## IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

\(\left.$$
\begin{array}{|l|c|}\hline \begin{array}{l}\text { In re: } \\
\text { FIRST GUARANTY MORTGAGE CORP., et al., }\end{array} & \begin{array}{c}\text { Chapter 11 } \\
\text { Debtors. }\end{array}\end{array}
$$ \begin{array}{c}Bankr. Case No. 22-10584 (CTG) <br>

(Jointly Administered)\end{array}\right]\)| LORI BUCKLEY, GAYLE ZECH, ROBERTA <br> MARTINEZ, JENNIFER JACKSON and <br> JAMESDAVIES, on behalf of themselves and all <br> others similarly situated, |
| :--- |
| v. Plaintiffs, |
| FIRST GUARANTY MORTGAGE CORP., et al. <br> Defendants. |

## ORDER APPROVING STIPULATION TO CERTIFY CLASS AND GRANTING RELATED RELIEF

AND NOW, upon certification of counsel, and upon consideration of the Stipulation to Certify Class (the "Stipulation", Exhibit "A" hereto); and upon finding that the Stipulation should be approved and that the proposed, stipulated class meets the requirements of Fed. R. Civ. P. 23(a) and (b) and Rule 23(b)(3), as made applicable by Fed. R. Bankr. P. 7023, it is hereby

ORDERED that the Stipulation is HEREBY APPROVED; and it is
FURTHER ORDERED that a class (the "Class") is certified comprised of:
Those 425 employees of First Guaranty Mortgage Corporation ("FGMC") specified by individual name and employee number on Schedule 1 to the Stipulation who reported to FGMC's Plano, Texas facility and were involuntarily separated from employment on June 24, 2022, but excluding any such individuals who timely elect to opt out of the Class; and it is

[^0]FURTHER ORDERED that Raisner Roupinian LLP, Lankenau \& Miller LLP and The Gardner Firm, P.C. are hereby appointed Class counsel ("Class Counsel"); and it is

FURTHER ORDERED that Lori Buckley, Gayle Zech, Roberta Martinez, Jennifer Jackson, and James Davies are hereby appointed Class Representatives; and it is

FURTHER ORDERED that the proposed form of notice to the Class attached hereto as Exhibit "B" (the "Notice") is approved; and it is

FURTHER ORDERED that within ten (10) business days after the entry of this Order, FGMC shall provide Class Counsel with an electronic spreadsheet containing the names and last known addresses, as noted in FGMC's records, of the former employees reflected on Schedule 1 to the Joint Stipulation and encompassed by the Class as defined above; and it is

FURTHER ORDERED that on or before fifteen (15) business days after receipt from FGMC of the electronic spreadsheet containing the names and addresses of the Class members, Class Counsel, or their designee, shall provide notice of the pendency of the class action lawsuit by mailing the Notice via First Class postage prepaid, to all Class members at their last known addresses as noted in FGMC's records; and it is

FURTHER ORDERED that after such mailing, Class Counsel shall serve and file a sworn statement affirming compliance with this Order concerning the mailing of the Notice; and it is

FURTHER ORDERED that the deadline for any Class member to opt-out of the Class shall be 35 days from the date of mailing of the Notice; and it is

FURTHER ORDERED that after the opt-out deadline has expired, Class Counsel shall serve and file a sworn statement listing the names of any persons who have opted out of the Class; and it is

FURTHER ORDERED that Notice in compliance with this order is hereby found to be the best notice practicable under the circumstances and constitutes due and sufficient notice to all Class members in full compliance with the notice requirements of Fed. R. Civ. P. 23.

## AND IT IS SO ORDERED.

Dated: January 11th, 2023
Wilmington, Delaware


CRAIG T. GOLDBLATT UNITED STATES BANKRUPTCY JUDGE

## EXHIBIT "A" TO ORDER

## STIPULATION TO CERTIFY CLASS

## IN THE UNITED STATES BANKRUPTCY COURT <br> FOR THE DISTRICT OF DELAWARE

\(\left.$$
\begin{array}{|l|l|}\hline \text { In re: } & \\
\text { FIRST GUARANTY MORTGAGE CORP., et al, }{ }^{1}\end{array}
$$ \quad $$
\begin{array}{c}\text { Chapter 11 } \\
\text { Debtors. }\end{array}
$$ \quad \begin{array}{c}Bankr. Case No. 22-10584 (CTG) <br>

(Jointly Administered)\end{array}\right]\)| LORI BUCKLEY, GAYLE ZECH, ROBERTA |
| :--- |
| MARTINEZ, JENNIFER JACKSON and JAMES <br> DAVIES, on behalf of themselves and all others <br> similarly situated, <br> Plaintiff, |
| Adv. Pro. No. 22-50387-CTG |

## STIPULATION TO CERTIFY CLASS

Subject to the approval of the Court, the above-captioned Plaintiffs, Lori Buckley, Gayle Zech, Roberta Martinez, Jennifer Jackson, and James Davies, on behalf of themselves and all others similarly situated (collectively, "Plaintiffs"), together with First Guaranty Mortgage Corporation and Maverick II Holdings, LLC (collectively, the "Debtors" and together with Plaintiffs, the "Parties"), by and through their counsel, stipulate and agree as follows:

1. The Parties agree and stipulate to the certification of the following class:

Those 425 employees of First Guaranty Mortgage Corporation ("FGMC") specified by individual name and employee number on the attached and incorporated Schedule 1 who reported to FGMC's Plano, Texas facility and were involuntarily separated from employment on June 24, 2022 but excluding any such individuals who timely elect to opt out of the Class.

