

<<First Name>> <<Last Name>>

**RIVELINO TAVIRA v. GENERAL FOUNDRY SERVICE CORPORATION**

**Superior Court of the State of California, County of Alameda**

**Case No.: RG20072299**

If you are a current or former employee for GENERAL FOUNDRY SERVICE CORPORATION (“GENERAL FOUNDRY” or “Defendant”), a class action lawsuit may affect your rights and you may be entitled to benefits under the settlement.

You are not being sued. A court authorized this notice. This is not a solicitation from a lawyer.

**PLEASE READ THIS NOTICE CAREFULLY. IT CONTAINS IMPORTANT INFORMATION ABOUT YOUR RIGHTS.**

- This lawsuit involves a class defined as “all persons who are employed or have been employed as an hourly employee by GENERAL FOUNDRY SERVICE CORPORATION, in the State of California who worked one or more pay periods during the Class Period.”
- The Class Period is time period from August 24, 2019 to August 21, 2020.
- You are receiving this Notice because the records reflect that you may be one of the above Class Members.
- Plaintiff in this class action alleges that Defendant failed to provide accurate itemized wage statements and is liable for statutory penalties under the Labor Code and civil penalties under California’s Private Attorneys General Act or “PAGA.” GENERAL FOUNDRY denies Plaintiff’s claims and asserts that it has complied with all of its legal obligations to its employees.
- There has been a settlement that affects your rights. Although the Court has authorized the Parties to provide this notice of the proposed settlement, the Court has expressed no opinion on the merits of Plaintiff’s claims or Defendant’s defenses.
- You will not be penalized or retaliated against by GENERAL FOUNDRY for participating in this class action settlement. If you are currently employed by GENERAL FOUNDRY, your employment will not be affected in any way. Current employees of GENERAL FOUNDRY who choose to participate in the settlement will not be required to resign and can continue to work for GENERAL FOUNDRY.
- You have several options available to you:

<b>DO NOTHING</b>	By doing nothing, you <u>will</u> receive a share of the settlement proceeds, and you will give up any rights to sue for Defendant's alleged failure to provide accurate itemized wage statements during the Class Period.
<b>ASK TO BE EXCLUDED (OPT OUT)</b>	Exclude yourself from this lawsuit. Keep your rights to file a separate claim against GENERAL FOUNDRY for Defendant's alleged failure to provide accurate itemized wage statements during the Class Period.  If you ask to be excluded, you <u>will not</u> receive a share of the settlement proceeds, but you keep any rights you may have to bring your own suit against for the same legal claims in this lawsuit.
<b>OBJECT</b>	Object to the terms of this Settlement.

**Your options are explained in this notice.  
To opt out or object, you must act by August 3, 2021.**

**1. Why did I get this notice?**

A proposed settlement has been reached in a class action lawsuit that was brought on behalf of GENERAL FOUNDRY's employees. You have received this notice because GENERAL FOUNDRY's records indicate that you are a member of this class.

**2. What is this lawsuit about?**

This lawsuit was filed on August 24, 2020 on behalf of all persons who are employed or have been employed as an hourly employee by GENERAL FOUNDRY in the State of California. The operative complaint alleges class-wide causes of action against GENERAL FOUNDRY for failure to provide accurate itemized wage statements pursuant to Labor Code § 226(a) and penalties under the Labor Code Private Attorneys General Act, Labor Code § 2699 et seq.

This means that Plaintiff alleges that Defendant has failed to provide accurate itemized wage statements during the Class Period.

**3. Has the Court decided who is right?**

No. The Court has made no decision regarding the merits of Plaintiff's allegations or Defendant's defenses.

