

## PARK AVENUE SOUTH

Attorneys at Law

Park Avenue South Law Offices, LLP 470 Park Avenue South, 8th Floor South New York, NY 10016

Telephone: (646) 867-1145 Facsimile: (646) 495-0078 info@parksouthlaw.com

## SENT VIA CERTIFIED/REGISTERED MAIL AND ELECTRONIC MAIL

November 8, 2023

DiversyFund, Inc. Mr. Craig Cecilio Symphony Tower, 750 B Street, Suite 1930 San Diego, CA 92101

Re: Recruits Lab – Mohamed Ibshara

Dear Mr. Cecilio,

This law firm has been retained by Recruits Lab ("<u>Recruits Lab</u>") for purposes of enforcing the written contractual agreement signed with DiversyFund, Inc. ("<u>DiversyFund</u>") on August 10, 2023 (the "<u>Agreement</u>").

As you are aware, Recruits Lab agreed to assist DiversyFund in identifying appropriate candidates for employment with DiversyFund. Thereafter, DiversyFund hired Mr. Mohamed Ibshara (the "Employee"), who was referred by Recruits Lab.

Recruits Lab has fulfilled its obligations under the Agreement; however, DiversyFund, even after repeated attempts to coordinate payment, has not paid Recruits Lab the fee it agreed to pay per the terms of the Agreement.

As you may further know, DiversyFund, per the terms of the Agreement, subjected itself to jurisdiction in a New York State court for all controversies arising out of the Agreement. Moreover, the Agreement provides for compounded interest in the amount of 1.5% for every thirty (30) day period the fee is not paid. Additionally, the Agreement makes clear that should a lawsuit be necessary to enforce payment, DiversyFund shall be responsible for the payment of all reasonable costs, fees, and expenses, including attorneys' fees.

This notice is being provided to inform you that, per the Agreement, should payment not be received within thirty (30) days of receipt of this letter, Recruits Lab will commence a lawsuit against you.

We understand that DiversyFund is a Delaware corporation serving as parent company to several limited liability companies, which act as managers to a series of real estate investment trusts that are registered or exempt from registration under the Securities Act of 1933. Should we be forced to proceed with a lawsuit against you, we will consider whether it is appropriate to include the subsidiary entities and funds over which DiversyFund has control.

Should you wish to discuss this matter for purposes of coming to a resolution on the amounts owed, you may contact the undersigned. No rights are being waived by virtue of this communication.

Russell W. Grimaldi, Esq.

Park Avenue Law Offices, LLC 470 Park Avenue South 8th Floor South

New York, New York 10016

E: russell.grimaldi@parksouthlaw.com

T: (646) 867-1145