

**SUPERIOR COURT FOR THE STATE OF WASHINGTON
IN AND FOR PIERCE COUNTY**

*Vanisha Montes v. Lori Noga, DMD and Colby Cockrell, DMD, PLLC
Pierce County Superior Court, Case No. 24-2-12034-9 (the “Case”)*

— NOTICE OF CLASS ACTION SETTLEMENT —

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

TO: All individuals who, at any time between October 31, 2021 and December 5, 2024, were employed by Lori Noga, DMD and Colby Cockrell, DMD, PLLC in the State of Washington as workers paid on an hourly basis.

PLEASE READ THIS NOTICE. A settlement in a class action may affect your rights. You may be entitled to a payment from the settlement. You do not need to do anything to receive a payment so long as your contact information is correct.

- Former employees brought claims against Lori Noga, DMD and Colby Cockrell, DMD, PLLC dba Tranquility Dental (hereafter “Tranquility”) alleging that Tranquility failed to provide meal and rest periods in compliance with Washington law. Tranquility strongly denies these claims. The parties have reached a proposed Class Action Settlement.
- Tranquility strongly denies any fault, wrongdoing, or liability. If the Parties had not reached a Settlement, Tranquility would have continued to vigorously defend against Plaintiff’s claims, including seeking a denial of class certification and a full defense verdict at trial. Tranquility agreed to this Settlement to avoid the risk, burden, and expense of further litigation and as a means of making its employees whole for even any arguable claims relating to the lawsuit.
- The Class Action Settlement includes a total maximum settlement payment by Tranquility of One Hundred Ninety Thousand Dollars (\$190,000).
- To qualify for a share of these payments, you must have been employed by Tranquility in the State of Washington between October 31, 2021 and December 5, 2024 and have not excluded yourself from the Class Action Settlement.

Your Estimated Gross Settlement Award Before Taxes
«EstAmt»

- You do not need to do anything to be eligible to receive a share of the settlement payment.**

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
DO NOTHING	You will be eligible to get a payment for your share of the Class Action Settlement. (You may need to provide the Settlement Administrator with any updated contact information to ensure you receive a payment). You will give up rights relating to the legal claims in this Case.
ASK TO BE EXCLUDED	Get no payment. This is the only option that allows you to ever be a part of any other lawsuit against Tranquility with respect to the legal claims in this Case.

OBJECT	Write to the Court if you do not like the settlement and explain why. If the Settlement is approved, you will still receive a payment and you will give up rights relating to the legal claims in this Case.
GO TO A HEARING	Ask to speak in Court about the fairness of the Class Action Settlement. If the Settlement is approved, you will still receive a payment and you will give up rights relating to the legal claims in this Case.

- These rights and options—**and the deadlines to exercise them**—are explained in this Notice.
- The Court in charge of this Case still has to decide whether to grant final approval of the Settlement. If the Court approves the Settlement, payments will be made after any appeals are resolved. Please be patient.

1. Why did I get this Notice?

Tranquility's records show that you were employed on an hourly basis in the State of Washington sometime between October 31, 2021 and December 5, 2024. The Court has authorized this Notice to be sent to you to inform you about a proposed settlement of a class action lawsuit, and about your options, before the Court decides whether to grant its final approval of the Settlement. If the Court approves the Settlement, and after any appeals are resolved, payments will be made to Settlement Class Members who do not affirmatively request to be excluded from the Settlement.

This Notice explains the Case, the Class Action Settlement, your legal rights, what benefits are available, who is eligible for them, and how to get them.

2. What is this Case about?

The Plaintiff, former employee Vanisha Montes, claims that Tranquility violated Washington State wage and hour laws by failing to provide legally compliant meal and rest periods. Tranquility has denied the Plaintiff's claims.

The Honorable TaTeasha Monique Davis, of the Superior Court for the State of Washington in and for Pierce County, is overseeing this Class Action. The lawsuit is known as *Vanisha Montes v. Lori Noga, DMD and Colby Cockrell, DMD, PLLC*, Pierce County Superior Court, Case No. 24-2-12034-9 (the "Case").