**4. Why did this case settle?**

The Parties reached a settlement in order to avoid the risk, inconvenience and expense of further litigation. Plaintiff and his attorneys believe the proposed settlement is fair, adequate and in the best interest of the Class Members to whom it applies given the outcome of their investigation, the consumption of time and resources required in connection with further litigation, and the uncertainty in the law governing some of the claims presented. Although Defendant disputes Plaintiff's claims and asserts that it has complied with all of its legal obligations toward its employees, Defendant has also concluded that further litigation would be protracted and expensive, and would also divert management and employee time.

**5. What are the terms of the settlement and how much will I receive?**

The Gross Settlement Amount is \$144,325.00. Under the proposed settlement, the following amounts will be deducted before any payments are made to employees, subject to final approval by the Court:

- Attorneys’ fees: \$48,108.33
- Litigation Costs: \$5,000
- Class Representative Enhancement Award: \$2,500
- Penalties to the Labor & Workforce Development Agency: \$6,000
- Claims Administration Costs: \$6,500

After these deductions, approximately \$76,216.67 will be available for payment to the Settlement Class Members receiving this notice (“Net Settlement Amount”).

Each Participating Class Member’s Individual Settlement Payments shall be determined on a pro rata basis based upon the number of workweeks during which the employee worked in proportion to the aggregate number of workweeks by all Settlement Class Members.

All Individual Settlement Payments will be allocated as 100% statutory and civil penalties.

According to GENERAL FOUNDRY’s records, the total number of pay periods that you worked as an employee *during the relevant time period* is <<Pay Periods>>. If you disagree with this information and would like someone to look into the matter, please follow the procedure below.

Based on these pay periods, your estimated settlement amount is \$<<Est. Settlement>>

The average estimated settlement payment is \$<<Avg. Settlement>>.

**6. What if I disagree with the number of pay periods shown above?**

If you believe the information in the notice is incorrect regarding the number of pay periods, you will need to write a letter setting forth the number of pay periods that you believe are correct. You may attach any relevant documentation in support thereof. You must mail your letter to:

Settlement Administrator  
c/o ILYM Group, Inc.  
1-888-250-6810  
<https://www.ilymgroup.com/GeneralFoundry>

You must submit such information by August 3, 2021. Class Counsel and the Settlement Administrator will work together in good faith and do their best to promptly resolve the dispute based on available records. In the event they are unable to resolve any dispute under this Section, the Settlement Administrator shall review all information, material and documents and make a decision regarding the dispute.

**7. What do I have to do to receive a share of the settlement?**

You do not have to do anything if you want to receive a share of the net settlement amount. However, you should make sure the Settlement Administrator always has your current mailing address in order to ensure you receive your settlement share. If you do nothing, you will be covered by the release summarized in Section 8, below.

**8. What rights am I giving up?**

The claims you will Release by doing nothing are: any and all claims that are asserted in the operative complaint and which could have been asserted based on the facts alleged in the complaint, for failure to issue accurate itemized wage statements under Labor Code § 226, claims for penalties under the Labor Code Private Attorneys General Act of 2004, §2699, et seq. (hereafter “PAGA”) for failure to issue accurate itemized wage statements under Labor Code § 226, claims for restitution and other equitable relief, liquidated damages, punitive damages, or penalties.

**9. What if I do not wish to be involved?**

Anyone not wishing to participate in the settlement may exclude himself or herself (“opt out”) by completing, signing, and mailing a letter indicating that they do not want to participate in the settlement to the Settlement Administrator, ILYM Group, Inc., by August 3, 2021.

Settlement Administrator  
c/o ILYM Group, Inc.  
1-888-250-6810  
<https://www.ilymgroup.com/GeneralFoundry>

The Request for Exclusion: (1) must contain the name, address, and telephone number of the Settlement Class Member requesting exclusion; (2) must contain a statement expressing that the Settlement Class Member elects to be excluded from the Settlement; and (3) must be signed by the Settlement Class Member.

If your Request for Exclusion is postmarked after August 3, 2021, it will be rejected, and you will be a Participating Class Member and be bound by the settlement terms and release. Anyone who submits a timely and valid Request for Exclusion shall not be deemed a Participating Class Member and will not receive any payment as part of this settlement. Such persons will keep any rights to sue GENERAL FOUNDRY separately about the claims made in this lawsuit.

