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Attorneys for Plaintiff Trevor Morton

Clerk of the Superior Court
By T. Automation, Deputy Clerk

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO**

TREVOR MORTON *et al.*

Plaintiff,

vs.

ASSOCIATED MICROBREWERIES, LTD.,
DBA KARL STRAUSS BREWING COMPANY
et al.

Defendants.

Case No. 2020-00016542-CU-OE-CTL

Hon. Katherine Bacal
Dept. 63

**Notice of Entry of Order Granting PAGA
Settlement Approval**

Action Filed: March 16, 2020

1 TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD, PLEASE
2 TAKE NOTICE THAT:

3 1. On February 21, 2025, at 1:30 p.m. in this Department, the Court entered the Order and
4 Granted PAGA Settlement Approval attached hereto as Exhibit 1.

5 2. The Judge confirmed the Court's Tentative Ruling attached hereto as Exhibit 2.

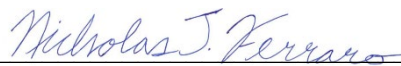
6 3. A copy of this Notice has been submitted to the LWDA via its online electronic portal
7 in accordance with Labor Code § 2699(s)(3).

8 4. Notice of the Court's final ruling is hereby provided.

9
10 Respectfully submitted,

11
12 Dated: February 25, 2025

Ferraro Vega Employment Lawyers, Inc.

13
14 

Nicholas J. Ferraro

Attorney for Plaintiff Trevor Morton

EXHIBIT 1

FEB 24 2025

Clerk of the Superior Court
By: A. Yim, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO

TREVOR MORTON *et al.*

Plaintiffs,

vs.

ASSOCIATED MICROBREWERIES, LTD.,
DBA KARL STRAUSS BREWING COMPANY
et al.

Defendants.

Case No. 2020-00016542-CU-OE-CTL

Hon. Katherine Bacal
Dept. 63

[Proposed] Approval Order

Motion for PAGA Settlement Approval Hearing:

Date: January 24, 2025

Time: 11:00 a.m.

[Filed concurrently with Notice and Motion for
Approval of PAGA Action Settlement,
Memorandum of Points and Authorities,
Declaration of Nicholas J. Ferraro, Declaration
of Trevor Morton, and [Proposed] Order]

Action Filed: March 16, 2020

1 Plaintiff's Motion for Approval of PAGA Settlement came before the Court, the Honorable
2 Kathrine A. Bacal presiding, on January 24, 2025 at 11:00 a.m.

3 Having considered the Plaintiff's Motion for Approval of PAGA Settlement, Memorandum of
4 Points and Authorities, Declaration of Trevor Morton, and the Declaration of Nicholas J. Ferraro and
5 exhibits submitted in support thereof, the Court HEREBY ORDERS THE FOLLOWING:

6 1. All terms used herein shall have the same meaning as defined in the PAGA Settlement
7 Agreement (the "PAGA Settlement").

8 2. Pursuant to the California Labor Code Private Attorneys General Act ("PAGA"), Cal.
9 Lab. Code §§ 2699(1)(2), (1)(4), the Labor Workforce and Development Agency ("LWDA") has been
10 given notice of the PAGA Settlement. On November 11, 2024, Plaintiff submitted to the LWDA a
11 Notice of Settlement enclosing a copy of the PAGA Settlement Agreement. Plaintiff's Notice of
12 Settlement to the LWDA complied with the requirements of PAGA.

13 3. The Court confirms approval of the PAGA Settlement Agreement as to the following
14 group of individuals, collectively referred to as the "Aggrieved Employees": a person employed by
15 Defendant in California and classified as non-exempt brewpub employee who worked for Defendant
16 during the PAGA Period [January 10, 2019 to September 11, 2024].

17 4. The Court has jurisdiction over the subject matter of this litigation, over all Aggrieved
18 Employees, and over those persons and entities undertaking affirmative obligations under the PAGA
19 Settlement.

20 5. The PAGA Settlement Agreement is approved under Cal. Lab. Code § 2699(1)(2).

21 6. The Notice of PAGA Settlement and Release of Claims, attached hereto as Exhibit 1
22 fairly and adequately describes the Action, the approved Settlement, and is the best notice practicable
23 under the circumstances.

24 7. The Court approves the following releases of claims:

25
26 All Aggrieved Employees and the LWDA are deemed to release, on behalf of
27 themselves and their respective former and present representatives, agents,
28 attorneys, heirs, administrators, successors, and assigns, the Released Parties from,
and are forever barred from pursuing such against Released Parties for, the PAGA
penalties that were alleged, or reasonably could have been alleged, based on the
PAGA Period facts alleged in the Operative Complaint during the PAGA Period,

and the PAGA Notice.

Released Parties means: Defendants and each of their former and present directors, officers, shareholders, owners, members, attorneys, insurers, predecessors, successors, assigns, subsidiaries, and affiliates.

8. "PAGA Period" means the period from January 10, 2019 to September 11, 2024.

9. The PAGA Gross Settlement Amount is approved under Cal. Lab. Code § 2699(1)(2).

10. The Court approves the allocations and payment of the Gross Settlement Amount for the compromise of the PAGA, to be paid in accordance with the terms of the PAGA Settlement Agreement.

11. The Court approves a payment not to exceed \$8,347.00 to Simpluris ("Administrator") to calculate individual payments, make payments to Aggrieved Employees and the LWDA, issue the appropriate tax forms, and perform necessary tax reporting.

