

Flex-N-Gate/Ventra Overtime Settlement

**NOTICE OF PROPOSED COLLECTIVE/CLASS ACTION SETTLEMENT
AND FAIRNESS HEARING**

A court authorized this notice. This is not a solicitation from a lawyer.

TO: Current and former hourly production Employees of Defendants Flex-N-Gate, LLC; Flex-N-Gate Royal Oak Corp.; Flex-N-Gate Royal Oak, LLC; Ventra Evart, LLC; and Ventra Salem, LLC (“Defendants”) who worked at the following locations of Defendants or affiliated entities: Ada, Oklahoma; Chicago, Illinois; Covington, Indiana; Evart, Michigan; Royal Oak, Michigan; Salem, Ohio; Sandusky, Ohio; Troy, Michigan; and Grand Rapids, Michigan, who worked forty (40) or more hours in at least one workweek from August 8, 2022, to February 25, 2026 (“Release Period”), and have not already joined this case by filing a consent to join form.

- **PLEASE READ THIS NOTICE IN FULL.** *You are entitled to money from this Settlement.* A settlement in a class action lawsuit may affect your rights. You may be entitled to a payment from the settlement. *You do not need to do anything to receive a payment so long as your contact information is correct.*
- Former employees, Calib Gray, Lorenzo Frederick, Stacy Davidson, Yvonne Thompson, Dwayne Lanfair, Tonya Randleman, Emma Sotelo, and Caesha Suggs (“Plaintiffs”), sued Defendants claiming that Defendants failed to properly pay them and similarly situated employees (the “Lawsuit”). Defendants deny these allegations and believe that they paid all of their employees for all time worked.
- The Parties agreed to this proposed settlement (“Settlement”) to avoid the burden, expense, inconvenience, and uncertainty of litigation. The Court preliminarily approved this settlement, but the Court has not made any ruling on the merits of the Plaintiffs’ claims, and no party has prevailed in this action. The Court in charge of this case still has to decide whether to finally approve the settlement. Payments will only be made if and when the Court grants final approval of the Settlement and after any appeals are resolved, if any. Please be patient.
- You have received this Notice because Defendants’ records indicate you fit the definition above and are eligible to participate in the Settlement. If you do not exclude yourself and the Court grants final approval of the Settlement, you will receive a payment by mail of *at least* the amount shown below. ***If you take the additional step of completing, signing, and timely returning the enclosed Claim Form and Release, you will receive an increased settlement award.*** In either case, the settlement payment you receive as a participating member in the Settlement will be based on the number of weeks you worked during the Release Period.

<i>Your Estimated Minimum Settlement Award Before Taxes</i>

1. WHAT IS THE PURPOSE OF THIS NOTICE?

This Notice explains the terms of the Settlement, your rights, and what claims are being released by participating in the Settlement. You are receiving this notice because Defendants identified you as being eligible to participate in the Settlement.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:

DO NOTHING	<p><u>You will receive the minimum settlement award.</u></p> <p>You will be eligible for settlement award of no less than the amount described above, and you will be bound by the release of claims described in Section 9 of this Notice. The final settlement award amount will be calculated based upon the number of individuals who complete the Claim Form and Release and qualify for an elevated settlement award but, in no case, will be less than the amount identified above.</p>
RETURN THE CLAIM FORM AND RELEASE	<p><u>You will receive an increased settlement award.</u></p> <p>By timely signing and returning a properly completed Claim Form and Release, you will receive an elevated settlement award. The amount your settlement award will be increased by is based upon the total number of individuals who complete the Claim Form and Release but, in all cases, will result in double the amount you would have received if you had not completed the Claim Form and Release.</p> <p><i>You must timely return a properly completed Claim Form and Release postmarked, emailed, or faxed by August 7, 2026, in order to receive an increased settlement award.</i></p>
OPT OUT	<p><u>You will receive no settlement award.</u></p> <p>You are not obligated to participate in the Settlement. If you timely submit the enclosed Election to Opt Out of Settlement and Class Action Form as described in Section 6 of this Notice, you will not receive any payment or other benefits of the Settlement, and you will not be bound by the release of any of the claims described in Section 9 of this Notice.</p>
OBJECT	<p><u>You will receive the minimum settlement award.</u></p> <p>You can 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 Case. You can only object if you do NOT ask to be excluded.</p>
GO TO A HEARING	<p><u>You will receive the minimum settlement award.</u></p> <p>You can attend the Final Fairness Hearing and 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 Case.</p>

2. WHAT DOES THE SETTLEMENT PROVIDE?

The total settlement amount is \$3,000,000.00, this includes approximately **10,967** (plus/minus 5%) other collective/class members like yourself, inclusive of Plaintiffs and the approximately **22** individuals who have already joined the case pursuant to the Fair Labor Standards Act (FLSA). This amount covers all settlement payments to individuals in the FLSA collective and the other Rule 23 class members, such as yourself. It also covers Service Awards of \$7,500 to each of the Plaintiffs for their services in bringing and prosecuting the matters and in obtaining this settlement, and \$500 payments to Opt-in Plaintiffs who completed written discovery in preparation for mediation. The total settlement amount also covers attorneys' fees up to one-third (1/3) of the Settlement fund, plus reimbursement of costs, of, and the costs of settlement administration.