[^1]2. The Parties agree and stipulate that the Class described above (the "Class") meets the requirements of Fed. R. Civ. P. 23(a) and (b) and Rule 23(b)(3), as made applicable by Fed. R. Bankr. P. 7023.
3. The Parties agree and stipulate to the appointment of Plaintiffs Lori Buckley, Gayle Zech, Roberta Martinez, Jennifer Jackson, and James Davies as the Class Representatives to the Class.
4. The Parties agree and stipulate to the appointment of Raisner Roupinian LLP, Lankenau \& Miller LLP, and The Gardner Firm, P.C. as Class Counsel.
5. The Parties have also agreed to a proposed form of Order Approving Stipulation to Certify Class and Granting Related Relief (the "Proposed Order"), which is being submitted herewith under certification of counsel, and have further agreed to the form of Notice to the Class (the "Notice") is attached to the Proposed Order as Exhibit "B".
6. The Parties agree and stipulate that no later than ten (10) business days after entry of the attached Proposed Order, FGMC shall provide Class Counsel with an electronic spreadsheet containing the names and last known addresses, as noted in FGMC's records, of the former employees reflected on Schedule 1 hereto and encompassed by the Class as defined above.
7. Within fifteen (15) business days after receipt from FGMC of the electronic spreadsheet containing the names and addresses of the Class members, Class Counsel, or their designee, shall mail the Notice, First Class postage prepaid, to the proposed members of the Class at their last known addresses as noted in FGMC's records.
8. Class members who wish to opt-out of the Class must complete the opt-out form, included with the Notice, and must sign and mail that opt-out form according to the instructions contained in the Notice, so that it is received by René S. Roupinian of Raisner

Roupinian LLP, 270 Madison Avenue, Suite 1801, New York, New York 10016 by the optout deadline in the Class Notice, i.e., thirty-five (35) days after the date on which the class notice was mailed. All requests for exclusion received after that date will not be effective, and any person who sends a late request will be a member of the Class and will be bound in the same way and to the same extent as all other Class Members.
9. After such mailing, Class Counsel shall serve and file a sworn statement concerning the mailing of the Notice.
10. After the last date on which a Class member may timely opt-out, Class Counsel shall serve and file a sworn statement listing the names of any persons who have timely opted out of the Class.

STIPULATED AND AGREED this 10th day of January, 2023:

## /s/ Jack A. Raisner

RAISNER ROUPINIAN LLP
Jack A. Raisner
René S. Roupinian
270 Madison Avenue, Suite 1801
New York, New York 10016
Telephone: (212) 221-1747
Facsimile: (212) 221-1747
Email: rsr@raisnerroupinian.com
Email: jar@raisnerroupinian.com

## LANKENAU \& MILLER, LLP

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100 Church Street, 8th FL
New York, NY 10007
P: (212) 581-5005
F: (212) 581-2122
Email: stuart@lankmill.com

THE GARDNER FIRM, PC<br>Mary E. Olsen (OLSEM4818)<br>M. Vance McCrary (MCCRM4402)<br>182 St. Francis Street

Suite 103
Mobile, Alabama 36602
P: (251) 433-8100
F: (251) 433-8181
Email: molsen@thegardnerfirm.com
LOIZIDES, P.A.
Christopher D. Loizides (No. 3968)
1225 King Street, Suite 800
Wilmington, Delaware 19801
Telephone: (302) 654-0248
Facsimile: (302) 654-0728
E-mail: loizides@loizides.com

Attorneys for Plaintiffs and the stipulated Class

## AND

## PACHULSKI STANG ZIEHL \& JONES LLP

/s/ Mary F. Caloway
Laura Davis Jones (DE Bar No. 2436)
Timothy P. Cairns (DE Bar No. 4228)
Mary F. Caloway (DE Bar No. 3059)
919 North Market Street, 17th Floor
P.O. Box 8705

Wilmington, Delaware 19899 (Courier 19801)
Telephone: (302) 652-4100
Facsimile: (302) 652-4400
Email: ljones@pszjlaw.com
tcairns@pszjlaw.com
mcaloway@pszjlaw.com
-and -
DENTONS US LLP
Samuel R. Maizel (Pro Hac Vice)
Tania M. Moyron (Pro Hac Vice)
601 S. Figueroa Street, \#2500
Los Angeles, CA 90017
Telephone: (213) 623-9300
Email: samuel.maizel@dentons.com
tania.moyron@dentons.com
-and-
DENTONS US LLP
David F. Cook (DE Bar No. 6352)
1900 K Street, NW
Washington, DC 20006
Telephone: (202) 496-7500
Email: david.f.cook@dentons.com
Counsel for Debtors and Debtors in Possession

