



Action Resources

Labor & Employee Relations Specialists

May 08, 2023

Mr. Erick Sytsma
Vice President, Labor & Associate Relations
Breakthru Beverage California, LLC
3333 S. Laramie Ave., Cicero, IL 60804

Re: Letter of Engagement/Agreement for Professional Consulting Services

Dear Mr. Sytsma,

Upon execution, this three-page letter will confirm that **Breakthru Beverage California, LLC**, hereinafter "the client," has retained and engaged the services of ER Experts, Inc., d/b/a Action Resources hereinafter, "Action Resources or the consulting firm," for the purposes of providing employee relations consulting services under the following terms and conditions:

1. The consulting firm shall be paid a daily rate of **\$3,750.00 (Three Thousand Seven Hundred and fifty Dollars)** for the first two consultants; **\$3,500.00 (Three Thousand Five Hundred Dollars)** for the third and fourth consultants assigned to the project for on-site services rendered on behalf of the client. A normal work day shall be considered up to 10 (ten) on-site hours (hours spent at the client's facility). **Off-site office time** shall be billed at the rate of **\$375.00 (Three Hundred Fifty Dollars) per hour**. There shall be no pyramiding of rates on any day. To further clarify, on days where on-site as well as off-site work is performed, only the daily rate will apply.
2. The consulting firm shall be paid for all reasonable expenses incurred on the client's behalf, including but not limited to airfare, lodging, and car rental expense, as well as a meal allowance of \$75.00 per consultant per day, including travel days. Travel time of ½ (One-Half) day shall apply only when required from the consultant's home base to the client's facility and only when required to take place on a weekday. Please note that weekend travel time IS NOT subject to this provision.
3. Invoices shall be submitted every Monday covering charges and expenses incurred for the previous week. Payment shall be due by Seven days following receipt of the invoice.
4. The client agrees to pay the full invoice balance within 7 (Seven) days from receipt of the invoice. A past due late charge of 1 ½ % per month (18% Annually) shall be applied to the unpaid balance.

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5. The parties reserve the right, upon written notice to the other, to withdraw from this agreement at any time.
6. In the event that any dispute arises with respect to any of the terms of this agreement, said dispute shall be submitted to final and binding arbitration pursuant to the rules of the San Diego County Bar Association.
7. **Wires or ACH/Direct** Deposits are the **only payment methods** for all invoices submitted by the consulting firm. Action Resources' bank information is as follows:

Bank Name: JPMorgan Chase Bank National Association
705 S Green Valley Pkwy
Henderson, NV 89052

Account Name: **ER Experts, Inc., d/b/a Action Resources**

Account Number: 675356700

Routing Number: 322271627

Recipient's Address: 1000 N Green Valley Pkwy Ste 440-247
Henderson, NV 89074-6172

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8. Client agrees that no representations, written or otherwise, have been made as to the project's outcome.

10. Client understands and agrees that the Action Resources' consultants are not qualified to give legal advice and, as such, cannot be relied upon or be held responsible for any legal opinion given to the client. In all instances, the client agrees to consult professional legal counsel before acting upon any legal opinion expressed by any Action Resources consultant.

If the above terms and conditions of this agreement are satisfactory to you, please evidence your consent by signing and e-mailing this agreement to admin@LaborConsultants.com

We appreciate the opportunity to work with you in the above project and look forward to a satisfactory outcome.

This agreement is entered into this 8th day of May 2023.

By: [Signature] Title: VP, Labor + Assoc. Relations

By: [Signature]
Alex Casillas - President
ER Experts, Inc. d/b/a Action Resources

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