you’ll have to prove your claims. If you exclude yourself so you can start or continue your own lawsuit against Wood Tech, Inc., you should talk to your own lawyer soon, because your claims may be subject to time limitations called statutes of limitations. Note that if you exclude yourself from this lawsuit and you are currently employed by Wood Tech, Inc., any changes made to its policies will still apply to you.

14. How do I ask to be excluded from the Class?

You may request to exclude yourself from the Class by mailing a letter stating that you wish to be excluded from the class in *Pham v. Wood Tech, Inc.*, Case No. 22CV011080. You can use English or Spanish. Your request must include your name, address, telephone number, signature, and date and be postmarked by May 4, 2023. Your request must be mailed to the following address:

Phoenix Settlement Administrators
P.O. Box 7208
Orange, CA 92863

15. Do I have a lawyer in this case?

The Court decided that the law firm of Valerian Law, P.C. in Albany, California is qualified to represent you and the Class. The law firm representing a Class is sometimes called “Class Counsel.” They are experienced in handling similar cases against other employers. More information about this law firm, its practice, and the lawyers’ experience is available at www.valerian.law.

16. Should I get my own lawyer?

You do not need to hire your own lawyer because Class Counsel is working on your behalf. But, if you want your own lawyer, you will have to pay that lawyer. For example, you can ask him or her to appear in Court for you if you want someone other than Class Counsel to speak for you.

17. How will the lawyers be paid?

If Class Counsel get money or benefits for the Class, they may ask the Court for fees and expenses. You won’t have to pay these fees and expenses. If the Court grants Class Counsel’s request, the fees and expenses would be either deducted from any money obtained for the Class or paid separately by Defendants.

THE TRIAL

The Court has not yet scheduled a trial to decide who is right in this case.

18. How and when will the Court decide who is right?

As long as the case isn't resolved by a settlement or otherwise, Class Counsel will have to prove the Plaintiff's claims at a trial. The trial date is not yet set. During the trial, a Jury or the Judge will hear all of the evidence to help them reach a decision about whether the Plaintiff or Defendants are right about the claims in the lawsuit. There is no guarantee that the Plaintiff will win, or that he will get any money for the Class.

19. Do I have to come to the trial?

You do not need to attend the trial. Class Counsel will present the case for the Plaintiff. You or your own lawyer are welcome to come at your own expense.

20. Will I get money after the trial?

If the Plaintiff obtains money or benefits as a result of the trial or a settlement, you will be notified about how to participate. We do not know how long this will take.

GETTING MORE INFORMATION

21. Are more details available?

The pleadings and other records in this litigation can be accessed online on the Court's website, <https://eportal.alameda.courts.ca.gov>. After arriving at the website, click the 'Searches' tab at the top of the page, then select the 'Document Downloads' link, enter the case number, and click 'Submit.' Images of every document filed in the case may be viewed at a minimal charge.

You may also view images of every document filed in the case free of charge by using one of the computer terminal kiosks available at each court location that has a facility for civil filings.

You may also speak to one of the lawyers representing the Class. Class Counsel's law firm address and phone number: Valerian Law, P.C., 1530 Solano Ave, Albany, CA 94707, (888) 686-1918.