## Schedule 1 to Stipulation

Joint Stipulation to Certify Class

| Row Number | Employee Number | Employee Name |
| :---: | :---: | :---: |
| 1 | 101531 | Ali, Raza |
| 2 | 101724 | Allen, Georgia |
| 3 | 101614 | Allvin, Mahalakshmi |
| 4 | 999856 | Alonso, Rodney |
| 5 | 100832 | Alston, Melissa |
| 6 | 101773 | Alvarez Jr., Jose A. |
| 7 | 999024 | Alvarez, Latasha |
| 8 | 999093 | Alvarez, Samantha |
| 9 | 101743 | Andrus, Daniel C. |
| 10 | 101790 | Aranda, Carmen |
| 11 | 101780 | Atkins, Louann |
| 12 | 100447 | Baker, David M. |
| 13 | 100551 | Baker, Kenneth M. |
| 14 | 101686 | Banks, Trabein M. |
| 15 | 101867 | Barker, Natalia |
| 16 | 101669 | Barnes, Jeremy A. |
| 17 | 101796 | Barragan, Luis |
| 18 | 101740 | Barron, Selene |
| 19 | 101708 | Baskett, David |
| 20 | 101676 | Battis, Steve |
| 21 | 999893 | Batura, Leo |
| 22 | 101862 | Bazzi, Jessica |
| 23 | 101688 | Beaman, Susan M. |
| 24 | 101834 | Beaty, Richard |
| 25 | 999899 | Beesinger, Shane |
| 26 | 101484 | Bekkari, Manju |
| 27 | 100563 | Benedetti, Paul |
| 28 | 101691 | Benton, Shawndi N. |
| 29 | 100795 | Biehler, Lauren |
| 30 | 101784 | Bills Jr., Doug |
| 31 | 101440 | Black, Haley |
| 32 | 101712 | Blain, Christi R. |
| 33 | 101755 | Blake, Krystal R. |
| 34 | 998569 | Blake, Susan |
| 35 | 998416 | Bly, Bryce |
| 36 | 998419 | Bly, Eric |
| 37 | 101107 | Boensch, Joseph |
| 38 | 101850 | Boskofsky, Gordon C. |
| 39 | 999772 | Bowers, Jessie B. |
| 40 | 101641 | Boyer, Kimberly |
| 41 | 101666 | Bradley, John |
| 42 | 999828 | Brisbane, Alicia M. |
| 43 | 101037 | Bristow, Lynn T. |
| 44 | 101442 | Brooks, Chris |
| 45 | 101748 | Brown III, Douglas |
| 46 | 101136 | Brown, Angela A. |

Joint Stipulation to Certify Class

| Row Number | Employee Number | Employee Name |
| :---: | :---: | :---: |
| 47 | 100803 | Brown, Betty |
| 48 | 997597 | Brown, Janice |
| 49 | 101670 | Brown, Nicole |
| 50 | 101645 | Brown, Timothy R. |
| 51 | 998612 | Bruce, Harlan |
| 52 | 101178 | Buckley, Lori |
| 53 | 101846 | Burke, Timothy E. |
| 54 | 101797 | Campbell, Sonja |
| 55 | 101612 | Capitan, Leslie A. |
| 56 | 999312 | Cappello, James E. |
| 57 | 100849 | Caraccio, Anthony V. |
| 58 | 101709 | Careaga, Diego A. |
| 59 | 101706 | Careaga, Ian P. |
| 60 | 101672 | Carey, Christina R. |
| 61 | 100949 | Carlton, Tiffany |
| 62 | 101847 | Casanova, Lee Ann |
| 63 | 101835 | Casino, Melchor C. |
| 64 | 101639 | Cavender, Crystal |
| 65 | 101604 | Cequina, Phounsouk |
| 66 | 101555 | Cerrato, Freddy |
| 67 | 101615 | Challa, Madhava |
| 68 | 998349 | Chance, Paul |
| 69 | 100773 | Charles, Cyllanna |
| 70 | 999765 | Chavarria, Alex |
| 71 | 101777 | Clark, Josh |
| 72 | 101726 | Cleveland, Sharae L. |
| 73 | 101783 | Coleman Jr., Eric R. |
| 74 | 101750 | Coleman, Wileese |
| 75 | 101546 | Combs, Stacy |
| 76 | 101800 | Contreras, Ivory D. |
| 77 | 999842 | Cooper, Cathy |
| 78 | 101244 | Cox, Christopher D. |
| 79 | 101692 | Cox, Sarah |
| 80 | 101819 | Craft, Julia |
| 81 | 101613 | Crane, Peter |
| 82 | 101652 | Crawford I, Amberlee C. |
| 83 | 100881 | Creek, Peyton |
| 84 | 100524 | Culpepper, Travis |
| 85 | 100774 | Daniels-Price, Shelonda |
| 86 | 101377 | Daugherty, Jacob |
| 87 | 101274 | Dave, Sheena |
| 88 | 100717 | Davidson, Sherri L. |
| 89 | 101393 | Davies Jr., James H. |
| 90 | 100654 | Davis, Aaron |
| 91 | 101855 | Davis, Jeff T. |
| 92 | 101722 | Davis, Justin |