3. HOW MUCH MONEY WILL I GET AND HOW WAS IT CALCULATED?

If the settlement is approved, the Settlement Administrator will deduct from the settlement fund the amounts needed to cover approved attorneys' fees, costs, settlement administration expenses, Service Awards, and discovery payments, and pay collective and class members from the remaining "Net Settlement Fund."

The allocation formula preliminarily approved by the Court takes into account the number of weeks you worked during the Release Period compared to the total number of weeks worked by all Eligible Settlement Participants during the Release Period, with those that submit the Claim Form and Release receiving twice the pro rata share of those that do not. The Settlement Agreement contains the exact allocation formula. You may obtain a copy of the Settlement Agreement by following the instructions in Section 14 below.

Based on the allocation formula that has been preliminarily approved by the Court, if the Court grants final approval of the Settlement and you do not exclude yourself and participate in the Settlement, you will receive a settlement award of at least \$ _____. The final amount of your settlement award will not be calculated until after August 7, 2026. While your final settlement award may be higher than this amount, in no circumstances will you receive less than this amount absent a decision on your part to submit a timely opt-out notice as described in Section 6 of this Notice.

- *If you take no further action*, this amount may be increased based on the number of individuals who do not submit a Claim Form and Release within the allocated timeframe.
- *If you take the additional step of completing, signing, and timely returning the enclosed Claim Form and Release postmarked, emailed, or faxed by August 7, 2026*, you will receive an additional amount equal to the settlement award you would have otherwise received. In other words, ***by completing the Claim Form and Release, you will receive double the standard settlement award amount.***

Of the payment, half will be considered wages and taxes will be withheld, which will be reported on IRS Form W-2, and the other half will be considered non-wages, with no taxes withheld, and reported on IRS Form 1099. Please consult your tax advisor or accountant regarding the taxability of this settlement payment. Class Counsel and Defendants' Counsel make no representations regarding the taxability of your settlement payment.

Payment will only be made if the Court finally approves the settlement, so we do not know when checks will be sent to you.

Checks that are not cashed within 180 days of issuance will be null and void, and such funds will be returned to Defendants.

4. HOW DO I GET MY PAYMENT?

To participate in the Settlement and receive a standard settlement payment, ***you do not have to do anything in response to this Notice.***

If the Court grants final approval of the Settlement and you do not submit an Election to Opt Out of Settlement and Class Action Form (described in Section 6 below), you will be bound by the release of claims described in Section 9 below, and you will receive in the mail a settlement check for approximately \$ _____ representing your share of the settlement fund. Also, and as mentioned above, if you take the additional step of completing, signing, and timely returning the enclosed Claim Form and Release postmarked, emailed, or faxed by August 7, 2026, you will receive the previously described increased settlement award.

5. WHAT IF MY NAME OR ADDRESS CHANGES?

If, for future reference and mailings from the Court or Settlement Administrator, you wish to change the name or address listed on the envelope in which the Notice was first mailed to you, then you must fully complete, execute, and mail the Change of Name and/or Address Information Form (enclosed with this Notice).

6. HOW CAN I OPT OUT OF THE SETTLEMENT?

If you do not want to participate in the Settlement and wish to retain your right to pursue your own independent action, you must complete and mail the enclosed Election to Opt Out of Settlement and Class Action Form to the Settlement Administrator. The Settlement Administrator is Analytics Consulting LLC. Forms sent to the Settlement Administrator should be addressed to the Settlement Administrator as set forth in Section 14 below.

In order to be valid, your completed Election to Opt Out of Settlement and Class Action Form must be postmarked no later than August 7, 2026. If you timely submit an Election to Opt Out of Settlement and Class Action Form, you will not be eligible to receive any of the benefits under the Settlement. You will, however, retain whatever legal rights you may have against Defendants with regard to all of the released claims described below.

7. WHAT IF I HAVE AN OBJECTION TO THE SETTLEMENT?

If you do not request exclusion from the Settlement but believe the proposed Settlement is unfair or inadequate in any respect, you may object to the Settlement by filing a written objection with the Court and mailing a copy of your written objection to the Settlement Administrator, which shall be postmarked no later than the Opt Out Response Deadline.

All objections must be signed and include your address, telephone number, and the name of the Lawsuit. Your objection should clearly explain why you object to the proposed Settlement and must state whether you or someone on your behalf intends to appear at the Final Approval/Fairness Hearing. The written objection must include: (i) your full name, address, and telephone number; (ii) your dates of employment with Defendants and job title(s) while there; (iii) a written statement of all grounds for the objection, accompanied by any legal support for such objection; (iv) copies of any papers, briefs, or other documents upon which the objection is based; (v) a list of all persons who will be called to testify in support of the objection; and (vi) a statement whether you intend to appear at the Fairness Hearing. If you intend to appear at the Fairness Hearing through counsel, the objection must also state the identity of all attorneys representing you who will appear at the Fairness Hearing. All objections must be filed with the Court, received by the Settlement Administrator, and postmarked by no later than August 7, 2026.

