

FOR IMMEDIATE RELEASE

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COURT GRANTS FINAL APPROVAL OF WAGE & HOUR CLASS ACTION SETTLEMENT; EQUINOX HOLDINGS, INC. TO PAY \$36 MILLION

September 22, 2023

On September 21, 2023, at 3:00 p.m. Pacific Daylight Time, a hearing was held in Alameda County Superior Court on Plaintiffs' motion for final approval of the global settlement of two wage and hour class and representative actions brought against Equinox Holdings, Inc.: Renee Porter, et al. v. Equinox Holdings, Inc., Alameda County Superior Court, Case No. RG19009052, an action under California's Private Attorneys' General Act ("PAGA"), and Frank J. Fodera, Jr., et al. v. Equinox Holdings, Inc., U.S. District Court for the Northern District of California, Case No. 3:19-cv-05072-WHO, a class action brought under California's Labor Code. The Fodera action was consolidated with the Porter action for settlement purposes. Judge Paul D. Herbert orally indicated that the Court will approve the settlement, and a signed order is expected shortly.

Under the settlement, Equinox will pay \$36 million to resolve the claims in both actions. The settlement covers over 15,000 employees who worked for Equinox in California between April 3, 2015 and December 31, 2022 (the "Class Period"). The lawsuits alleged Equinox had a policy of not paying certain California employees, including personal trainers, group fitness instructors, and other positions, for all time worked. Plaintiffs also challenged Equinox's policies regarding meal and rest breaks, wage statements, and other wage and hour practices.

Plaintiffs filed the Porter and Fodera actions in early 2019. In May 2022, Judge William H. Orrick of the U.S. District Court for the Northern District of California granted Plaintiffs' motion for class certification in Fodera, paving the way for trial on Plaintiffs' class claims. After extensive discovery, including dozens of depositions and the court-ordered production of hundreds of thousands of internal Equinox emails, electronic files, and documents, Equinox settled instead of going to trial.

Class Counsel: Ron Makarem, Samuel D. Almon, and Makarem & Associates are class counsel, and represent Plaintiffs in both the Fodera and Porter actions.

Plaintiffs: The Named Plaintiffs are Renee Porter, Joshua Tolin, Frank Fodera, Michael Bonella, and Genevieve Billson. All of the Named Plaintiffs worked as non-exempt employees of Equinox in California during the Class Period.

Statements on the Settlement: "This settlement is a hard-fought victory that will return tens of millions of dollars to past and present Equinox employees in California. We were focused on

taking these important wage claims to trial, which is what allowed us to obtain this significant victory for class members,” said Plaintiffs’ counsel Samuel Almon.

About Makarem & Associates APLC: Makarem & Associates APLC is a top complex litigation and trial firm that represents employees in wrongful termination, sexual harassment, and wage and hour class action litigation. Ron Makarem has received numerous honors and accolades in the legal industry for landmark cases, was named a ‘Top 100 Attorney in Southern California’ in 2013 and 2019, and a Southern California Super Lawyer for 2011 – 2023, by Thomson Reuters. Samuel D. Almon devotes much of his practice to class actions and individual lawsuits on behalf of workers, and was named a Southern California Super Lawyer in employment law by Thomson Reuters for 2022 and 2023. For more information about the law firm go to: www.makaremlaw.com.

For more information regarding this case or to set up an interview, please contact: info@makaremlaw.com

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