

**CLASS ACTION SETTLEMENT AGREEMENT
SUPERIOR COURT FOR THE STATE OF WASHINGTON
IN AND FOR KING COUNTY**

Rodriguez and Mandeem v. Avvo, Inc.
King County Superior Court Civil Case No. 22-2-13159-4 SEA

— NOTICE OF SETTLEMENT —

A court authorized this notice. This is not a solicitation from a lawyer. This is not a lawsuit against you, and you are not being sued. However, your legal rights are affected whether you act or not. Please read this notice carefully.

TO: All individuals who worked for Avvo, Inc. in Washington and who separated from employment between December 1, 2020 and August 28, 2022, and were paid on a commission plan offering 25% of applicable, earned commissions after the fourth month of billing so long as customers’ accounts remained active (“25% After 4 Months” Term).

- Two former employees brought claims against Avvo, Inc. (“Avvo” or “Defendant”) for failing to pay all commissions earned under Washington and Seattle law. Defendant denies these claims. The parties have reached a proposed Class Action Settlement.
- The Class Action Settlement includes a settlement payment by Defendants of \$78,750.
- To qualify for a share of this payment, you must have been employed by Avvo in Washington and paid pursuant to a commission and bonus plan with the “25% After 4 Months Term,” and separated employment from Avvo at any time between December 1, 2020 to August 28, 2022, and not excluded yourself from the Class Action Settlement.
- You do not have to do anything to be eligible to receive a 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 any updated contact information to ensure you receive a payment). You will give up rights relating to the legal claims in this Action.
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 Defendant with respect to the legal claims in this Action.
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 Action.
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 Action.

- These rights and options—**and the deadlines to exercise them**—are explained below.
- The Court in charge of this Action still has to decide whether to finally approve 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?

Defendant’s records show that you worked in Washington, separated employment between December 1, 2020, and August 28, 2022 (the “Settlement Class Period”), and were paid pursuant to a commissions and bonus plan with a “25% After 4 Months” Term. The Court has authorized this Notice to be sent to inform you about a proposed class action settlement and your options before the Court decides whether to finally approve 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 request to be excluded from the Settlement.

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

2. What is the Action about?

The Plaintiffs, former employees Julio Rodriguez and Taylor Mandeem, claim that Defendant violated Washington State and Seattle laws by failing to properly pay for all commissions earned. Defendant has denied and continues to deny the Plaintiffs’ claims.

The Honorable Matthew Segal of the King County Superior Court is overseeing this Class Action. The lawsuit is known as *Rodriguez and Mandeem v. Avvo, Inc.*, King County Superior Court Civil Case No. 22-2-13159-4 SEA (the “Action”).

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

In a class action lawsuit, one or more people called “Class Representatives” sue on behalf of other people whom they believe have similar claims. If the Court certifies the class action, the people together are a “Class” or “Class Members.” The employees who sued, and who represent the Class, are called the Plaintiffs. For settlement purposes, they may be called “Settlement Class Members.”

The company or person the Plaintiffs sue (in this case Avvo, Inc.) is called the Defendant. 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 Plaintiffs or Defendant. Defendant continues to deny any wrongdoing. Instead, both sides agreed to a Settlement. This allows the parties to avoid the risk, delay, and cost of a trial and/or appeal, and the people affected will be entitled to compensation. The Class Representatives and their attorneys 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 King County Superior Court has decided that everyone who fits the following description is a Settlement Class Member:

All individuals formerly employed by Defendant in Washington state who were paid pursuant to a commission and bonus plan with the “25% After 4 Months” Term and who separated from employment with Defendant during the Settlement Class Period and who were previously identified as such by Defendant to Settlement Class Counsel.

If it is approved, the Settlement will cover all Settlement Class Members who have not timely and affirmatively excluded themselves from the Action. 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 for eligible Settlement Class Members “any and all claims, debts, penalties, liabilities, demands, obligations, guarantees, costs, expenses, attorneys’ fees, damages, liquidated or exemplary damages, punitive damages, losses, fines, liens, interest, restitution or other equitable relief, actions, or causes of action of whatever kind or nature, whether known or unknown, that were alleged in the Action or could have been alleged in the Action arising out of the facts or circumstances alleged in the Action through the Final Approval Date.”

7. What are the basic terms of the Settlement?

Subject to Court approval, the essential terms of the Settlement include that Defendant will pay \$78,750 as part of the Settlement, apportioned as follows:

- **Net Settlement Class Fund:** At least \$45,500 as Settlement Awards to Settlement Class Members who do not timely opt out of the Settlement.
- **Service Awards:** \$1,500 to each Named Plaintiff and Class Representative Julio Rodriguez and Taylor Mandeem as a service award in recognition of their efforts in prosecuting the Action.
- **Attorneys’ Fees and Costs Award:** Up to 1/3rd of the total amount to Settlement Class Counsel, or \$26,250, for their attorneys’ fees and up to \$500 to reimburse the attorneys for the litigation costs they have incurred and will incur in representing Plaintiffs and the Settlement Class.
- **Settlement Administrator Costs Award:** Up to \$3,500 to the Settlement Administrator to mail and process responses to these notices, calculate and mail award checks and tax forms, and calculate and pay taxes on the wage portions of the award amounts payable to Settlement Class Members.