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

In a class action lawsuit, one or more people called a "Class Representative" sues on behalf of other people whom they believe have similar claims. The people together are a "Class" or "Class Members." The employee(s) who sued and who represent(s) the Class is/are called the Plaintiff(s).

The person the Plaintiff(s) sue(s) (in this case Tranquility) is/are called the Defendant(s). In a class action, 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 there a Settlement?

The Court did not decide in favor of the Plaintiff or Tranquility. Instead, both sides agreed to a Settlement. This allows the parties to avoid the cost of a trial, and the people affected will be entitled to compensation. The Class Representatives and their attorney think the Settlement is best for everyone in the Class.

5. How do I know whether I am part of the Settlement?

As part of the Settlement of the Case, the Pierce County Superior Court has decided that everyone who fits the following description is a Class Member:

All individuals who were employed by Lori Noga, DMD and Colby Cockrell, DMD, PLLC in the State of Washington on an hourly-paid basis at any time during the Settlement Class Period from October 31, 2021 and December 5, 2024.

If it is approved, the Settlement will cover all Settlement Class Members who have not timely and affirmatively excluded themselves from the Case. To be a part of and receive any money pursuant to the Settlement, Settlement Class Members need do nothing (other than refrain from affirmatively opting out of the Settlement).

6. What claims are covered by the Settlement?

The Settlement will resolve all of the claims of Settlement Class Members, whether known or unknown, that were brought or that could have been brought based on any facts alleged in the Case, including, but are not limited to any claims arising out of or relating to: (1) any alleged missed, interrupted, shortened, untimely, unpaid, and/or non-compliant rest breaks and/or meal periods; and (2) any attendant claims for unpaid wages, overtime payments, premium payments, interest, exemplary damages, and attorney's fees and costs relating to any of the foregoing.

7. What are the basic terms of the Settlement?

Subject to Court approval, the essential terms of the Settlement are as follows:

Tranquility will pay a total of \$190,000 as part of the Settlement, apportioned as follows:

- **Class Fund:** Approximately \$100,500, which will be available for the payment of Settlement Awards to Settlement Class Members who do not timely opt out of this Settlement.
- **Employer-side Payroll Taxes:** Approximately \$5,000 in employer-side payroll taxes on amounts attributable to wages.
- **Service Award:** Up to \$5,000 each to Plaintiff Vanisha Montes as a service award in recognition of their efforts in prosecuting the Case.
- **Full Release Award:** Up to \$5,000 to Vanisha Montes in exchange for a release of any and all known or unknown claims arising out of her application of employment, employment, or cessation of employment with Tranquility.
- **Settlement Administration Expenses Award:** Up to \$10,000 to the Settlement Administrator for the processing of the Settlement, including the expenses of providing notice to Settlement Class Members, handling the claims administration process, processing payments to Settlement Class Members, and handling tax reporting requirements.
- **Attorney's Fees and Costs Award:** Up to \$57,000 to Plaintiff's attorney for the attorney's fees award and up to \$7,500 for actual litigation costs they have incurred and will incur through final judgment in representing Plaintiff and the Settlement Class.

Monetary Relief: The amount available to the Settlement Class is intended to compensate Settlement Class Members for the wages and other compensation they allegedly lost and damages they are allegedly owed as a result of the practices alleged in the Case.

Distribution of Class Fund: Each Settlement Class Member who does not submit a valid and timely request for exclusion will automatically receive a settlement payment. Each Settlement Class Member who does not request exclusion shall receive a minimum settlement payment of \$50.00. The remaining amounts after minimum payments from the class fund will be allocated to individual Settlement Class Members pro rata by dividing each Settlement Class Member's total wages paid by Tranquility during the Settlement Class Period by the total aggregate wages paid by Tranquility to all Settlement Class Members and then multiplying the resulting ratio by

the remaining amounts in the Class Fund. Checks will be mailed to Settlement Class Members by the Settlement Administrator. If any checks have not been negotiated within one hundred twenty (120) days after distribution, the funds from those checks will be sent in the corresponding Settlement Class Member's name to the Unclaimed Property Fund for the State of Washington pursuant to the Unclaimed Property Act (RCW 63.29 et seq). Tranquility will not receive funds from any uncashed checks.

