

# NOTICE OF CLASS ACTION SETTLEMENT

*Randi Sycks v. Incyte Pathology, Inc.*

Superior Court of the State of Washington for the County of Spokane

Case No. 24-2-02294-32

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*This notice is to the following individuals in connection with a pending class action settlement:*

**All persons who, at any time between May 9, 2021 and May 29, 2025, were employed by Incyte Pathology, Inc., and worked one or more shifts as a non-exempt hourly paid employee in the State of Washington.**

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*Read this notice carefully. Your legal rights could be affected whether you act or not.*

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The Superior Court of the State of Washington for the County of Spokane (the “Court”) has preliminarily approved this class action lawsuit filed by Randi Sycks (“Class Representatives”) against Incyte Pathology, Inc. (“Incyte”) for alleged wage and hour violations (the “Lawsuit”).

The Lawsuit is based on the following legal causes of action: (1) Washington Minimum Wage Act violations: RCW 49.46 et seq.; (2) failure to pay overtime wages: RCW 49.46.130; (3) meal period violations: RCW 49.12.020 and WAC 296-126-092; (4) rest break violations: RCW 49.12.020 and WAC 296-126-092; (5) unpaid wages on termination: RCW 49.48 et seq.; and (6) willful refusal to pay wages: RCW 49.52. Incyte strongly denies all claims and maintains it has fully complied with the law. The settlement is not an admission by Incyte of any liability or wrongdoing.

<b><u>YOUR OPTIONS</u></b>	
<b>DO NOTHING</b>	You do not have to do anything in response to this notice. If you do nothing, you will remain eligible to automatically receive an Individual Class Payment if the Court grants final approval of the settlement. In such case, you will be bound by the release provisions in the settlement and release your claims in exchange for compensation.
<b>OPT OUT</b>	You may opt out of the Settlement by submitting a Request for Exclusion form. If you opt out, you may not object to the Settlement, you will not receive an Individual Class Payment, and you shall not be bound by the release provisions in the settlement.
<b>OBJECT</b>	You may object to the Settlement by submitting a written objection. If the Court grants final approval of the settlement despite your objection, you will remain eligible to automatically receive an Individual Class Payment if the Court grants final approval of the settlement. In such case, you will be bound by the release provisions in the settlement.

The Court’s final approval hearing is scheduled to take place on April 10, 2026 at 10:00 a.m. in the courtroom of the Honorable Tony Hazel of the Spokane Superior Court, located at 1116 West Broadway Avenue #3, Spokane, WA 99260. You do not have to attend but you do have the right to appear. ***For more information, please carefully read this notice.***

## **1. WHAT IS THE ACTION ABOUT?**

The Class Representative is a former employee of Incyte Pathology. The Class Representative alleged Incyte violated Washington labor and employment laws as follows: (1) Washington Minimum Wage Act violations: RCW 49.46 et seq.; (2) failure to pay overtime wages: RCW 49.46.130; (3) meal period violations: RCW 49.12.020 and WAC 296-126-092; (4) rest break violations: RCW 49.12.020 and WAC 296-126-092; (5) unpaid wages on termination: RCW 49.48 et seq.; and (6) willful refusal to pay wages: RCW 49.52. Plaintiff is represented by Ferraro Vega Employment Lawyers and Rekhi & Wolk, P.S. (“Class Counsel.”)

Incyte denies violating any laws or failing to pay any wages and contends it complied with all applicable laws. The Court did not decide in favor of Plaintiff or for Incyte. Incyte thinks the Plaintiff would not have won anything from a trial. But there was no trial. Instead, both sides agreed to a settlement. This allows the parties to avoid the costs of a trial, and the people affected will be entitled to compensation. The Class Representative and Class Counsel think the Settlement is in the best interests of all Proposed Class Members.

## **2. WHAT ARE THE PROPOSED SETTLEMENT TERMS?**

At the Final Approval Hearing, the Class Representative, through Class Counsel, will ask the Court to approve a Gross Settlement Amount of \$2,100,000.00 and authorize the following payments from that amount: Service Payment to the Class Representative (\$10,000); Attorneys’ Fees in the amount of \$699,930.00, representing 33.33% of the Gross Settlement Amount; Litigation Costs (not to exceed \$7,500), and the Administration Expenses (not to exceed \$5,000) to be paid to the third-party settlement administrator.

After the above deductions in amounts approved by the Court, the Administrator will calculate and distribute Individual Class Payments to Participating Class Members. Thirty percent (30%) of each Individual Class Payment shall constitute taxable wages (“Wage Portion”) and 70% shall constitute interest and exemplary damages (“Non-Wage Portion”). The Wage Portion is subject to withholdings and will be reported on IRS Form W-2. Incyte will separately contribute amounts to cover the employer payroll taxes owed on the Wage Portion. The Administrator will report the Non-Wage Portions of the Individual Class Payments on IRS Form 1099.

