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15 Attorneys for Plaintiff YANLUY SANTOS

11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
12 **COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

14 YANLUY SANTOS, on behalf of himself and all
15 other aggrieved employees,

16 Plaintiff,

17 v.

18 R.J. ACQUISITION CORP d.b.a., THE AdArt
19 COMPANY, JOSEPH M. DEMARCO, and
20 DOES 1 -100, inclusive,

21 Defendants.

) Case No. 20STCV34717
) [Assigned for all purposes to the Hon. Mel
) Red Recana, Dept. 45]

) **[UNLIMITED CASE]**

) **~~PROPOSED~~ ORDER AND JUDGMENT**
) **APPROVING PAYMENT TO THE**
) **LWDA OF PAGA PENALTIES AND**
) **APPROVING THE OTHER TERMS OF**
) **THE PARTIES' SETTLEMENT OF THE**
) **PAGA CLAIMS**

) Date: 3-28-23
) Time: 8:30 a.m.
) Dept.: 45

Date Filed: 9-10-20
TRIAL DATE: NONE

Reservation No.: 550050683234

28 **IT IS ORDERED AS FOLLOWS:**

1 The Court hereby approves the terms set forth in the PAGA Settlement Agreement and
2 finds that the PAGA Settlement Agreement is, in all respects, fair, adequate, and reasonable and
3 directs the Parties to effectuate the PAGA Settlement Agreement according to its terms. The Court
4 finds that the PAGA Settlement Agreement has been reached as a result of informed and non-
5 collusive arm's-length negotiations. The Court further finds that the Parties were able to reasonably
6 evaluate their respective positions. The Court also finds that settlement now will avoid additional
7 and potentially substantial litigation costs, as well as delay and risks if the Parties were to continue
8 to litigate the case. The Court has reviewed the monetary recovery being provided as part of the
9 Settlement and recognizes the value accorded to the state of California and Aggrieved Employees.

10 The Court hereby enters a final judgment in favor of Plaintiff and the Aggrieved Employees
11 for the gross amount of \$50,000, which consists of payment for Plaintiff's claims for penalties
12 under Labor Code Section 2699 *et seq.*, the Private Attorneys General Act.

13 The Judgement is awarded and allocated by this court as follows:

14 1. Payment to Plaintiff's counsel of Attorneys' fees of \$16,666.66, with the Law
15 Offices of Stephen M. Harris, P.C., to receive 2/3rds of the award and Smith & Benowitz to receive
16 1/3 of the award;

17 2. Payment to Plaintiff's counsel for costs in the amount of \$6,837.78, with the sum to
18 be divided as agreed by counsel for Plaintiff;

19 3. Payment to ILYM Group of the sum of \$5,000.00, for all costs of Settlement
20 Administration required by the Agreement of the parties;

21 4. The remainder of the settlement fund, after deducting the above items 1-3, shall be
22 designated as PAGA Penalties, which amount to \$21,495.56, and will be allocated as follows: 75%
23 paid to the Labor Workforce Development Agency ("LWDA") in the amount of \$16,121.67, and
24 25% paid to the aggrieved employees in the amount of \$5,373.89.

25 All sums referred to above shall be funded by Defendant and paid in accordance with the
26 terms of the parties' Agreement. Defendant shall have no further liability for costs, expenses,
27 interests, attorneys' fees, or for any other charge, expense or liability and shall be released from all
28 covered claims, all as set forth in the parties' Settlement Agreement.

1 The court hereby enters judgment consistent with the terms of the parties settlement. The
2 court retains jurisdiction to enforce the terms of this Judgment and Order, and the Agreement of the
3 parties.

4 Dated: April 18 , 2023



A handwritten signature in black ink, appearing to read "Mel Red Recana", is written over a horizontal line.

The Honorable Mel Red Recana, Judge of the
Superior Court Mel Red Recana / Judge

PROOF OF SERVICE
Santos v. RJ Acquisition
Case No. 20STCV34717

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES:

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and am not a party to the within action. My business address is 6320 Canoga Avenue, Suite 1500, Woodland Hills, California 91367. On February 21, 2023, I caused the foregoing document(s) described as ORDER to be served on the interested parties in this action as follows:

By placing a true copy thereof enclosed in a sealed envelope(s) addressed as stated on the attached mailing list.



BY ELECTRONIC SERVICE: (CCP § 1010.6; CRC Rule 2.251(g)): My electronic service address is stephen@smh-legal.com. I served the above listed document(s) described via electronic service on the designated recipients via electronic transmission through my electronic service address. The electronic service addresses of the persons served are listed below. Based on a court order or an agreement of the parties to accept electronic service, I caused the documents to be sent to the persons at the electronic service addresses listed below.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on February 21, 2023, at Woodland Hills, California.

Stephen M. Harris
(Type or print name)

/s/ Stephen M. Harris
(Signature)

SERVICE LIST
Santos v. R.J. Acquisition
Case No. 20STCV34717

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individually, and on behalf of all other
aggrieved employees



Court Reservation Receipt

Reservation

Reservation ID: 550050683234	Status: RESERVED
Reservation Type: Motion for Order (Approving Labor Code Private Attorneys General Act Settlement)	Number of Motions: 1
Case Number: 20STCV34717	Case Title: YANLUY SANTOS vs R.J. ACQUISITION CORP, et al.
Filing Party: Yanluy Santos (Plaintiff)	Location: Stanley Mosk Courthouse - Department 45
Date/Time: March 28th 2023, 8:30AM	Confirmation Code: CR-VUVSFDWAEMBMHJHQD

Fees

Description	Fee	Qty	Amount
Motion for Order (name extension)	60.00	1	60.00
Credit Card Percentage Fee (2.75%)	1.65	1	1.65
TOTAL			\$61.65

Payment

Amount: \$61.65	Type: Visa
Account Number: XXXX7915	Authorization: 09330G
Payment Date: 2022-11-22	

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