Distribution of Settlement Fund: Each Settlement Class Member who does not submit a valid and timely request for exclusion will automatically receive a settlement payment. Your settlement payment will be calculated based on an analysis of your alleged unpaid commissions based on records maintained by Defendant. The calculation of the settlement award for each individual Settlement Class Member will be based on the percentage relationship between the dollar value of the estimated alleged unpaid commissions and the aggregate dollar value of all estimated alleged unpaid commissions for all eligible Settlement Class Members during the Settlement Class Period. Checks will be mailed to eligible Settlement Class Members by the Settlement Administrator. If any checks have not been deposited within ninety (90) days after distribution, then such unclaimed funds will be distributed to the Legal Foundation of Washington and Northwest Justice Project. Defendant will not receive funds from any uncashed checks.

Tax Treatment of Settlement Awards: One-third (33.3%) of each eligible Settlement Class Member's award will be treated as wages and subject to normal tax withholding and shall be reported to the taxing authorities and the eligible Settlement Class Member on an IRS Form W-2. Two-thirds (66.7%) of each eligible Settlement Class Member's award will be treated as non-wages on which there will be no tax withholding and for which an IRS Form 1099 (marked "Other Income") shall be issued to the taxing authorities and the eligible Settlement Class Member. In addition to the funds Defendant is contributing to the Settlement described above, it is also paying all required employer-paid taxes on the wage portions of the settlement awards. Defendant's payment of these employer-paid taxes will not decrease the funds available to Settlement Class Members.

Release of Claims: Upon final approval by the Court, the Settlement Class and each Settlement Class Member who has not submitted a valid request to be excluded from the Settlement will irrevocably release Defendant and related entities from "any and all claims, debts, penalties, liabilities, demands, obligations, guarantees, costs, expenses, attorneys' fees, damages, liquidated or exemplary damages, punitive damages, losses, fines, liens, interest, restitution or other equitable relief, actions, or causes of action of whatever kind or nature, whether known or unknown, that were alleged in the Action or could have been alleged in the Action arising out of the facts or circumstances alleged in the Action through the Final Approval Date."

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.

8. How can I get a payment?

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

9. When would I get my payment?

The Court will hold a hearing on December 4, 2023 to decide whether to finally approve the Settlement. If the 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 <https://www.rekhiwolk.com/class-actions/avvo/>. If there is no appeal, we expect payments will go out in approximately November 2023. Please be patient.

10. Do I have a lawyer in this case?

The Court has decided that lawyers from the law firm of Rekhi & Wolk, P.S., are qualified to represent you and all Settlement Class Members. These lawyers are called "Settlement Class Counsel." You will not be charged for these lawyers. 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?

As indicated above, Settlement Class Counsel will seek payment of their attorneys' fees not to exceed 1/3rd of the Settlement Proceeds and reimbursement for their litigation costs, which must be approved by the Court as part of the final approval of the Settlement. Settlement Class Counsel have been working on this case for over a year and have 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 October 23, 2023. You may be excluded as a member by submitting a written request stating, "I request that I be excluded from the Class in the case of Rodriguez and Mandeem v. Avvo, Inc." The request must include your name, address, and signature. You must mail the letter to the Settlement Administrator at the following address postmarked no later than October 23, 2023:

ILYM Group, Inc.
P.O. Box 2031
Tustin, CA 92781
Telephone: (888) 250-6810

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 Section 7, above. This means you will retain the right at your own expense to pursue any claims you may have against Defendant.

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

If you are a Settlement Class Member, have not excluded yourself from the Settlement, and do not like the Settlement or fee request, 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, *Rodriguez and Mandeem v. Avvo, Inc.*, the reasons you object, and a signature. You must mail a copy of the objection to the following address **postmarked no later than October 23, 2023 to:**

ILYM Group, Inc.
P.O. Box 2031
Tustin, CA 92781
Telephone: (888) 250-6810

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

The Court will hold a Fairness Hearing at 9: a.m. on December 4, 2023, at King County Superior Court at 401 4th Ave. N, Room 2D, Kent, WA 98032 and/or via video conference.

If there are objections, the Court will consider them. Judge Matthew Segal will listen to people who ask to speak at the hearing (see Section 16). At or after the hearing, the Court will decide whether to finally approve the Settlement, including Settlement Class Counsel's request for attorneys' fees, costs, Settlement Administration Expenses, and Service Awards for the named Plaintiffs. We do not know how long that decision will take.

15. Do I have to come to the hearing?

No. Settlement Class Counsel will answer any questions Judge Segal 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. If you mailed your written objection 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 notice to the Court saying it is your "Notice of Intention to Appear in *Rodriguez and Mandeem v. Avvo, Inc.*, King County Superior Court Civil Case No. 22-2-13159-4 SEA." Be sure to include your name, address, phone number, and signature. Your Notice must be **postmarked no later than October 23, 2023**, and be sent to the Court, Settlement Class Counsel, and Defendant's Counsel at the three addresses set forth below:

COURT	SETTLEMENT CLASS COUNSEL	DEFENDANT'S COUNSEL
Hon. Matthew Segal King County Superior Court 401 4th Ave. N, Room 2D, Kent, WA 98032	Gregory A. Wolk Rekhi & Wolk, P.S. 529 Warren Ave. N., Ste. 201 Seattle, Washington 98109	Breanne S. Martell Littler Mendelson, P.C. 600 University St., Suite 3200 Seattle, Washington 98101

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 Section 7, above.

18. Are there more details about the Settlement?

This Notice summarizes the proposed Settlement. More details are posted at <https://www.rekhiwolk.com/class-actions/avvo/>. Plaintiffs' motion for final approval will be available to review on November 20, 2023 at the same url. Please contact Settlement Class Counsel with any questions at 206-388-5887.