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13 SUPERIOR COURT OF THE STATE OF CALIFORNIA
14
15 FOR THE COUNTY OF SAN FRANCISCO

16 LUIS MORENO, an individual, on
17 behalf of and others similarly situated,

18 Plaintiff,

19 v.

20 HATHAWY DINWIDDIE
21 CONSTRUCTION COMPANY; DOES
22 1 to 50, inclusive,

23 Defendants.

24 Case No. CGC-16-554443

25 **SUPPLEMENTAL DECLARATION OF**
26 **TIM CUNNINGHAM ON BEHALF OF**
27 **CPT GROUP INC. WITH RESPECT TO**
28 **SETTLEMENT DISBURSEMENT**

Judge: Honorable Anne-Christine Massullo

1 I, Tim Cunningham, declare as follows:

2 1. I am a Supervising Case Manager for CPT Group, Inc. ("CPT"), the Settlement
3 Administrator jointly agreed upon by the Parties and approved by the Court, for *Luis Moreno, et al.*
4 *v. Hathaway Dinwiddie Construction, Co.* I have personal knowledge of the facts set forth in this
5 declaration and, if called upon to testify, I could and would testify competently to such facts.

6 2. I submit this Supplemental Declaration to update our prior Declaration, dated August
7 10, 2020.

8 3. The deadline for Claimants to cash their settlement checks expired on September 8,
9 2020. Pursuant to the Order Granting Final Approval of Class Action Settlement, if the uncashed
10 amounts exceed \$7,350.00, there will be a second distribution to Class Members that cashed their
11 initial settlement check. The second distribution will be on a pro rata basis based on the number of
12 wage statements of each Class Member that cashed their settlement check. The costs associated with
13 this second distribution shall be deducted from the uncashed amounts prior to distribution and shall
14 not exceed \$2,750.00.

15 4. As of the date of this declaration, there are fifty-three (53) outstanding checks totaling
16 \$28,199.46. CPT is in the process of finalizing the calculations for the second distribution and is
17 currently targeting a disbursement date of October 19, 2020.

18
19 I declare under penalty of perjury under the laws of the State of California that the foregoing
20 is true and correct and that this declaration is executed on this 24th day of September, 2020 at Irvine,
21 California.

22
23 
24 **TIM CUNNINGHAM**