

**NOTICE OF PROPOSED CLASS ACTION SETTLEMENT AND
HEARING DATE FOR COURT APPROVAL**

David Contreras v. HTx Services LLC, Case No. 19STCV43405

As a current or former non-exempt, hourly-paid delivery service and field service employee of HTx Services LLC AND HTx Holdings LLC in the State of California, you may be entitled to receive money from a class action settlement.

CPT ID: <<ID>>

<<Name>>

<<Address1>> <<Address2>>

<<City>>, <<State>> <<Zip >>

Please provide current address (if different) here:

*The Los Angeles County Superior Court has authorized this Class Notice.
This is not a solicitation from a lawyer.*

YOU MAY BE ENTITLED TO RECEIVE MONEY FROM A CLASS ACTION SETTLEMENT IF YOU ARE A CURRENT OR FORMER NON-EXEMPT, HOURLY-PAID DELIVERY SERVICE AND FIELD SERVICE EMPLOYEE WHO WORKED FOR HTX SERVICES LLC, OR HTX HOLDINGS LLC FROM DECEMBER 4, 2015 THROUGH DECEMBER 31, 2020.

- A proposed settlement of \$195,000.00 (the “Gross Settlement Amount”) will be used to pay claims to: current and former non-exempt, hourly-paid delivery service and field service employees of HTx Services LLC or HTx Holdings LLC (“Defendants”) who worked in the State of California from December 4, 2015 through December 31, 2020 (such periods of time, the “Class Period” and such employees, the “Class Members”).
- The settlement resolves a lawsuit entitled *David Contreras v. HTx Services LLC*, Case No. 19STCV43405 (the “Lawsuit”) over whether Defendants properly paid employees for all wages earned, including straight-time, and overtime, reimbursed for expenses, provided lawful meal and rest periods, provided accurate wage statements, timely paid wages during employment and upon termination, and other legal consequences that would follow from not doing so, including claims under California’s Business & Professions Code and Private Attorneys General Act of 2004 (“PAGA”). This settlement avoids the costs and risks from continuing the Lawsuit, pays money to persons like you, and releases Defendants from alleged liability.
- The Court has not made a determination of the validity of the claims in the Lawsuit. Defendants deny any and all liability arising from any of the claims and contend that at all relevant times they properly compensated, provided lawful meal and rest periods, provided accurate itemized wage statements, timely paid wages, and fully complied with all applicable laws.
- Class Members will receive a payment based on the number of workweeks worked, rounded up to the nearest full workweek, during the Class Period. Your individual payment as part of the Settlement is estimated to be: <<TotalEstAmount>>.

**PLEASE READ THIS ENTIRE CLASS NOTICE CAREFULLY. YOUR LEGAL RIGHTS ARE
AFFECTED BY IT.**

HOW MUCH WILL I GET?

You worked a total number of <<Workweeks>> during the Class Period.

It is expected that you will receive approximately <<EstAmount>> from this Settlement as a Class Member.

It is expected that you will receive approximately <<PAGAAmount>> as your portion of the payment related to the PAGA claims. You will receive this amount even if you opt-out of the Settlement.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT

DO NOTHING	Receive a payment and give up your legal rights to pursue claims released by the settlement of the Lawsuit.
OPT OUT	<p>Receive no payment for the class claims and retain your legal rights to pursue claims that would otherwise be released by the settlement of the Lawsuit.</p> <p>However, please note that, even if you Opt-Out from the Class claims, you will still receive your individual and proportionate share of payment related to the PAGA claims and you will have released your right to bring a representative PAGA action against Defendants. Pursuant to current law and the Court's Order, you are unable to Opt-Out of the PAGA portion of the settlement.</p>
OBJECT TO THE SETTLEMENT	If you do not opt out, you may write to the Settlement Administrator, CPT Group, Inc., about why you do not like the settlement and they will forward your concerns to counsel which will then be provided to the Court.
OBJECT TO THE WORKWEEK CALCULATION	If you feel that you worked a different amount of workweeks as an hourly employee than identified above, you may object to that calculation by submitting a workweek dispute form.
ATTEND A HEARING	You have the right to attend a fairness hearing that will be conducted by the Court, but you are not required to attend. If you timely file and serve a written objection, and if you also want to speak about your objection at the hearing, you should send a letter to the Settlement Administrator, CPT Group, Inc, providing notice of your intention to appear and speak at the hearing. The court will hear from any class member who attends the final approval hearing and asks to speak regarding his or her objection, without faxing or mailing an objection. The information regarding the date, time, and location of this hearing is provided below.