| Row Number | Employee Number | Employee Name |
| :---: | :---: | :---: |
| 93 | 998919 | Davis, Keith |
| 94 | 101636 | Davis, Keli |
| 95 | 101254 | Davis, Michael D. |
| 96 | 101544 | Day, Elizabeth |
| 97 | 101821 | Day, Kyle |
| 98 | 101252 | DeCaire, Rhiannon |
| 99 | 999870 | Dehr, William |
| 100 | 101376 | DeLeo, Joseph |
| 101 | 101849 | Diaz, Damaso |
| 102 | 101667 | Diaz, Sonja |
| 103 | 101782 | Dick, Jonathan |
| 104 | 101494 | Dobynes, Paul |
| 105 | 999515 | Donnan, Terri L. |
| 106 | 101864 | Dousa, Gregory |
| 107 | 100451 | Downs, Vanessa C. |
| 108 | 101425 | Draper, Judd |
| 109 | 998325 | Dues, Regina N. |
| 110 | 101232 | Duffek, Sharon L. |
| 111 | 100430 | duFief, Claire |
| 112 | 101785 | Dunbar, Daniel D. |
| 113 | 998154 | Durand, Jessica |
| 114 | 100857 | Eerdmans, Melinda |
| 115 | 100435 | Eiring, Jeffrey R. |
| 116 | 998450 | Elkin, Darcy J. |
| 117 | 101707 | Ellis III, Griffith T. |
| 118 | 999006 | Esfahani, Farhang |
| 119 | 101430 | Esposito, Janis E. |
| 120 | 101807 | Esquivel, Candace C. |
| 121 | 101776 | Estala, Billy F. |
| 122 | 101804 | Estrada, Jennifer L. |
| 123 | 999139 | Evans, Van |
| 124 | 101869 | Exley, Ellen K. |
| 125 | 100782 | Fabus, Michelle |
| 126 | 101701 | Farley, Kimberly A. |
| 127 | 101698 | Farley, Megan |
| 128 | 101711 | Fernandez, Cindy |
| 129 | 101749 | Ferrante, Deborah W. |
| 130 | 101631 | Figueroa, David |
| 131 | 101758 | Figueroa, Mario |
| 132 | 101866 | Finlayson, Rufus |
| 133 | 999358 | Fishburn III, Ralph T. |
| 134 | 101818 | Flores, Nicholas |
| 135 | 101808 | Floyd, Aston |
| 136 | 100724 | Fox, Ralph |
| 137 | 100854 | Franklin, Erica S. |
| 138 | 100253 | Funderburg, Samantha |


| Row Number | Employee Number | Employee Name |
| :---: | :---: | :---: |
| 139 | 101801 | Funk, Amy M. |
| 140 | 100114 | Gallups, Michelle M. |
| 141 | 101571 | Galvan, Adrienne |
| 142 | 999920 | Garretson, Rebecca L. |
| 143 | 998608 | Gibson, Dionna |
| 144 | 101280 | Gilbert, Jessica E. |
| 145 | 101728 | Glass, Justin |
| 146 | 101683 | Goddard, Amy |
| 147 | 100899 | Godwin, Melanie |
| 148 | 100868 | Golob, David |
| 149 | 101771 | Gomez, Mark |
| 150 | 101465 | Goncalo, Daniel F. |
| 151 | 100738 | Grady, Michele |
| 152 | 999077 | Graff, Michelle |
| 153 | 101744 | Granado, Audrey A. |
| 154 | 101677 | Grant, Kenneth |
| 155 | 997065 | Greene, Terri |
| 156 | 101685 | Gregory, Amanda |
| 157 | 101671 | Gregory, Joseph L. |
| 158 | 101805 | Griesenbeck, Jaclyn |
| 159 | 101851 | Grohgan, Fredrick |
| 160 | 100597 | Gunter, Sarah M. |
| 161 | 101745 | Guzman, Armando J. |
| 162 | 999043 | Hall, Talena |
| 163 | 999844 | Halpin, Daniel |
| 164 | 101822 | Hama, Kimberly |
| 165 | 101702 | Hamill, Joseph F. |
| 166 | 101694 | Hamilton, Rebecca S. |
| 167 | 999470 | Harmon, Robert |
| 168 | 101786 | Harris, Daina |
| 169 | 101704 | Harris, Jeffery |
| 170 | 101799 | Harris, Joseph |
| 171 | 999910 | Harris, Nicholas A. |
| 172 | 999885 | Harris, Samantha |
| 173 | 101369 | Harvey II, Sylvester L. |
| 174 | 101825 | Hash, John S. |
| 175 | 101816 | Hassan, Quazi |
| 176 | 101842 | Henley, Jogayle |
| 177 | 101213 | Hennon, Adam |
| 178 | 101663 | Henriod, Alexander |
| 179 | 101767 | Hernandez, Erika |
| 180 | 101811 | Hernandez, Juan |
| 181 | 101759 | Hernandez, Marco |
| 182 | 101545 | Hignite, Robert |
| 183 | 999776 | Hisaw, Sable M. |
| 184 | 101840 | Hoang, Joseph |