Tax Treatment of Settlement Awards: Fifty Percent (50%) of each Settlement Class Member's settlement award will be treated as wages and subject to normal tax withholding and shall be reported to the taxing authorities and the Settlement Class Member on an IRS Form W-2. Fifty Percent (50%) of each Settlement Class Member's settlement award will be treated as non-wages (a combination of penalties, enhancements, and prejudgment interest) on which there will be no tax withholding and for which an IRS Form 1099-MISC (marked "Other Income") shall be issued to the taxing authorities and the Settlement Class Member.

Release of Claims: Upon final approval by the Court, the Settlement Class and each Settlement Class Member who has not submitted a valid and timely written request to be excluded from the Settlement will irrevocably release all of the Released Claims against Tranquility relating to the period from October 31, 2021 and December 5, 2024. This Release specifically includes any claims arising out of or relating to: (1) any alleged missed, interrupted, shortened, untimely, unpaid, and/or non-compliant rest breaks and/or meal periods; and (2) any attendant claims for unpaid wages, overtime payments, premium payments, interest, exemplary damages, and attorneys' fees and costs relating to any of the foregoing.

This Release requires you to waive and precludes you from bringing any Released Claims against Defendant Lori Noga, DMD and Colby Cockrell, DMD, PLLC as well as each of their respective (and as applicable) past, current, or future successors and assigns, together with each of their respective parent companies, subsidiaries, related or affiliated companies, members, shareholders, owners, investors, officers, directors, employees, agents, attorneys, and insurers, along with any other individual or entity who could be jointly or severally liable for any of the claims alleged in the Case or released by this Agreement.

Dismissal of Action: Upon final approval, the Court will enter a judgment of dismissal of the Case with prejudice but shall retain jurisdiction to enforce the terms of the settlement agreement.

8. How can I get a payment?

To get a payment, you don't need to do anything. As long as you do not submit a written request to be excluded from the Settlement, you will be a Settlement Class Member and will be entitled to payment.

9. When would I get my payment?

The Court will hold a hearing on **July 25, 2025, at 9:00 a.m.** to decide whether to finally approve the settlement. If the Pierce County Superior Court approves the settlement, the parties will then have to wait to see whether there is an appeal. This will take at least thirty (30) days and, if there is an appeal, can take up to a year or more to resolve. In the event of an appeal, information regarding the appeal's progress will be made available at www.cptgroupcaseinfo.com/TranquilityDentalSettlement. If there is no appeal, payments are expected to go out within approximately sixty (60) days of the Court's final approval of the settlement. Please be patient.

10. Do I have a lawyer in this case?

The Court has decided that James B. Pizl from the law firm of Entente Law PLLC is qualified to represent you and all Settlement Class Members. This lawyer is called "Class Counsel." You will not be charged for this lawyer. If you want to be represented by our own lawyer, you may hire one at your own expense.

11. How will the lawyer be paid?

As indicated above, Class Counsel will seek payment of their attorneys' fees in the amount of \$57,000 and their litigation costs in an amount of up to \$7,500, each of which must be approved by the Court as part of the final approval of this Settlement. Class Counsel has been working on this case since approximately October 2024 and has not received any fees or reimbursements for the costs of the lawsuit.

12. How do I exclude myself from the Settlement?

If you fit the definition of a Settlement Class Member and want to exclude yourself from the Settlement, you must request exclusion in writing by **June 2, 2025**. You may be excluded as a member of the class by submitting a written request stating, "*Vanisha Montes v. Lori Noga, DMD and Colby Cockrell, DMD, PLLC*." The request must include your name, address, and signature. You must mail a copy of the letter to the Settlement Administrator at the following address postmarked no later than **June 2, 2025**.

