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Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF MONTEREY

RICHARD SANCHEZ on behalf of himself,
other Aggrieved Employees, and the State of
California,

Plaintiff,

v.

SALINAS LINCOLN MERCURY, INC., a
California Corporation; and Does 1 through 50,
Inclusive,

Defendants.

Case No: 21CV001535

Action Filed: May 10, 2021

~~PROPOSED~~ **ORDER GRANTING
PLAINTFF'S MOTION TO APPROVE
PAGA SETTLEMENT AND JUDGMENT**

Date: October 28, 2022

Time: 8:30 a.m.

Dept.: 15

Judge: Hon. Thomas W. Wills

1 Plaintiff Richard Sanchez (“Plaintiff”) moves for approval of the settlement of Plaintiff’s
2 claims under the California Labor Code Private Attorneys General Act (“PAGA”), pursuant to
3 California Labor Code § 2699(1), against Defendant Salinas Lincoln Mercury, Inc. (“Defendant”).

4 Plaintiff exhausted all administrative remedies required to bring the PAGA claims asserted
5 in this action and is authorized to act as a private attorney general with respect to the PAGA claims
6 being released under the terms of the Stipulation of Settlement of PAGA Claims and Release of
7 PAGA Claims (“Settlement Agreement”). The California Labor Workforce Development Agency
8 was provided with notice of the settlement and the motion for approval of the settlement via its
9 online process and no objection has been received to the settlement or the motion from the Labor
10 Workforce Development Agency. The Parties seek approval of the settlement of Plaintiff’s PAGA
11 claims and the Maximum Settlement Amount to be paid as part of the settlement as set forth in the
12 Settlement Agreement which was filed with the Court (“PAGA Settlement”). The PAGA Settlement
13 provides for a Maximum Settlement Amount in the total sum of \$171,000, which includes the Net
14 Settlement Amount, Plaintiff’s Counsel Award in the amount of \$57,000, Plaintiffs’ Counsel
15 litigation expenses in the amount of \$12,603.39, and a Settlement Administrator Cost in an amount
16 not to exceed \$5,000. The Net Settlement Amount is the amount remaining from the Maximum
17 Settlement Amount after the deduction of the Settlement Administration Cost, Plaintiff’s Counsel’s
18 Award and Plaintiffs’ Counsels’ cost amount. The Settlement Administrator will be ILYM. The
19 Court approved the Maximum Settlement Amount and the distributions of the Maximum Settlement
20 Amount as set forth above.

21 The Court, having reviewed the evidence and papers submitted and argument of counsel,
22 pursuant to Labor Code section 2699(1)(2) hereby GRANTS the Parties’ motion and approves the
23 PAGA Settlement as set forth in the Settlement Agreement and the Maximum Settlement Amount,
24 which shall be allocated and paid out as set forth in the Settlement Agreement.

25 The “Aggrieved Employees” are defined as “all current and former non-exempt employees
26 of Defendant during the PAGA Period.” The PAGA Period is March 4, 2020 through March 31,
27 2022. Upon entry of Judgment and funding in full of the PAGA Settlement by Defendant, the
28 Released Parties shall be entitled to a release from the State of California and Plaintiff as to the

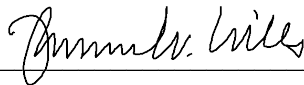
1 following claims: All claims for civil Penalties arising under PAGA that were asserted in the
2 Complaint and Plaintiff's March 4, 2021 notice to the LWDA ("Released Claims").

3 Judgment is hereby entered on the claims asserted under PAGA in this action. After entry
4 of this Order and Judgment, the Court shall retain jurisdiction to construe, interpret, implement, and
5 enforce the Settlement Agreement, to hear and resolve any contested challenge to a claim for
6 settlement benefits, and to supervise and adjudicate any dispute arising from or in connection with
7 the distribution of settlement benefits.

8 This matter is set for 6/13/23 at 9 a.m. in Dept. 15 for status of settlement.

9 **IT IS SO ORDERED AND ADJUDGED. LET JUDGMENT BE FORTHWITH
ENTERED ACCORDINGLY.**

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11 DATED: October 28, 2022

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15 THE HONORABLE THOMAS WILLS
16 JUDGE OF THE SUPERIOR COURT
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