IMPORTANT INFORMATION ABOUT THE PROPOSED SETTLEMENT**1. Why did I get this Class Notice?**

You were sent this Class Notice because you have a right to know about the proposed settlement in the Lawsuit and about all of your options before the Court rules on whether to finally approve the settlement. If the Court approves the settlement, and after any objections and appeals are resolved, a "Settlement Administrator" appointed by the Court will make the payments that the settlement allows. This Class Notice explains the Lawsuit, the proposed settlement, your legal rights, and what benefits are available and how to receive them.

The Court in charge of this case is the Los Angeles County Superior Court. The person who sued is called "Plaintiff" and the organizations he sued are called "Defendants."

2. What is the Lawsuit about?

In the Lawsuit, David Contreras ("Plaintiff") alleged multiple violations of the California Labor Code, the California Business & Professions Code, and PAGA, including causes of action for: (1) failure to pay all wages earned, including overtime; (2) failure to provide rest breaks; (3) failure to provide meal periods; (4) unreimbursed expenses; (5) failure

to provide accurate wage statements; (5) failure to timely pay wages during employment and at termination; (6) unfair competition under California's Business & Professions Code; and (7) claims for civil penalties for violations of PAGA.

3. Why is there a settlement?

The parties disagree on the probable outcome of the case with respect to liability, damages, and how much money could be recovered if the Plaintiff won at trial. Defendants believe the Plaintiff would not prevail if this case went to trial. The Court has not decided in favor of the Plaintiff or Defendants. There has been no trial in this case. Instead, both sides recognize the risks, expenses, and disruption associated with continued litigation and they have therefore chosen to resolve their differences by entering into a settlement. By doing so, the parties can avoid the cost of a trial, yet Class Members are still entitled to receive payments if they comply with the instructions in this Class Notice. The parties entered into this settlement after arms-length negotiations while using the services of an experienced and neutral mediator. The Plaintiff and Class Counsel believe that the proposed settlement is fair and reasonable and is in the best interest of the Class Members.

4. What is a class action settlement?

The Court must approve the terms of the proposed settlement as fair and reasonable. Once approved, the settlement will affect all Class Members, except those who have properly opted out. This Class Notice explains your legal rights, the terms of the settlement, what you must do to participate, and the amount of money you may receive. Please read this entire Class Notice carefully.

5. What should I do?

You can do nothing, and if you are entitled to a payment, you will be paid. Be mindful, however, that if this Class Notice reaches you and the address where you now live is different, you need to contact the Settlement Administrator and provide updated information so that any future correspondence or the settlement check itself reaches you and is not returned as an address unknown.

6. How much will my payment be?

After all fees, costs, and offsets are taken as set forth under Section IV of the parties' Joint Stipulation of Class Settlement (which is available for review), the remainder will be used to pay Class Members a pro-rata payment based on the number of workweeks each Class Member worked during the Class Period ("Pro-Rata Share").

The Settlement Administrator shall determine by how many workweeks each such Class Member was underpaid.

Your estimated payment is listed above, on pages 1 and 2 of this document. If you do not dispute your workweek calculation, and do not opt out of the settlement, you will be bound by the settlement and receive a settlement payment. **In other words, you do not need to take any action to receive a settlement payment.**

7. When would I get my payment?

The Court will hold a hearing on **September 22, 2021 at 11:00 a.m. at 312 N Spring Street, Department SS-7, Los Angeles, California 90012**, to decide whether to approve the proposed settlement. If the Court approves the settlement and anyone objects, there may be appeals. It is always uncertain when these objections and appeals can be resolved, and resolving them can take time. To check on the progress of the settlement, call the Settlement Administrator at 1-888-617-0750, or contact Class Counsel (see below for Class Counsel's contact information.). Please be patient.