| Row Number | Employee Number | Employee Name |
| :---: | :---: | :---: |
| 185 | 101662 | Hobbs Jr., Ronald R. |
| 186 | 100424 | Homrok, Matthew |
| 187 | 101638 | Hooker, Grayson B. |
| 188 | 101697 | Hopper, Natasha L. |
| 189 | 101826 | Howard, Clinton |
| 190 | 101789 | Howard, Jeff |
| 191 | 100480 | Howes, Douglas |
| 192 | 101860 | Hudson, Nathaniel L. |
| 193 | 100645 | Huette, Russ |
| 194 | 101468 | Hughes, Courtney L. |
| 195 | 100545 | Hughes, Vivian |
| 196 | 101715 | Hunter, Amy |
| 197 | 101831 | Hunter, Neil |
| 198 | 101859 | Hussong, Justin |
| 199 | 100661 | Ibanez, Tiani |
| 200 | 100473 | Ingendorf, Samuel |
| 201 | 101806 | Jackson, Felicia D. |
| 202 | 101439 | Jackson, Jennifer L. |
| 203 | 100978 | James, Cody L. |
| 204 | 101791 | Jenkins, Jeffery |
| 205 | 101699 | Jobe, Madison |
| 206 | 100488 | Johns, Sisily |
| 207 | 101727 | Johnson, Jennifer L. |
| 208 | 101447 | Johnson, John C. |
| 209 | 101635 | Johnson, Robin J. |
| 210 | 101721 | Johnson, Scott G. |
| 211 | 101131 | Jones, Brian K. |
| 212 | 100692 | Jones, Clyde |
| 213 | 101832 | Jones, Kenneth A. |
| 214 | 100984 | Jones, Natalie |
| 215 | 999877 | Jones, Paul |
| 216 | 100997 | Jones, Rayshella |
| 217 | 101809 | Jordan, Penny S. |
| 218 | 101837 | Justice, Dylan |
| 219 | 101352 | Keane, Melissa |
| 220 | 999728 | Kelley, Jim |
| 221 | 101814 | Kennon, Tonya L. |
| 222 | 101787 | Kesterson, Arthur |
| 223 | 101798 | Kesterson, Dominic |
| 224 | 101779 | Kesterson, Russell |
| 225 | 100841 | King, Tiffany M. |
| 226 | 100729 | Kingsbury III, John W. |
| 227 | 101690 | Klaburner, Stamatia A. |
| 228 | 101857 | Kozak, Marianne |
| 229 | 100852 | Krajewski, Mark |
| 230 | 101600 | Krukowski, Alexander |


| Row Number | Employee Number | Employee Name |
| :---: | :---: | :---: |
| 231 | 101489 | Lance, Jeffrey D. |
| 232 | 101152 | Landaeta Jr., Anthony |
| 233 | 999318 | Laud, Oscar |
| 234 | 998812 | Lawson, Timothy J. |
| 235 | 100384 | Lazarchick, Kimberly |
| 236 | 101606 | Leger, Grant |
| 237 | 998600 | Leighton, Stacy |
| 238 | 101507 | Lemoine, Sara L. |
| 239 | 101828 | Lewis, Andrew |
| 240 | 101443 | Liang, Katherine |
| 241 | 100671 | Lobo, Janet |
| 242 | 101733 | Logsdon, Carrie A. |
| 243 | 100631 | Lopez, Jasmine |
| 244 | 100824 | Lopez, Jaylynne M. |
| 245 | 101640 | Lopez, Jennifer H. |
| 246 | 101303 | Lu, Christopher H. |
| 247 | 101392 | Lubin, Bryan |
| 248 | 100378 | Madanski, Darrin |
| 249 | 101732 | Martin, Charlene R. |
| 250 | 101673 | Martin, Kevin |
| 251 | 101597 | Martin, Matthew |
| 252 | 101553 | Martin, Raeshell |
| 253 | 100813 | Martin, Zach |
| 254 | 101386 | Martinez, Roberta L. |
| 255 | 101858 | Massey, William |
| 256 | 101501 | Maxwell, Ashley |
| 257 | 101742 | Maynez, Debbie |
| 258 | 999873 | McGinnis, Pamela |
| 259 | 101678 | Measures, Richard R. |
| 260 | 101735 | Medina, Manuel |
| 261 | 101693 | Mendez, Riley |
| 262 | 100687 | Metheny, Garrett J. |
| 263 | 100574 | Miller, Timothy M. |
| 264 | 100180 | Mills, Cassandra D. |
| 265 | 100664 | Monien-Kienzle, Mary Jo |
| 266 | 101461 | Montanus, Mark |
| 267 | 101754 | Montaz, Stephanie |
| 268 | 101574 | Moody-Lynch, Kimmie |
| 269 | 100825 | Mortimer, Rebecca L. |
| 270 | 101716 | Morton Pigg, Heidi |
| 271 | 100689 | Munoz De la Torre, Casey |
| 272 | 101852 | Munoz Sr., Antonio |
| 273 | 100530 | Murria, Raul A. |
| 274 | 100477 | Needel, Howard |
| 275 | 101753 | Neely, Sarah M. |
| 276 | 999871 | Newell, Spencer |


