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12 Attorneys for Plaintiff

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

14 **IN AND FOR THE COUNTY OF ALAMEDA**

15 JAH JACKSON, an individual, on behalf of
16 himself and on behalf of all persons similarly
17 situated,

18 Plaintiff,

19 vs.

20 DECATHLON USA LLC, a Limited Liability
21 Company; and DOES 1 through 50, inclusive,

22 Defendants.

Case No. RG20073024

NOTICE OF ENTRY OF JUDGMENT

Hearing Date: January 18, 2023

Hearing Time: 10:00 a.m.

Judge: Hon. Evelio Grillo

Dept.: 21

Trial Date: Not Set

Action Filed: August 31, 2020

1 **TO ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:**

2 YOU ARE HEREBY NOTIFIED THAT on January 19, 2023, the Court entered the Order
3 Approving PAGA Settlement and Judgment in the above entitled action. A true and correct copy
4 of the Order Approving PAGA Settlement and Judgment is attached hereto as Exhibit #1.

5 Respectfully submitted,

6
7 Dated: January 23, 2023

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

9 By: /s/ Kyle Nordrehaug

10 Kyle R. Nordrehaug

11 Attorneys for Plaintiffs
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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SAN DIEGO

I, Kyle Nordrehaug am a citizen of the United States and a resident of the State of California. I am employed in the County of San Diego, State of California. I am over the age of 18 and not a party to the within action. My business address is 2255 Calle Clara, La Jolla, California 92037. On January 23, 2023, I served the document(s) described as:

1. NOTICE OF ENTRY OF JUDGMENT

X (BY ELECTRONIC SERVICE): I provided the documents referenced above electronically via electronic mail (e-mail) to counsel for Defendant at the following e-mail address(es):

Mintz
Micha "Mitch" Danzig
Email: Mdanzig@mintz.com
Paul Huston
Email: PMHuston@mintz.com
Audrey Nguyen
Email: Anguyen@mintz.com
3580 Carmel Mountain Road, Suite 300
San Diego, CA 92130

X (ONLINE TO THE LWDA): I caused the above-described document to be delivered to the Labor Workforce Development Agency via online process at the PAGA Filing website in accordance with the procedure imposed by the LWDA.

X (State): I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on January 23, 2023, at San Diego, California.

/s/ Kyle Nordrehaug
Kyle Nordrehaug

EXHIBIT #1

Electronically Received 12/13/2022 11:16 PM

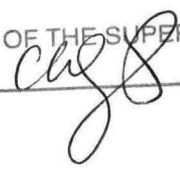
**BLUMENTHAL NORDREHAUG BHOWMIK
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Attorneys for Plaintiffs

FILED
ALAMEDA COUNTY

JAN 19 2023

CLERK OF THE SUPERIOR COURT
By  Deputy

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF ALAMEDA**

JAH JACKSON, an individual, on behalf
of himself and on behalf of all persons
similarly situated,

Plaintiff,

vs.

DECATHLON USA LLC, a Limited
Liability Company; and DOES 1 through
50, inclusive,

Defendants.

Case No.: **RG20073024**

**[REVISED ~~PROPOSED~~] ORDER
APPROVING PAGA SETTLEMENT AND
JUDGMENT**

Hearing Date: December 20, 2022
Hearing Time: 10:00 a.m.
Reservation ID: 987680009377

Judge: Hon. Evelio Grillo
Dept.: 21

Trial Date: Not Set
Action Filed: August 31, 2020

1
2 Before this Court is the motion of Plaintiff Jah Jackson ("Plaintiff") for approval of the
3 settlement of Plaintiff's claims under the California Labor Code Private Attorneys General Act
4 ("PAGA"), pursuant to California Labor Code § 2699(1), against Defendant Decathlon USA LLC
5 ("Defendant").