8. What am I releasing?

Once the Settlement Administrator has sent the individual settlement payment from the Gross Settlement Amount, Plaintiffs and Class Members who have not effectively opted-out of the settlement as described below, fully release and discharge Defendants, and all of their past and present owners, officers, directors, shareholders, employees, agents, assigns, attorneys, insurers, parent companies, subsidiaries, and affiliates, and their respective predecessors, successors, and assigns, without limitation (“Released Parties) of and from any and all claims for wages (including straight time and overtime), damages, unpaid costs, penalties, premium pay, liquidated damages, interest, attorney fees, litigation costs, restitution, or equitable relief, which Plaintiff, the Class and any Class Members had, or may claim to have, against any of the Released Parties, that were alleged or could have been alleged in the operative Third Amended Complaint during the Class Period (“Released Class Claims”). These claims include but are not limited to: failure to pay all wages earned for all hours worked including minimum wages and overtime wages, failure to provide accurate written wage statements, waiting time penalties, unfair competition violations, failure to pay for all hours worked at the correct rates of pay, failure to timely pay wages, failure to timely pay wages upon termination, failure to maintain accurate employment records, failure to pay overtime, failure to provide meal periods, meal period violations and claims for meal period premium pay, failure to provide rest periods, rest period violations and claims for rest period premium pay, failure to reimburse necessary business expenses, damages, unpaid costs, penalties, premium pay, liquidated damages, interest, attorney fees, litigation costs, restitution, or equitable relief, which Plaintiff, the Class and any Class Members had, or may claim to have, against the Released Parties, that were alleged or could have been alleged in the Complaint during the Class Period, including but not limited to all claims under PAGA and Labor Code sections 201, 202, 203, 204, 204.1, 204.2, 210, 226, 226(a), 226(e), 510, 558, 1174, 1174.5, 1194, 1197, 1197.1, 1198, 2699, 2699(a), 2699(f), 2699(g), 2699.3, 2802, Industrial Welfare Commission Order No. 4-2001 and other applicable Wage Orders, Business and Professions Code sections 17200 *et seq.* and 17203, Code of Civil Procedure section 1021.5, and all claims for violation of PAGA and all related claims for penalties, to the extent such claims are predicated on the other claims released herein, during the Class Period.

This release covers all claims pled, or that could have been pled, arising out of the facts in the operative Third Amended Complaint. The time period covered by this release is December 4, 2015 through December 31, 2020.

9. How can I opt out of this settlement?

You can opt out of this settlement as to the Released Class Claims and retain your rights. To do so, you must prepare and submit the Opt-Out Form provided with this notice packet. You will have **60 days** from the date of mailing of this Class Notice to do so. Your Opt-Out Form must be sent to the Settlement Administrator via U.S. Mail, E-Mail, or facsimile, *Contreras v. HTX Services LLC*, c/o CPT Group, Inc., 50 Corporate Park, Irvine, CA 92606, htxsettlement@cptgroup.com, fax (949) 419-3446 and be postmarked no later than **August 16, 2021** or sent via E-Mail or facsimile before **August 16, 2021**, or it will not be considered and you will be bound by the settlement.

Please note that even if you Opt-Out of the Released Class Claims, pursuant to current law and the Court’s Order, you are unable to Opt-Out of the PAGA portion of the settlement. As a result, you will still receive your individual and proportionate share of payment related to the PAGA claims and you will have released your right to bring a representative PAGA action against Defendants.

10. Do I have a lawyer in this case?

The Court has appointed David G. Spivak, 16530 Ventura Blvd., Suite 203, Encino, California 91436, telephone (213) 725-9094 extension 101, and Walter Haines of United Employees Law Group, 5500 Bolsa Ave., Suite 201, Huntington Beach, California 92649, to represent you and other Class Members in the Lawsuit. These lawyers are called Class Counsel. They will be compensated from the Total Settlement Amount as discussed in this Class Notice. If you want to be represented by your own lawyer, you may hire one at your own expense.

11. How will the lawyers be paid?

Class Counsel will ask the Court to award them fees of approximately 33 1/3% (one-third) of the Gross Settlement Amount. Class Counsel will also ask the Court to award them costs incurred in connection with the Lawsuit. The Court may choose to award less than the amount requested by Class Counsel.

12. How do I tell the Court that I do not like the settlement?

You can ask the Court to deny approval by objecting. You cannot ask the Court to order a larger settlement; the Court can only approve or deny the settlement. If the Court denies the settlement, no settlement payments will be sent out and the Lawsuit will continue. If that is what you want to happen, you must object.

You may object to the proposed settlement in writing or in person. You may also appear at the Final Approval Hearing, either in person or through your own attorney. If you appear through your own attorney, you are responsible for paying that attorney. All written objections and supporting papers should (a) clearly identify the case name and number (*David Contreras v. HTx Services LLC*, Case No. 19STCV43405), (b) be submitted to the Court either by mailing them to the Clerk of Court, Los Angeles County Superior Court, 312 N Spring Street, Department SS-7, Los Angeles, California 90012, or by filing them in person at the Los Angeles Superior Court, and (c) be filed or submitted on or before **August 16, 2021**. Class Members may appear at the final approval hearing to be heard on their objections, even if they have not previously served a written objection.