| Row Number | Employee Number | Employee Name |
| :---: | :---: | :---: |
| 277 | 998965 | Newman, Keyanna K. |
| 278 | 101747 | Nieto, Elizabeth |
| 279 | 100158 | Noguez, Laura |
| 280 | 101019 | Oakes, Danielle |
| 281 | 100734 | Oas, Melissa |
| 282 | 100291 | Oler, Juston |
| 283 | 101013 | Olguin, Jenifeer |
| 284 | 101394 | Orellana, Melissa |
| 285 | 101854 | Ortiz, Jessica |
| 286 | 100429 | Owen, Kelly |
| 287 | 101705 | Pack, Jason |
| 288 | 101853 | Painter, Scott W. |
| 289 | 100814 | Palmer, Sherrie |
| 290 | 999797 | Parker, Jeff |
| 291 | 101820 | Parker, Raymond |
| 292 | 100859 | Parks Sr., Whitney H. |
| 293 | 101774 | Parra, Javier |
| 294 | 101730 | Pedregon, Gilbert |
| 295 | 101775 | Pedroza, Jacqueline |
| 296 | 101696 | Pennington, Nicole R. |
| 297 | 101734 | Perez Jr., Oliverio |
| 298 | 101165 | Persaile, William J. |
| 299 | 101633 | Peterson, Schuyler L. |
| 300 | 100657 | Phelps, Jennifer |
| 301 | 101838 | Pickens, Kenneth L. |
| 302 | 101781 | Pierce, Kevin B. |
| 303 | 101710 | Porter, Clayton |
| 304 | 100219 | Porter, David M. |
| 305 | 101302 | Quinlan, Patrick J. |
| 306 | 101203 | Raghunathan, Indumathi |
| 307 | 101649 | Ramirez, Joel |
| 308 | 101833 | Ramirez, Yvette |
| 309 | 101772 | Ramos, John |
| 310 | 100642 | Reed, Whitney |
| 311 | 999860 | Reid, Elizabeth |
| 312 | 101836 | Restrepo, Alex A. |
| 313 | 100731 | Robertson, Caroline A. |
| 314 | 101815 | Robertson, Erica B. |
| 315 | 101695 | Robichaud, Pamela M. |
| 316 | 101647 | Robinson, Jessica |
| 317 | 101478 | Rockwell, Terry |
| 318 | 101304 | Rodriguez, Francisco |
| 319 | 101703 | Rollins, Jeffery S. |
| 320 | 101764 | Romero Rodriguez, Jaime |
| 321 | 101479 | Rosenthal, Brandon |
| 322 | 101729 | Rubi Sepulveda, Jacqueline |


| Row Number | Employee Number | Employee Name |
| :---: | :---: | :---: |
| 323 | 101766 | Rumore, Gabreale |
| 324 | 100178 | Rupert, Renae |
| 325 | 101462 | Rusnack Jr., Paul A. |
| 326 | 101290 | Rutledge, Kaye |
| 327 | 101169 | Sage, Cheyenne M. |
| 328 | 101769 | Salazar, Victor |
| 329 | 101868 | Salcido III, Raul A. |
| 330 | 100415 | Sanchez, Christina R. |
| 331 | 101083 | Sands, Chelsea |
| 332 | 101032 | Satterwhite, Catrina L. |
| 333 | 100714 | Savoy, Tywan |
| 334 | 100380 | Sawyer Jr., James R. |
| 335 | 101364 | Sayeg, Heather D. |
| 336 | 998329 | Schley, Charles |
| 337 | 101756 | Scott, Nicole N. |
| 338 | 101861 | Seger, Lorie A. |
| 339 | 101689 | Sepulveda, Stephen |
| 340 | 100816 | Shah, Vikash |
| 341 | 101258 | Sharad, Chakravarthy N. |
| 342 | 999850 | Shaw, Anthony |
| 343 | 101628 | Shelley, Theresa |
| 344 | 999780 | Shepardson, Mark W. |
| 345 | 101035 | Shields, Laura |
| 346 | 101607 | Shumate, John W. |
| 347 | 101823 | Simental, Angelica |
| 348 | 101547 | Simpson, Damon A. |
| 349 | 101595 | Sinclair, Hugh |
| 350 | 100432 | Skeen, Amy D. |
| 351 | 100392 | Slater, John |
| 352 | 101713 | Smith, Ashley |
| 353 | 101741 | Smith, Carlo |
| 354 | 100287 | Smith, Cheryl A. |
| 355 | 101839 | Smith, Daniel W. |
| 356 | 101160 | Smith, Keona |
| 357 | 101700 | Smith, Kristin L. |
| 358 | 998359 | Smith, Susana |
| 359 | 101778 | Smith, Terrell L. |
| 360 | 101856 | Smith, Tina |
| 361 | 101739 | Smolich, Vicki |
| 362 | 101751 | Southworth, James W. |
| 363 | 101725 | Spivey, Zachary I. |
| 364 | 101625 | Stafford, Traci |
| 365 | 101714 | Stark, Andrew M. |
| 366 | 101624 | Starr, LeJenia |
| 367 | 101194 | Stauts, Kim |
| 368 | 101841 | Stone, Bryan |