6 Plaintiff exhausted all administrative remedies required to bring the PAGA claims asserted in
7 this action and is authorized to act as private attorney general with respect to the PAGA claims being
8 released under the terms of the First Amended PAGA Settlement Agreement ("Settlement
9 Agreement"). The California Labor Workforce Development Agency was provided with notice of
10 the Settlement and the motion for approval of the PAGA settlement via its online process and no
11 objection has been received to the settlement or the motion from the Labor Workforce Development
12 Agency.

13 The Plaintiff seeks approval of the settlement of Plaintiff's PAGA claims and the PAGA
14 Payment to be paid as part of the settlement as set forth in the Settlement Agreement which was filed
15 with the Court. The settlement provides for a Gross PAGA Settlement Amount in the total sum of
16 \$475,000, which includes the PAGA Payment, the Settlement Administration Costs (not to exceed
17 \$5,000), PAGA Counsel's Attorneys' Fees in the amount of ^{142,500 3076} ~~\$150,000~~ (one-third of the Gross
18 Settlement Amount), and PAGA Counsel's Attorneys' Expenses in the amount of \$14,277.68. The
19 PAGA Payment, which is the amount remaining of the Gross PAGA Settlement Amount after
20 deduction of Settlement Administration Costs, Attorneys' Fees and Attorneys' Expenses, shall be
21 allocated to Labor Code 2699 penalties, including other civil penalties specified in the Labor Code,
22 of which 75% of the payment will be paid to the LWDA and 25% will be paid to the Aggrieved
23 Employees.

24 The Court, having reviewed the evidence and papers submitted and argument of counsel,
25 pursuant to Labor Code section 2699(1)(2) hereby GRANTS the Plaintiff's motion and approves the
26 PAGA settlement as set forth in the Settlement Agreement and the PAGA Payment, which shall be
27 allocated and paid out as set forth in the Settlement Agreement.
28

1 The "Aggrieved Employees" are defined as all individuals who were employed by Defendant
2 in California and classified as non-exempt employees during the PAGA Period. The PAGA Period is
3 the time period February 19, 2019 to May 9, 2022. The Aggrieved Employees are estimated to
4 consist of 326 individuals.

5 Upon the Effective Date of this Order and Judgment, Defendant and the Released Parties
6 shall be entitled to a release of the Released PAGA Claims. The "Released PAGA Claims" are all
7 PAGA claims for civil penalties under California Labor Code §§ 2698 *et seq.*, predicated on the
8 California Labor Code claims that are asserted in the LWDA Notice and operative complaint which
9 are for civil penalties pursuant to Labor Code section 2699, *et seq.* for claims of Labor Code sections
10 §§ 201, 202, 203, 204, 210, 226(a), 226.7, 226.8, 510, 512, 558, 1194, 1197, 1197.1, 1198, 1198.5,
11 2802 and applicable Industrial Welfare Commission Wage Orders. The Released PAGA Claims
12 (except as to Plaintiff) expressly excludes class claims, underlying wage and hour claims, claims for
13 wrongful termination, discrimination, unemployment insurance, disability, and workers'
14 compensation, and claims outside of the PAGA Period. In no event shall the release of the Released
15 PAGA Claims in the Settlement Agreement release any individual claims of any individuals other
16 than Plaintiff.

17 This claim asserted under PAGA in this action is dismissed with prejudice. The individual
18 claims of the Plaintiff are dismissed with prejudice. After entry of this Order and Judgment, the
19 Court shall, pursuant to Code of Civil Procedure §664.6, retain jurisdiction pursuant to California
20 Code of Civil Procedure § 664.6 to construe, interpret, implement, and enforce the Settlement
21 Agreement, to hear and resolve any contested challenge to a claim for settlement benefits, and to
22 supervise and adjudicate any dispute arising from or in connection with the distribution of settlement
23 benefits.

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

26 DATED: JAN 19 ²⁰²³ ~~2022~~



EVELIO M. GRILLO
JUDGE

THE HONORABLE EVELIO GRILLO
JUDGE OF THE SUPERIOR COURT

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ORDER APPROVING PAGA SETTLEMENT AND JUDGMENT

Case No. RG20073024