13. When and where will the Court decide whether to approve the settlement?

The Court will hold a fairness hearing on **September 22, 2021 at 11:00 a.m.** at the Los Angeles County Superior Court, 312 N Spring Street, Department SS-7, Los Angeles, California 90012. At this hearing, the Court will consider whether the settlement is fair, reasonable, and adequate. If there are objections that were properly made, the Court will consider them. The Court will listen to people who have asked to speak at the hearing. The Court may also decide how much to pay to Class Counsel. At or after the hearing, the Court will decide whether to approve the settlement. We do not know how long this decision will take.

14. Do I have to come to the hearing?

No. Class Counsel will answer any questions that the Court may have. But, you are welcome to attend the hearing at your own expense. If you sent an objection, you do not have to come to Court to talk about it. As long as you timely submitted your written objection, the Court will consider it. You may also pay your own lawyer to attend, but it is not required.

15. May I speak at the hearing?

If you properly objected to the settlement, you may speak at the fairness hearing. The Court will also hear from any class member who attends the final approval hearing and asks to speak regarding his or her objection, without faxing or mailing an objection.

Due to social distancing requirements, face masks and/or facial coverings are required and mandatory at all times to enter the courthouse. You may also appear at the Final Approval Hearing remotely. For further information on the Los Angeles Superior Court's "Here For You | Safe For You" program, remote appearance options, reservations for in-person services, safety measures, mandatory mask use & social distancing requirements, please visit the Los Angeles Superior Court's website at www.lacourt.org "www.lacourt.org". To schedule a remote appearance, visit the Court's website at: <https://my.lacourt.org/laccwelcome>, and use the case number - 19STCV43405. Class Members who wish to appear at the Final Approval Hearing can also contact Class Counsel to arrange a telephonic appearance

through the third-party service provider, at least three business days before the hearing if possible. Any fees for an appearance by a Class Member shall be paid by Class Counsel.

16. What happens if I do nothing at all?

You will participate in the settlement and receive payment. You will be bound by the release as set forth herein.

GETTING MORE INFORMATION

This Class Notice summarizes the proposed settlement. You may call or contact Class Counsel or the Settlement Administrator if you would like more information about the case. You may call 1-888-617-0750 or write the Settlement Administrator, CPT Group, Inc., located at Contreras v. HTX Services LLC, c/o CPT Group, Inc., 50 Corporate Park, Irvine, CA 92606.

For the settlement's complete terms and conditions, please consult the detailed Second Amended Joint Stipulation of Class Action Agreement which is attached as Exhibit 21 to the Second Supplemental Declaration of David G. Spivak in support of the Motion for Preliminary Approval of Class Action Settlement filed on May 19, 2021. The settlement documents and other pleadings and documents on file with the Court may be viewed electronically on the Settlement Administrator's website at <https://www.cptgroupcaseinfo.com/htxsettlement>. You can also access the Los Angeles County Superior Court's Online Services at <https://www.lacourt.org>, or by visiting the Clerk's Office at the Los Angeles County Superior Court, 312 N Spring Street, Los Angeles, California 90012, between 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding Court holidays under the Court's social distancing guidelines. Face masks and/or facial coverings are required and mandatory at all times to enter the courthouse, and appointments will be required to receive in-person services in the Clerk's office and Self-Help Centers. (For more information on reservations for in-person services, please visit the Los Angeles Superior Court's website at www.lacourt.org).

If the Court grants final approval of the Settlement, the Settlement Administrator's website will also have copies of all papers filed by Class Counsel in support of their Motion for Final Approval of Class Action Settlement and the Court's Order and Judgment Granting Final Approval of Class Action Settlement. All of these documents may be viewed free of charge on the Settlement Administrator's website at <https://www.cptgroupcaseinfo.com/htxsettlement>. Any change of the date or location of the final approval hearing will also be posted on the on the Settlement Administrator's website.

IMPORTANT:

1. **PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK'S OFFICE TO INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIM PROCESS.**
2. **IF YOU MOVE TO A DIFFERENT ADDRESS, PLEASE PROVIDE THE SETTLEMENT ADMINISTRATOR WITH YOUR NEW ADDRESS. IT IS YOUR RESPONSIBILITY TO KEEP A CURRENT ADDRESS ON FILE WITH THE SETTLEMENT ADMINISTRATOR TO ENSURE RECEIPT OF YOUR SETTLEMENT PAYMENT.**