

SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

If you worked for VR Ventures LLC, d/b/a Huntington Learning Center of Bellevue between March 31, 2018 and April 19, 2022, a Class Action Settlement may affect your rights.

A Court authorized this notice. This is not a solicitation from a lawyer. Please read this notice carefully

- This notice provides information about a proposed Class Action Settlement of a lawsuit brought by a former tutor (Plaintiff Adam Robinson) against VR Ventures, LLC d/b/a Huntington Learning Center of Bellevue (“Defendant” or the “Company”), claiming that the Defendant failed to provide adequate meal and rest breaks and did not pay tutors for all hours they worked, including time they allegedly spent working before and after scheduled tutoring sessions.
- Defendant denies any wrongdoing and denies all the allegations in the Lawsuit. Defendant resolved this Lawsuit as a business decision to avoid the risk, cost, and inconvenience of a trial.
- Plaintiff and Defendant (the Parties in the Lawsuit) have reached a proposed Settlement and presented it to the Court for approval. If the Settlement is approved, Defendants will pay \$200,000 to cover: payments to Class Members for wages, interest, and exemplary damages; payment to the Plaintiff for his efforts in bringing the Lawsuit; attorneys’ fees and costs, and Settlement administration fees and costs.

SUMMARY OF YOUR RIGHTS AND OPTIONS

DO NOTHING

If you do nothing, you will be eligible to participate in the Settlement and receive a payment out of the Settlement Fund.

OBJECT TO THE SETTLEMENT

If you don’t like the Settlement or don’t want it to be approved, you can file an objection and tell the Court why. If the Court approves the Settlement anyway, you will be bound by it.

1. Why am I getting this notice?

You are receiving this notice because you have been identified as a Class Member in the Lawsuit filed against Defendant. The purpose of this Notice is to advise you that the Parties have reached a proposed Settlement of the claims in this Lawsuit and to inform you of the options you have regarding the Lawsuit and the proposed Settlement.

2. What is this lawsuit about?

Adam Robinson (Plaintiff) is a former employee of Defendant. Plaintiff alleges that Defendant failed to provide him and other tutors with adequate meal and rest breaks and did not pay wages for all hours worked, including time allegedly spent working before and after scheduled tutoring sessions. The Lawsuit is called: *Robinson v. VR Ventures, LLC d/b/a Huntington Learning Center of Bellevue* (Case Number 21-2-04224-1 SEA).

Defendant denies all allegations in the Lawsuit and denies any wrongdoing. It agreed to settle the case as a business decision to avoid the costs associated with further litigation.

3. What is a Class Action and who represents the Class?

A “Class Action” is a lawsuit where one or more individuals bring claims on behalf of a group of similarly situated “Class Members.” Plaintiff brought this Lawsuit on behalf of himself and the other tutors employed by Defendant.

Judge Elizabeth Berns of the King County Superior Court granted Class Certification in this case on April 29, 2022. She appointed Carson Phillips-Spotts and Adam Berger of the law firm Schroeter Goldmark & Bender as attorneys for the Class and approved Plaintiff Adam Robinson to serve as the representative of the Class.

4. Am I a Class Member?

In this case, the Court certified a Class consisting of:

All current and former tutors who worked for Defendant VR Ventures LLC d/b/a Huntington Learning Center of Bellevue in Washington State at any time between March 31, 2018, and April 19, 2022 (the “Class Period”).

5. Who is NOT included in the Class?

You are NOT a Class Member if you did not work in Washington State as a tutor for Defendant during the Class Period. You are NOT a Class Member if you already requested to be excluded from this case.

6. What are the reasons for the proposed Settlement?

The Parties to the Lawsuit exchanged time and pay records, interviewed witnesses, conducted depositions, researched the law, filed motions with the Court, and hired a neutral mediator to assist in Settlement discussions.

Plaintiff and his attorneys have determined that the proposed Settlement is fair and reasonable and in the best interests of the Class after having considered many factors, including the expense, uncertainty, and delay of further litigation and trial.

Defendant has concluded that further litigation of the Lawsuit would be burdensome, expensive, and time-consuming. While it does not admit to any wrongdoing, it has agreed to the terms of Settlement to fully resolve the claims against it.

7. What are the terms for the proposed Settlement?

The following is a summary of the terms of the proposed Settlement. A complete copy of the Settlement Agreement is on file with the Clerk of the Court at the King County Superior Court.