| Row Number | Employee Number | Employee Name |
| :---: | :---: | :---: |
| 369 | 100957 | Stone, Gary A. |
| 370 | 100590 | Stovall, Kelly |
| 371 | 998451 | Sullivan, Kurt |
| 372 | 998516 | Sullivan, Maria S. |
| 373 | 101736 | Surma, Piotr E. |
| 374 | 100789 | Tallant, Shannon |
| 375 | 100715 | Tamblyn, Kathleen |
| 376 | 101863 | Tapia III, Gilbert |
| 377 | 101810 | Taylor, Joanne |
| 378 | 100865 | Taylor, Mary E. |
| 379 | 101788 | Theis, Vishnu |
| 380 | 100668 | Thibodeaux, Kari L. |
| 381 | 101499 | Thomas, Dean |
| 382 | 999928 | Thomas, John |
| 383 | 100285 | Togbey, Kodjovi M. |
| 384 | 101684 | Tottleben, William |
| 385 | 101655 | Tourigny, Brenna S. |
| 386 | 101108 | Trejo, Susan A. |
| 387 | 101562 | Trudgeon, Nicholas |
| 388 | 998950 | Tunnero, Vincent |
| 389 | 101390 | Upell, David |
| 390 | 999926 | Upshaw, Carrie |
| 391 | 101011 | Van Groningen, JK |
| 392 | 100770 | VanHorn, Matthew T. |
| 393 | 100585 | Vasquez, Rebecca B. |
| 394 | 999766 | Vazquez Jr., Jesus M. |
| 395 | 101723 | Velasquez, Andres |
| 396 | 101687 | Verge, Torrance O. |
| 397 | 101040 | Villarino, Brandon |
| 398 | 101055 | Vucko Jr., John |
| 399 | 101802 | Waldron II, Michael J. |
| 400 | 101411 | Walt, Logan |
| 401 | 101190 | Warren, Michael D. |
| 402 | 101653 | Washington, Byran |
| 403 | 998313 | Wayman, Tina |
| 404 | 100601 | White, Justin |
| 405 | 100553 | Wilkey, James |
| 406 | 101459 | Williams, Cara E. |
| 407 | 998859 | Williams, Christina A. |
| 408 | 101813 | Williams, Christopher |
| 409 | 100602 | Williams, Virginia |
| 410 | 100152 | Willis, Jessalyn |
| 411 | 999791 | Wilson, Lisa |
| 412 | 101051 | Woods, Bobbie H. |
| 413 | 100176 | Woods, Kierra |
| 414 | 101198 | Woods, Susan |


| Row Number | Employee Number | Employee Name |
| :--- | :--- | :--- |
| 415 | 100800 | Yarosh, Vadim |
| 416 | 101795 | Young, David |
| 417 | 100946 | Young, Steven |
| 418 | 101794 | Young, Tammy |
| 419 | 101573 | Young, Z'Tasha |
| 420 | 999259 | Zakis, Angelo |
| 421 | 100232 | Zambrano, Martha |
| 422 | 100962 | Zavala Sr., Jorge A. |
| 423 | 101529 | Zech, Gayle |
| 424 | 101817 | Zepeda, Gabriel |
| 425 | 101211 | Zunker, Jennifer |

## EXHIBIT "B" TO ORDER

## FORM OF NOTICE TO THE CLASS

## IN THE UNITED STATES BANKRUPTCY COURT <br> FOR THE DISTRICT OF DELAWARE

| In re: <br> FIRST GUARANTY MORTGAGE CORP., et al., | Chapter 11 |
| :--- | :--- |
| Debtors. | Bankr. Case No. 22-10584 (CTG) <br> (Jointly Administered) |
| LORI BUCKLEY, GAYLE ZECH, ROBERTA <br> MARTINEZ, JENNIFER JACKSON and JAMES <br> DAVIES, on behalf of themselves and all others <br> similarly situated, | Adv. Pro. No. 22-50387-CTG |$\quad$| Plaintiffs, |
| :--- |
| v. |
| FIRST GUARANTY MORTGAGE CORP., et al. |

## NOTICE OF CLASS ACTION

## YOU ARE NOT BEING SUED. PLEASE READ THIS NOTICE CAREFULLY AS IT MAY AFFECT YOUR RIGHTS.

TO: The 425 employees of First Guaranty Mortgage Corporation ("FGMC"), as agreed by the Parties in this matter, who reported to FGMC's Plano, Texas facility and were involuntarily separated from employment on June 24, 2022, but excluding any such individuals who timely elect to opt out of the Class.

SUBJECT: The claims of former employees alleging that their rights and the rights of Class Members were violated under the Federal Worker Adjustment and Retraining Notification Act, 29 U.S.C. § 2101 et seq. ("WARN Act") and seeking to recover wages and ERISA benefits for each Class Member.

DATE: $\qquad$ 2023

[^2]
## THE CLASS CLAIM

On June 30, 2022, First Guaranty Mortgage Corporation and Maverick Holdings II, LLC each filed a Voluntary Petition for Relief under Chapter 11 of the Bankruptcy Code. (Bankr. No. 22-10584) (Bankr. No. 22-10583). On July 1, 2022, the bankruptcy cases were consolidated for joint administration. (Bankr. No.22-10584 (CTG)).

