

October 1, 2024

<<EmployeeName>>

<<Address1>> <<Address2>>

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

**Re: Payment – Diana Smyth v. Monique Lhuillier**

Dear <<EmployeeName>>:

Enclosed you will find a check made payable to you. This is your payment from the settlement of the lawsuit entitled Diana Smyth v. Monique Lhuillier, Inc., Los Angeles Superior Court Case No. 23STCV04016. This settlement has been reviewed by the Los Angeles Superior Court and was approved on August 19, 2024.

**The enclosed check must be cashed within 180 days of the issuance date listed on the check. If the check is not cashed within 180 days of the issuance date listed on the check, it will be cancelled and void.**

The lawsuit was filed against Monique Lhuillier, Inc. (“Monique Lhuillier”) pursuant to the California Private Attorneys General Act of 2004, Cal. Lab. Code § 2698 et seq. (“PAGA”), claiming in part that Monique Lhuillier owes penalties under PAGA for alleged labor standards violations, including violations listed below. The claim was brought on behalf of the State of California and “aggrieved employees” of Monique Lhuillier. For the purposes of this settlement, “aggrieved employees” means all non-exempt employees who worked for Monique Lhuillier in California from December 20, 2022 to April 22, 2024, and who received one or more wage statement during that time. You have been identified as one of the employees entitled to receive payment pursuant to this settlement. This payment is being made to you in exchange for a release of claims during the time period of December 20, 2022 to April 22, 2024 for:

Labor Code § 2699, et seq., including in particular: (1) all PAGA penalties, under any legal theory of liability, for failure to provide meal periods and/or the failure to properly calculate and pay any premiums owed and/or paid pursuant to California *Labor Code* sections 226.7 and 512 and the IWC Wage Orders; (2) all PAGA penalties, under any legal theory of liability, for failure to provide rest periods and/or the failure to properly calculate and pay any premiums owed and/or paid pursuant to California *Labor Code* sections 226.7 and 512 and the IWC Wage Orders; (3) all PAGA penalties, under any legal theory of liability, for the failure to pay minimum wage pursuant to California *Labor Code* sections 510, 1194, 1197, and 1198, the IWC Wage Orders, or any comparable federal statute under any theory of liability; (4) all PAGA penalties, under any legal theory of liability, for the failure to pay overtime or double time wages owed pursuant to California *Labor Code* sections 510, 1194, and 1198, the IWC Wage Orders, or any comparable federal statute under any theory of liability; (5) all PAGA penalties, under any legal theory of liability, for any penalties of any kind arising from an alleged failure to pay final wages or other amounts allegedly owed pursuant to California *Labor Code* sections 201-206; (6) all PAGA penalties, under any legal theory of liability, for any penalties of any kind arising from any alleged wage statement violations pursuant to California *Labor Code* sections 226 and 226.3; (7) all PAGA penalties, under any legal theory of liability, for any penalties of any kind arising from any alleged failure to maintain required records pursuant to California

*Labor Code* sections 212, 226, 1174, and 1174.5, and the IWC Wage Orders; (8) all PAGA penalties, under any legal theory of liability, for failure to reimburse reasonable business expenses pursuant to California *Labor Code* section 2802; and (9) all PAGA penalties, under any legal theory of liability, for failure to maintain a written commission agreement pursuant to California *Labor Code* section 2751.

This release applies only to claims for civil penalties under PAGA. You have no right to opt out of this settlement and you are bound by this release regardless of whether you negotiate the check enclosed herein.

**BY CASHING THIS CHECK, YOU ARE NOT GIVING UP ANY RIGHT TO  
SUE FOR ANY ALLEGED GRIEVANCES THAT YOU  
HAVE AGAINST MONIQUE LHUILLIER, INC. AND ITS AFFILIATES**

Monique Lhuillier denies all claims raised in the lawsuit, denies that it did anything wrong, and denies that it owes any penalties. However, the parties agreed to resolve the lawsuit in order to avoid the time and expense of litigation.

The total settlement amount is \$50,000.00, and the following deductions were made from the total settlement amount: (1) attorneys' fees in the amount of \$19,000; (2) litigation costs in the amount of \$500; and (3) \$5,500 to CPT Group for the cost of settlement administration. Under the PAGA statute, the amount remaining after the above deductions (equal to \$25,000) is divided between the State (75%, equal to \$18,750) and the employees (25%, equal to \$6,250). The 25% distributed to employees was calculated based on each employee's respective number of pay periods worked for Monique Lhuillier from December 20, 2022 to April 22, 2024. The enclosed check represents your portion of the settlement allocated to the employees.

**In cashing the check, you assume full responsibility and liability for any related taxes.**

As a result of the settlement described in this letter, you are deemed to release with prejudice, on behalf of yourself and any former and present spouses, representatives, agents, attorneys, heirs, administrators, successors, and assigns, any and all claims arising under PAGA that could have been made in the broadest sense based on the allegations pled in the Operative Complaint or the PAGA Notice for any violation of Labor Code §§ 226 and 226.3. This release covers the entire PAGA Period (December 20, 2022 to April 22, 2024).

To the extent legally required, CPT Group has posted on its website [www.cptgroupcaseinfo.com/MoniqueLhuillierSettlement](http://www.cptgroupcaseinfo.com/MoniqueLhuillierSettlement) the Operative Complaint, Notice to Aggrieved Employees, and Order and Judgment in this case.

You do not have the right to opt out of this settlement.

If you have any questions, you can contact the claims administrator: CPT Group at 1(888) 825-6104

Very Truly Yours,