Defendants agree to pay a total amount of **\$200,000** (the Settlement Fund) to cover the following:

- **Settlement Class Payments.** The Net Settlement Fund, after deduction of any attorneys’ fees and costs, Class Representative award, and settlement administration costs approved by the Court, will be distributed *pro rata* among Class Members based on their wage rates and the number and length of tutoring sessions that they worked during the Class Period. Plaintiff estimates that the average recovery per Class Member would be approximately \$785, but individual awards will vary greatly depending on the number and length of tutoring sessions worked by the individual Class Member. Individual Settlement awards will be split evenly between back wages, which will be reported on an IRS Form W-2 and subject to payroll taxes and tax withholding, and interest and penalties, which will be reported on an IRS Form 1099 and not be subject to payroll taxes. Class Members will not need to submit any claim form to receive their Individual Settlement payments.

- **Attorneys' Fees and Costs.** Subject to Court approval, Plaintiff's attorneys will be paid 25% of the Settlement Fund (\$50,000) as fees, plus out-of-pocket costs of approximately \$29,000. Plaintiff's attorneys have been working on this matter since March 2021, and will continue to work on this case through its completion and have not yet received any compensation for their services.
- **Class Representative Awards.** Subject to Court approval, Plaintiff Adam Robinson will be paid an incentive award of \$2,500 from the Settlement Fund, in addition to his *pro rata* individual settlement award, in recognition for his service to the Class and efforts in serving as the Class Representative.
- **Settlement Administrator Fees.** ILYM Group, an experienced Settlement Administrator, will be paid a maximum of \$8,500 from the Settlement Fund to handle Settlement logistics, such as issuing and mailing checks to each Class Member.

8. What is the legal effect of the Settlement?

If the Court approves the Settlement, the Court will enter a final order dismissing the Lawsuit, which means the claims will be permanently dismissed. Additionally, Defendant will be "released" from meal and rest break-related claims and claims for unpaid off-the-clock time that were or could have been brought in the Lawsuit for the period March 31, 2018, through December 31, 2022, as set forth in provision 11 of the Parties' Settlement Agreement.

9. What do I need to do to take part in the Settlement?

If you want to participate in the Class Action Settlement, you are not required to do anything. If the Court approves the Settlement at a final hearing, you will receive a payment. However, you should notify the Settlement Administrator of any change in your address before you receive your Settlement payment.

10. Can I participate in the Settlement, but object to a term of the Settlement?

Yes, you can participate in the Settlement, but still object to some aspect or term of the Settlement. However, if you wish to do so, you must submit a written objection to the Clerk of the Court by April 28, 2023. You must also serve a copy of your written objection to:

Carson Phillips-Spotts/Adam Berger
Re: Robinson v. VR Ventures
Schroeter Goldmark & Bender
401 Union Street, #3400
Seattle, WA 98101
email: dardeau@sbg-law.com; phone: 206-622-8000

Any written objection to the Settlement must contain your name, current address, telephone number, email address, and the substance of your objection(s). If you file a timely objection, you may appear in person at the final hearing (date below) to explain any objection(s). You may hire an attorney at your own expense to represent you at this hearing if you choose. Only Class Members who object to the proposed Settlement according to these procedures will be permitted to appeal any decision by the Court related to the Settlement. Class Members who fail to present objections to the proposed Settlement in the manner outlined here shall be deemed to have waived any such objections.

11. When will the Court decide whether to approve the Settlement?

On July 14, 2023, at 9:00 a.m., at the King County Superior Court located at Maleng Regional Justice Center, Kent, Washington, the Court will conduct a hearing to determine whether the proposed Settlement is fair, adequate and reasonable, and should receive final approval. The date and time of the Final Settlement Approval Hearing is subject to change without further notice.

Please note: you are **not** required to appear at any Court hearing to participate as a Class Member or to receive payment.

12. How can I obtain more information?

DO NOT CONTACT THE COURT, THE JUDGE, OR THE DEFENDANT'S ATTORNEYS WITH INQUIRIES.

Any questions you have concerning this Notice or any changes of name or address may be directed to:

The Settlement Administrator: ILYM Group, Inc. email: claims@ilymgroup.com or phone: (888) 250-6810

More details and a full copy the Settlement Agreement are available at this website www.ilymgroup.com/VRVentures. You may also review and copy pleadings and other records in this litigation at any time during regular office hours at the Office of the Clerk, King County Superior Court, 516 Third Avenue, Seattle, WA 98104.