**10. What if I have an objection?**

A class member may object to the settlement in writing or in person. Written objections and all supporting briefs or other materials must be submitted to the Settlement Administrator no later than August 3, 2021 at:

Settlement Administrator  
c/o ILYM Group, Inc.  
1-888-250-6810  
<https://www.ilymgroup.com/GeneralFoundry>

Any written objection must be signed by the Settlement Class Member and state: (1) the full name of the Settlement Class Member; (2) the dates of employment of the Settlement Class Member; and (3) the basis for the objection.

Any class member may make an objection at the Final Approval Hearing with or without filing or serving any written objection. The Class Member may appear personally or through an attorney, at his or her own expense, at the Final Approval hearing to present his or her objection directly to the Court. Any attorney who will represent an individual objecting to this Settlement

who has not filed a written objection must file a notice of appearance with the Court and serve Class Counsel and counsel for Defendant no later than the Response Period Deadline. The Final Approval and Fairness Hearing will be held in Dept. 23 of the Alameda County Superior Court, located at 1221 Oak St. 4<sup>th</sup> Floor, Oakland, CA 94612 on August 31, 2021, at 3:00 p.m. (Pacific Time).

A Settlement Class Member may not both submit a Request for Exclusion and an Objection. If a Settlement Class Member submits both, the Settlement Administrator will contact the Settlement Class Member to determine the Settlement Class Member’s intent.

If any Objection is ultimately overruled by the Court, the Settlement Class Member will be bound by the Release.

Any Class Member who fails to submit a timely written objection or to present an objection in person at the Final Approval Hearing shall be deemed to have waived any objections and shall be foreclosed from making any objection to the Settlement whether by appeal or otherwise.

Class Counsel:	Counsel for GENERAL FOUNDRY SERVICE CORPORATION:
Kingsley & Kingsley, APC Kelsey M. Szamet, Esq. 16133 Ventura Blvd., Suite 1200 Encino, CA 91436 Telephone: (818) 990-8300	The Goldstein Law Firm, PC Charles H. Goldstein, Esq. Joseph A. Goldstein, Esq. 8912 Burton Way Beverly Hills, CA 90211 Telephone: (310) 553-4746

**11. Do I need a lawyer?**

You do not need to hire your own lawyer because Class Counsel is working on your behalf. However, if you want your own lawyer, you are free to hire one at your own expense.

**12. What happens next in the case?**

The Settlement has only been preliminarily approved. The Court will hold a hearing in Dept. 23 of the Alameda County Superior Court, located at 1221 Oak St. 4<sup>th</sup> Floor, Oakland, CA 94612 on August 31, 2021, at 3:00 p.m. (Pacific Time), to consider any objections and determine whether the settlement should be finally approved as fair, reasonable, and adequate. The Court will also be asked to approve Class Counsel’s request for attorneys’ fees and costs, Plaintiff’s Enhancement Awards, and the costs of claims administration. The hearing may be continued without further notice to you. It is not necessary for you to appear at this hearing.

**13. How can I receive more information?**

This notice is a summary of the basic terms of the settlement. For further information, you may also visit the settlement website at <https://www.ilymgroup.com/GeneralFoundry>, telephone ILYM Group, Inc. (listed above), telephone Class Counsel (listed above) or visit the Court website at <http://www.alameda.courts.ca.gov/pages.aspx/domainweb>. Enter this website address and then click on the box labeled DOMAIN WEB. Then click on the box to “Search by Case Number”. You will have to checkbox indicating that you are not a robot and then enter the Case Number RG20072299 in the empty box. You will be taken to the Court’s page for this case and review documents and information there.

**Please do not telephone the Court, the Office of the Clerk, or GENERAL FOUNDRY’s counsel for information regarding this settlement.**