

IN THE CIRCUIT COURT IN THE  
ELEVENTH JUDICIAL CIRCUIT IN AND  
FOR MIAMI-DADE COUNTY, FLORIDA

**COMPLEX BUSINESS DIVISION**

Eric Villanueva and Francisco Gonzalez,  
individually and on behalf of all others  
similarly situated,

*Plaintiffs,*

v.

EMPIRES X CORP, EMPIRES  
CONSULTING CORP, EMPX  
MANAGEMENT LLC, Emerson S. Pires,  
Flavio M. Goncalves, and Joshua David  
Nicholas,

*Defendants.*

Case No. 2022-010719-CA-01

**NOTICE OF PROCEEDINGS TO APPROVE  
CLASS ACTION SETTLEMENT**

PLEASE TAKE NOTICE that The Moskowitz Law Firm, PLLC, and Meyer & Nuñez, P.A., as the Court-appointed representatives of the Settlement Classes (“Class Counsel”) in the above-captioned action (the “Action”), have entered into a Settlement Agreement with Joshua David Nicholas (“Defendant”), to settle all claims that were and could have been asserted against Defendant by the Settlement Class, including but not limited to the actions brought in the Class Action.

PLEASE TAKE FURTHER NOTICE that the Settlement Class include all persons who, beginning June 9, 2018, invested in the EmpiresX Investment Platform. Excluded from the Settlement Class are counsel of record (and their respective law firms) for the Parties; Defendant and his successors, personal representatives, heirs and assigns, Nonsettling Defendants and any of their parents, affiliates, subsidiaries, and all of their respective employees, officers, and directors, successors, personal representatives, heirs and assigns; and the presiding judge in the Action or judicial officer presiding over the matter, and all of their immediate families and judicial staff.

PLEASE TAKE FURTHER NOTICE that the material terms of the Settlement Agreement are that Defendant, who has provided evidence as to his indigent status, will fully cooperate with Class Counsel in the investigation and prosecution of this action against the Nonsettling Defendants in exchange for a broad release from the Settlement Class.

PLEASE TAKE FURTHER NOTICE that copies of the relevant Complaint, the Settlement Agreement and the Motion for Approval of Settlement between Class Counsel and Defendant (the “Class Action Approval Motion”) may be obtained at <https://moskowitz-law.com/empiresx-crypto-ponzi-scheme>.

PLEASE TAKE FURTHER NOTICE that the Final Approval Hearing to consider the fairness, reasonableness, and adequacy of the proposed settlement and to determine whether the settlement should be finally approved, will be held before this Court at the Dade County Courthouse on **OCTOBER 27, 2022, at 11:30 AM**, in Courtroom DCC 414, located at 73 West Flagler Street, Miami, Florida 33130, or via Zoom at the following virtual location (the “Final Approval Hearing”):

Judge Fine's Virtual Courtroom  
<https://zoom.us/j/9786278502>  
Meeting ID: 978 627 8502  
+1 786 635 1003 US (Miami)

Any objection to the Settlement Agreement or the Motion for Approval or any related matter, must be filed, in writing, with the Circuit Court in the Investor Class Action, and served by email or regular mail, on Class Counsel Adam M. Moskowitz, Joseph M. Kaye, and Barbara C. Lewis, THE MOSKOWITZ LAW FIRM, PLLC, 2 Alhambra Plaza Suite 601, Coral Gables, FL 33134, [adam@moskowitz-law.com](mailto:adam@moskowitz-law.com), [joseph@moskowitz-law.com](mailto:joseph@moskowitz-law.com), [barbara@moskowitz-law.com](mailto:barbara@moskowitz-law.com), [rejane@moskowitz-law.com](mailto:rejane@moskowitz-law.com), [info@moskowitz-law.com](mailto:info@moskowitz-law.com), [service@moskowitz-law.com](mailto:service@moskowitz-law.com), and David A. Nuñez, [david@nunez-law.com](mailto:david@nunez-law.com), MEYER & NUÑEZ, P.A., 135 San Lorenzo Ave., Suite 620, Coral Gables, FL 33146, **no later than OCTOBER 6, 2022 (the “Objection Deadline”)**, and such objection must be made in accordance with the Circuit Court’s Preliminary Approval Order.

PLEASE TAKE FURTHER NOTICE that any person or entity failing to file an objection on or before the Objection Deadline and in the manner required by the Settlement Order shall not be heard by the Circuit Court. Those wishing to appear and present objections at the Final Approval Hearing must include a request to appear in their written objection. **If no objections are timely filed, the Court may cancel the Final Approval Hearing without further notice.**

**This matter may affect your rights. You may wish to consult an attorney.**