You will be treated as a Participating Class Member, participating fully in the settlement, unless you submit a signed Request for Exclusion by February 28, 2026 the “Response Deadline.”

After the Judgment is final and Incyte has fully funded the settlement and separately paid all employer payroll taxes, Participating Class Members will be legally barred from asserting any of the claims released under the settlement, as follows:

The Released Claims include any and all claims, whether known or unknown, that were brought or that could have been brought based on any facts alleged in the Lawsuit with respect to a failure to pay employees all compensation due and failure to provide meal periods and/or rest breaks. The Released Claims specifically include, but are not limited to: any claims, liabilities or causes of action arising out of or relating to any contract, under the Fair Labor Standards Act, 29 U.S.C. § 201 et seq.; the Washington Minimum Wage Act, RCW Chapter 49.46; the Washington Wage Payment Act, RCW Chapter 49.48; the Washington Wage Rebate Act, RCW 49.52.050; and the Tukwila Minimum Wage Ordinance, Tukwila Mun. Code Chapter 5.63 as well as any alleged missed, interrupted, shortened, untimely, unpaid, and/or non-compliant rest breaks and/or meal periods, off-the-clock work, including any attendant claims for unpaid wages, overtime payments, premium payments, interest, exemplary damages, and attorney’s fees and costs

### **3. HOW IS MY INDIVIDUAL CLASS PAYMENT CALCULATED?**

Class Counsel obtained employment information for each Proposed Class Member, including how long they worked for the Defendant and how much they earned. Class Counsel has analyzed that information to determine how much each Proposed Class Member would be owed based on the strength of their respective claims and assuming they were valid. The Individual Class Payments will be calculated based on that analysis as a proportion of the total Net Settlement Amount.

### **5. HOW WILL I GET PAID?**

The Administrator will send, by U.S. mail, a single check to every Participating Class Member following the Effective Date of this Settlement. Your check will be sent to the same address as this notice. If you change your address, notify the Administrator as soon as possible.

### **6. HOW DO I OPT-OUT OF THE CLASS SETTLEMENT?**

Complete the attached Request for Exclusion form and mail or email it to the Administrator before the Response Deadline. If you opt-out, you will not receive an Individual Class Payment and you will not be bound by the Release.

### **7. HOW DO I OBJECT TO THE SETTLEMENT?**

Only Participating Class Members have the right to object to the Settlement by submitting a written objection to the Administrator before the Response Deadline. To object, please provide a written statement to the Administrator advising what you object to, why you object, and any facts that support your objection. Please sign the objection and identify the Action and include your name, current address, telephone number, and your approximate dates of employment.

Alternatively, a Participating Class Member can object (or personally retain a lawyer to object at your own cost) by attending the Final Approval Hearing. You (or your attorney) should be ready to tell the Court what you object to, why you object, and any facts that support your objection.

### **8. CAN I ATTEND THE FINAL APPROVAL HEARING?**

You may, but are not required to, attend the Final Approval Hearing on April 10, 2026 at 10:00 a.m. in the courtroom of the Honorable Tony Hazel of the Spokane Superior Court, located at 1116 West Broadway Avenue #3, Spokane, WA 99260. At the hearing, the judge will decide whether to grant Final Approval of the Settlement and how much of the Gross Settlement will be paid to Class Counsel, the Class Representative, and the Administrator. The Court will invite comment from objectors, Class Counsel, and Defense Counsel before making a decision.

It is possible the Court will reschedule the Final Approval Hearing. Please review the Court's online docket or contact the Administrator or Class Counsel to verify the date and time of the Final Approval Hearing if you believe it may have been continued or otherwise changed.

### **9. HOW CAN I GET MORE INFORMATION?**

The Agreement sets forth everything Incyte and Plaintiff have promised to do under the proposed Settlement. The easiest way to read the Agreement, or any other Settlement documents is to go to the following website [www.IncyteSettlement.com](http://www.IncyteSettlement.com). You can also telephone or send an email to Class Counsel or the Settlement Administrator at the addresses below:

Class Counsel

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Settlement Administrator

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[www.cacservicesgroup.com](http://www.cacservicesgroup.com)

**10. WHAT IF I LOSE MY SETTLEMENT CHECK OR FAIL TO CASH IT?**

If you lose or misplace your settlement check, the Administrator will replace it if you request a replacement before the void date on the face of the original check. Please contact the Administrator at the contact information provided above.

If your check is already void or you have otherwise failed to cash it, it will be provided to the Washington State Department of Revenue's Unclaimed Property program in your name. For more information, please review how to process a claim for your funds with the State of Washington, WA Unclaimed Property (<https://ucp.dor.wa.gov/app/claim-search>).

**DO NOT CONTACT THE COURT OR THE COURT CLERK TO OBTAIN  
INFORMATION ABOUT THE SETTLEMENT**