Montes v. Lori Noga, DMD and Colby Cockrell, DMD, PLLC
c/o CPT Group, Inc.
50 Corporate Park
Irvine, CA 92606
Email: TranquilityDentalSettlement@cptgroup.com
Fax: 949-419-3446
Toll-Free Number: 1-888-502-7617

If you exclude yourself from the Settlement (i.e., opt out), you will not receive any payment from the Settlement. You will also not be entitled to object to the Settlement. If you exclude yourself, you will not be bound by the terms of the Settlement, including the Release described in Sections 6 and 7, above. This means you will retain the right at your own expense to pursue any claims you may have against Tranquility.

13. If I don't like the Settlement, how do I tell the Court?

If you have not excluded yourself from the Class Action, and do not like the Settlement, you can object. You must do so in writing, and you must state the reasons why you think the Court should not approve the Settlement. If you object, be sure to include your name, address, and telephone number, the name of the Case (*Vanisha Montes v. Lori Noga, DMD and Colby Cockrell, DMD, PLLC*, Pierce County Superior Court, Case No. 24-2-12034-9), the reasons you object to the Settlement, and a signature. You must mail a copy of the objection to the following address **postmarked no later than June 2, 2025**.

Montes v. Lori Noga, DMD and Colby Cockrell, DMD, PLLC
c/o CPT Group, Inc.
50 Corporate Park
Irvine, CA 92606
Email: TranquilityDentalSettlement@cptgroup.com
Fax: 949-419-3446
Toll-Free Number: 1-888-502-7617

14. When and where will the Court decide to approve the Settlement?

The Court will hold a Fairness Hearing at **9:00 a.m. on July 25, 2025**, at the Pierce County Superior Court; Department 20; 930 Tacoma Ave S, Rm 334; Tacoma, WA 98402.

If there are objections, the Court will consider them. Judge Davis will listen to people who have asked to speak at the hearing (*see* Section 16). After the hearing, the Court will decide whether to finally approve the Settlement, including Class Counsel's request for attorney's fees and litigation costs, Settlement Administration Expenses, and Service Awards for the named Plaintiff. We do not know how long that decision will take.

15. Do I have to come to the hearing?

No. Class Counsel will answer any questions Judge Davis may have, but you are welcome to attend at your own expense. If you send an objection, you do not have to come to Court to talk about it. As long as your written objection was mailed on time, the Court will consider it. You may also pay your own lawyer to attend, but that is not necessary.

16. May I speak at the hearing?

You may ask the Court for permission to speak at the Fairness Hearing. To do so, you must send a letter saying it is your “Notice of Intention to Appear in *Vanisha Montes v. Lori Noga, DMD and Colby Cockrell, DMD, PLLC*, Pierce County Superior Court, Case No. 24-2-12034-9.” Be sure to include your name, address, phone number, and your signature. Your Notice of Intention to Appear must be **postmarked no later than June 2, 2025** and be sent to the Court, Class Counsel, and Defense Counsel at the three addresses set forth below:

COURT	CLASS COUNSEL	DEFENSE COUNSEL
Hon. TaTeasha Monique Davis Pierce County Superior Court Department 20 930 Tacoma Ave S, Rm. 334 Tacoma, WA 98402	James B. Pizl Entente Law PLLC 315 39 th Ave SW, Suite 14 Puyallup, WA 98373	Diana Estrada Wilson Elser Moskowitz Edelman & Dicker LLP 805 SW Broadway Fox Tower, Suite 2460 Portland, OR 97205

17. What happens if I do nothing at all?

If you do nothing—that is, if you do not mail or deliver a timely written request to exclude yourself from the Settlement—you will be part of the Settlement Class and will be entitled to a share of the Settlement. You will also be bound by the terms of the Settlement, including the Release described in Sections 6 and 7, above.

18. Are there more details about the Settlement?

This Notice summarizes the proposed Settlement. More details are in the Settlement Agreement. You can get a copy of the Settlement Agreement by visiting the website www.cptgroupcaseinfo.com/TranquilityDentalSettlement, which has a copy of the Settlement Agreement posted. Plaintiff’s motion for final approval of the settlement agreement, including Class Counsel’s request for attorney’s fees, costs, Service Award for the named Plaintiff, and Settlement Administration Expenses, and will be available for you to review on July 16, 2025 at www.cptgroupcaseinfo.com/TranquilityDentalSettlement.