On June 30, 2022, Plaintiffs filed their lawsuit against the Debtors. Plaintiffs allege in the lawsuit that Debtors carried out mass layoffs and/or plant closings at its facilities in April 2022 and later on or about June 24, 2022, terminating hundreds of its employees without cause and without 60 days' notice as required by the Federal Worker Adjustment and Retraining Notification Act, 29 U.S.C. § 2101, et seq. (the "WARN Act"). Plaintiffs allege that as a result of Debtors' violation of the WARN Act, they and the Class Members are entitled to receive damages from Debtors.

On September 30, 2022, Defendant FGMC filed its Answer and Affirmative Defenses to Plaintiffs' Complaint. FGMC generally denies that a WARN Act violation occurred and asserts several defenses, including that FGMC acted in good faith, that FGMC is not liable due to "unforeseeable business circumstances" under the WARN Act, that FGMC is not liable because it qualifies for the "faltering company" exception under the WARN Act, and that FGMC is not liable because it qualifies for the "liquidating fiduciary" exception under the WARN Act.

## THE CLASS DEFINITION

The Parties recently stipulated and agreed to the certification of a Class in this matter, which was approved by the Court. The Class is defined as: Those 425 employees of FGMC specified by individual name and employee number, on Schedule 1 attached to the Stipulation, who reported to FGMC's Plano, Texas facility and were involuntarily separated from employment on June 24, 2022, but excluding any such individuals who timely elect to opt out of the Class.

## WHAT TO DO

If you wish to be a member of the class, you do not need to do anything, and you will receive whatever benefits you may be entitled to if you are determined to be eligible as a Class Member. If you do nothing, you will automatically be a Class Member and be bound by any judgment (whether favorable or unfavorable) or court-approved settlement in the case. Before court approval, you, as a Class Member, will receive notice of any proposed settlement and will be afforded an opportunity to object to the settlement. You may appear by your own counsel if you are a Class Member.

If you do NOT wish to participate in this Action and wish to be EXCLUDED and thereby reserve your rights under the WARN Act and NOT share in any recovery in the Action, sign the form below and mail it by First Class Mail to Raisner Roupinian LLP, 270 Madison Avenue, Suite 1801, New York, New York 10016, Attn: René S. Roupinian. The form must be received by Ms. Roupinian no later than $\qquad$ , 2023. All requests for exclusion received after that
date will not be effective, and any person who sends a late request will be a member of the class in the Action and will be bound in the same way and to the same extent as all other Class Members.

## CLASS COUNSEL AND CLASS REPRESENTATIVES

Pursuant to the Parties' Stipulation, the Court has appointed the law firms of Raisner Roupinian LLP, Lankenau \& Miller LLP, and The Gardner Firm, P.C. as Class Counsel. Their addresses are as follows:

Raisner Roupinian LLP 270 Madison Avenue, Suite 1801, New York, New York 10016, (212) 221-1747

Lankenau \& Miller, LLP 100 Church Street, 8th Floor, New York, NY 10007 (212) 581-5005

The Gardner Firm, P.C., 182 St. Francis Street, Suite 103, Mobile, Alabama 36602, (251) 433-8100

The Court has also recently appointed Plaintiffs Lori Buckley, Gayle Zech, Roberta Martinez, Jennifer Jackson and James Davies as the Class Representatives.

## THE COURT HAS NO POSITION ON THE MERITS

The Court has taken no position regarding the merits of the Plaintiffs' claims or the Debtors' defenses.

## ADDITIONAL INFORMATION

If you wish information or assistance, please contact Jenny Hoxha of Raisner Roupinian LLP at (212) 221-1747. Please do not call or contact the Court or Debtors' Counsel for information.

## EXCLUSION FORM

Buckley, et al. v. First Guaranty Mortgage Corporation, et al. United States Bankruptcy Court for the District of Delaware Adversary Proceeding No. 22-50387 (CTG)

I, the undersigned, have read the foregoing Notice and understand its contents. I, the undersigned, do not want to be part of the Class Action or receive any benefits from the Class Action and do not wish to be bound by the outcome of the Class Action.

Signature

Name (printed or type)

Address

Telephone

## Date

If you do NOT wish to be included, send this completed form to:
Raisner Roupinian LLP
270 Madison Avenue, Suite 1801
New York, New York 10016
Attn: René S. Roupinian


[^0]:    ${ }^{1}$ The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor's federal tax identification number, are: First Guaranty Mortgage Corporation (9575); and Maverick II Holdings, LLC (5621). The Debtors' mailing address is 5400 Tennyson Parkway, Suite 450, Plano, TX 75024.

[^1]:    ${ }^{1}$ The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor's federal tax identification number, are: First Guaranty Mortgage Corporation (9575); and Maverick II Holdings, LLC (5621). The Debtors’ mailing address is 5400 Tennyson Parkway, Suite 450, Plano, TX 75024.

[^2]:    ${ }^{1}$ The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor's federal tax identification number, are: First Guaranty Mortgage Corporation (9575); and Maverick II Holdings, LLC (5621). The Debtors’ mailing address is 5400 Tennyson Parkway, Suite 450, Plano, TX 75024.