An objector has the right to appear in person at the Fairness Hearing (explained in Section 10 below), but is not required to do so in order to have their objections considered by the Court. If you submit a timely objection, you may appear, at your own expense, at the Final Approval Hearing, discussed below.

Anyone who does not object in the manner described above shall be deemed to have waived any objections, and shall forever be foreclosed from objecting to the fairness or adequacy of the proposed Settlement, the payment of attorneys' fees, litigation costs, the Service Awards to the Plaintiffs, discovery payments, the claims process, and any and all other aspects of the Settlement. Likewise, regardless of whether you attempt to file an objection, you will be deemed to have released all of the Released Claims as set forth in Section 9 unless you request exclusion from the Settlement in accordance with this Notice.

8. WHAT'S THE DIFFERENCE BETWEEN OPTING OUT AND OBJECTING?

Objecting is telling the Court that you do not like something about the Settlement and asking the Court not to approve the Settlement. You can object only if you do not opt out of the Settlement. Opting out is telling the Court that you do not want to participate in the Settlement. If you exclude yourself, you have no basis to object because the case no longer affects you. If you submit both an objection and an exclusion request, the Settlement Administrator will attempt to contact you to determine whether you intended to object or exclude yourself.

9. WHAT CLAIMS AM I RELEASING BY PARTICIPATING IN THE SETTLEMENT?

If you do not request exclusion from the Settlement, you will be deemed to have agreed to participate in the Lawsuit and Settlement, in which case you release Defendants from for any applicable Federal or State (Illinois, Indiana, Michigan, Ohio, or Oklahoma) and/or local wage-and-hour claims, including unpaid wages, unpaid overtime compensation, liquidated damages, interest, attorneys' fees and expenses under the FLSA and applicable state and/or local laws for the Release Period.

10. WHEN IS THE FAIRNESS HEARING?

A hearing before the Court will be held on August 17, 2026, at Court of Common Pleas, Stark County, 115 Central Plaza N, Canton, OH 44702 (the "Fairness Hearing"). The Fairness Hearing may be rescheduled and/or converted to telephonic or video hearing without further notice to Class Members. Therefore, if you wish to attend, you should confirm hearing details with Class Counsel, as outlined in this notice. The purpose of this hearing will be for the Court to determine whether the Settlement is fair, adequate, and reasonable and if it should be approved by the Court. The Court will take into account any objections filed in accordance with the procedures described above.

11. WHEN WILL I GET MY PAYMENT?

Payment will be issued after the Fairness Hearing and final approval, which will take some time, so please be patient.

12. DO I HAVE TO COME TO THE HEARING?

No. Class Counsel will answer questions the Court may have. But you are welcome to come at your own expense. If you send an objection, you do not have to come to Court to talk about it. As long as you returned your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but it is not necessary.

13. DO I HAVE A LAWYER IN THIS CASE AND HOW WILL THEY BE PAID?

The Court has decided that the lawyers at Nilges Legal Group LLC are qualified to represent you and all individuals covered by this Settlement. These lawyers are “Class Counsel.” You will not be charged for these lawyers because their fees and costs will be paid from the Global Settlement Fund as approved by the Court. These fees would compensate Class Counsel for investigating the facts, litigating the case, and negotiating the Settlement. Class Counsel will also ask the Court to approve payment for their out-of-pocket costs. You do not need to retain your own attorney to participate in this Settlement. Class Counsel’s information is: Nilges Legal Group LLC, 7034 Braucher St. NW, Ste. B, North Canton, OH 44720, www.ohlaborlaw.com.

14. WHAT IF I HAVE QUESTIONS OR WANT TO EXAMINE COURT RECORDS?

This Notice does not contain all of the terms of the proposed settlement or all of the details of these proceedings. For more detailed information you can contact the Settlement Administrator at:

Flex N Gate Wage Settlement Administrator
P.O. Box 2007
Chanhassen, MN 55317-2007
844-965-2441
FlexNGateCase@noticeadministrator.com
www.FlexNGateWageSettlement.com

More details are in the Settlement Agreement. You are encouraged to read it. To the extent there is any inconsistency between this Notice and the Settlement Agreement, including between the description of the releases as provided in Section 9 above and the description of the releases as provided in the Settlement Agreement, the provisions in the Settlement Agreement control. You may obtain a copy of the Settlement Agreement by contacting the Settlement Administrator or Class Counsel, above.

You may also examine the court records in-person at the Clerk’s Office located at the Court of Common Pleas, Stark County, 115 Central Plaza North, Suite 101, Canton, OH 44702.

Please do not contact the Court about this Notice.