12. Under the terms of the Settlement, the amount remaining after Plaintiff's Service Payment, PAGA Counsel Fees Payment, PAGA Counsel Litigation Expenses Payment, and the Administrator's Expenses Payment will be proportioned with 75% of the remaining amount paid to the State of California Labor Workforce Development Agency ("LWDA Payment"), and 25% of the remaining amount distributed to the Aggrieved Employees in accordance with the terms of the Settlement Agreement.

13. The Court retains exclusive and continuing jurisdiction over this Action for the purposes of supervising, administering, implementing, interpreting, and enforcing this Order, as well as the PAGA Settlement Agreement.

14. Nothing in this Approval Order or the PAGA Settlement Agreement shall be construed as an admission or concession by any party. The PAGA Settlement Agreement and the resulting dismissal simply represent a compromise of disputed allegations.

15. Plaintiff is directed to submit a copy of this Approval Order to the LWDA within 10 days of the date of this Order.

16. The Court retains jurisdiction under Code of Civil Procedures Section 664.6 until the terms of the PAGA Settlement Agreement are performed fully.

17. The Action is hereby ~~DISMISSED~~ *Put on 90 day dismissal calendar and parties can thereafter seek* WITH PREJUDICE ~~five court days after the~~ *D* *2 smrs*

1 ~~Administrator~~ confirms to the Parties and the Court that it has disbursed all funds in the Gross
2 Settlement Amount. 

3
4 **IT IS SO ORDERED.**

5 Dated: 


Hon Katherine A. Bacal
Judge of the Superior Court

EXHIBIT 1

EXHIBIT 1

Notice of PAGA Settlement and Release of Claims

Trevor Morton. v. Associated Microbreweries, Ltd. et al;
San Diego Superior Court Case No. 2020-00016542-CU-OE-CTL

<<Employee Name>>
<<Address>>
<<Address>>
<<City, State, Zip>>

1. NOTICE OF PAGA SETTLEMENT

The San Diego County Superior Court has approved a settlement in the above referenced action filed by Plaintiff Trevor Morton on behalf of himself and all other aggrieved employees. Plaintiff claimed non-compliance with requirements of the California Labor Code under the Private Attorneys General Act ("PAGA").

The Court has not made a determination about Plaintiff's allegations. This Notice is not to be understood as an expression of any opinion by the Court as to the merits of the Claim. The Defendants strongly maintain that they were in compliance with California Labor Code at all times and entered into the Settlement with no admission of liability and solely for the purpose of compromising and settling the action to avoid the burden of litigation.

You are receiving this Notice because you are in the group of possible Aggrieved Employees. "Aggrieved Employees" means a person employed by Defendant Associated Microbreweries, Ltd. dba Karl Strauss Brewing Company ("Defendant") in California and classified as a non-exempt brewpub employee who worked for Defendant during the PAGA Period.

2. CALCULATION OF INDIVIDUAL PAGA PAYMENT

The Court approved Gross PAGA Settlement Amount is \$200,000. \$8,347.00 is set aside to pay for administrative costs related to the notice and distribution of individual payments to Aggrieved Employees. Of the Gross PAGA Settlement Amount less administrative costs, attorneys' fees and litigation costs approved by the Court, and the named plaintiff's service payment, 75% shall be paid directly to the LWDA as required by law. The remaining 25% shall be distributed proportionately to the Aggrieved Employees based on the amount of time each Aggrieved Employee worked for Defendants. Each Aggrieved Employee will receive a fraction of the total amount going to Aggrieved Employees with the numerator based on the number of workweeks the Aggrieved Employee worked and the denominator based on the total workweeks worked by all Aggrieved Employees.

3. RELEASE

All Aggrieved Employees are deemed to release, on behalf of themselves and their respective former and present representatives, agents, attorneys, heirs, administrators, successors, and assigns, the Released Parties from all claims for PAGA penalties that were alleged, or reasonably could have been alleged, based on the PAGA Period facts stated in the Operative Complaint, and the PAGA Notice.

“Released Parties” means: Defendants and each of their former and present directors, officers, shareholders, owners, members, attorneys, insurers, predecessors, successors, assigns, subsidiaries, and affiliates.

“PAGA Period” means the period from January 10, 2019 to September 11, 2024.

4. SETTLEMENT ADMINISTRATION

PLEASE DO NOT CALL THE COURT ABOUT THIS NOTICE.

The Administrator is Simpluris. It may be contacted at: _____.

Settlement checks will be null and void 60 days after issuance if not deposited or cashed. In such event, all unclaimed funds shall be directed the California Department of Industrial Relations Unpaid Wage Fund in the name of the Aggrieved Employee to who the check was issued.

EXHIBIT 2

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN DIEGO
CENTRAL COURTHOUSE

TENTATIVE RULINGS - February 20, 2025

HEARING DATE: 02/21/25 HEARING TIME: 1:30PM DEPT.: C-63

JUDICIAL OFFICER: BACAL, KATHERINE A.

CASE NO.:37-2020-00016542-CU-OE-CTL

CASE TITLE: Morton vs Associated Microbreweries Ltd [Imaged]

CASE TYPE: (U)Other Employment

HEARING TYPE: Motion Hearing

TENTATIVE RULING

Having reviewed the supplemental declaration, the Court intends to sign the proposed approval order for the PAGA settlement. The proposed order will be the order of the Court.