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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ORANGE

JOEL VILLALPANDO, an individual,

Plaintiff,

v.

RED SPARROW SERVICES, INC., a California
Corporation; AVREK LAW FIRM, a Professional
Law Corporation; MARYAM PARMAN, an
individual; DOES 1-10, business entities, forms
unknown; DOES 11-20, individuals; and DOES
21-30, inclusive,

Defendants.

Case No.: 30-2020-01140620-CU-OE-CXC

**[PROPOSED] JUDGMENT AND ORDER
APPROVING SETTLEMENT OF CLAIMS
BROUGHT PURSUANT TO THE PRIVATE
ATTORNEYS GENERAL ACT OF 2004,
AWARDING ATTORNEYS' FEES, COSTS,
ENHANCEMENT PAYMENT, AND
REIMBURSEMENT OF SETTLEMENT
ADMINISTRATION EXPENSES**

Date: February 26, 2021
Time: 9:00 a.m.
Judge: William Cluster
Dept.: CX104
Reservation Number: 73457803

Complaint filed: May 26, 2020
Trial Date: Not Set

Plaintiff Joel Villalpando's ("Plaintiff") Unopposed Motion for an Order: (1) granting approval, pursuant to California Labor Code § 2698 et seq., of the proposed settlement of claims brought pursuant to the Private Attorneys General Act of 2004 (Cal. Labor Code § 2698 et seq.) set forth in the parties' Private Attorneys General Act (Labor Code § 2698 et seq.) Settlement Agreement; (2) appointing Phoenix Class Action Administration Solutions as the Settlement Administrator and approving payment of its fees not to exceed \$1,500 from the Gross Settlement Amount; (3) directing disbursement of the Gross Settlement Amount pursuant to the terms of the Settlement Agreement; (4) directing payment of attorneys' fees and litigation costs from the Gross Settlement not to exceed \$11,666.66 to Plaintiff's counsel for its attorneys' fees and \$6,980.00 for its costs; and (5) directing payment of an Enhancement Award from the Gross Settlement Amount in an amount not to exceed \$1,000.00 to Plaintiff Joel Villalpando came on for hearing before this Court in Department CX104, the Honorable William Claster presiding, on February 26, 2021.

Chantal Payton, Esq. appeared on behalf of Plaintiff Joel Villalpando. _____, Esq. appeared on behalf of Defendants Red Sparrow Services, Inc.; Avrek Law Firm; and Maryam Parman.

Having reviewed the Settlement Agreement and duly considered the parties' papers and oral argument, and good cause appearing,

THE COURT HEREBY ORDERS, ADJUDGES, AND DECREES AS FOLLOWS:

1. All terms used herein shall have the same meaning as defined in the Settlement Agreement.

2. This Court has jurisdiction over the claims of the putative Aggrieved Employees and the State of California asserted in this proceeding and over all parties to the Action.

3. The Court finds that the Settlement was entered into in good faith, that the Settlement is fair, reasonable and adequate, and that the Settlement satisfies the standards and applicable requirements for approval of PAGA representative actions under California law. The Court finds that the Gross Settlement Amount of \$35,000.00 represents a fair compromise of the claims alleged in the Action, considering the maximum potential value of the claims asserted and the risks inherent in further litigation.

1 4. The Court has considered the authorities and evidence presented by Plaintiff and based
2 thereon hereby approves the following awards and deductions from the Gross Settlement Amount:

- 3 a. To Plaintiff's counsel, Chantal Payton, Esq., of Payton Employment Law, PC; and
4 Shalini Dogra, Esq. of Dogra Law Group PC, an award not to exceed \$11,666.66
5 in attorneys' fees (representing 33.33% of the Gross Settlement Amount) and
6 \$6,980.00 in costs. The Court finds that these amounts, and legal fee rates of
7 \$400.00 per hour for Chantal Payton, Esq., \$500.00 per hour for Robert Torres,
8 Esq., and \$325.00 per hour for Shalini Dogra, Esq. are fair and reasonable and
9 commensurate with applicable California law.
- 10 b. To Plaintiff, a Service Award of \$1,000.00. The Court finds that the general
11 release provided by Plaintiff Joel Villalpando in the Settlement Agreement justifies
12 this payment.
- 13 c. To Phoenix Class Action Administration Solutions, the Parties' proposed
14 settlement administrator, an approved payment of up to \$1,500 to administer the
15 Settlement through its conclusion, including disbursement of the Gross Settlement
16 Amount and all tax reporting associated therewith.

17 5. The amount remaining of the Gross Settlement Amount following these deductions is
18 the Net Settlement Amount of approximately \$13,853.34. The Net Settlement Amount shall be
19 disbursed to the Labor and Workforce Development Agency and the putative Aggrieved Employees
20 pursuant to the terms of the Settlement Agreement. Specifically, the Net Settlement Amount will be
21 distributed 75% to the Labor and Workforce Development Agency and 25% to the putative Aggrieved
22 Employees.

23 6. Upon entry of this Order, the Parties shall effectuate all terms of the Settlement based
24 on the provisions and timelines set forth in the Settlement Agreement.

25 7. The Parties shall file, no later than two hundred forty (240) days following the date of
26 this Judgment, a report which details the administration of the Settlement. This report shall include
27 a declaration from the settlement administrator which attests to the status of payments to and
28 distribution from the Gross Settlement Amount. As part of the report, the Parties shall state the value

1 of uncashed checks that have been remitted to the California State Controller's Office. As part of the
2 report, the Parties shall propose a further compliance hearing date if they believe that one is necessary
3 to address any unresolved or remaining issues related to the settlement and/or distribution.

4 8. After entry of this Order and Judgment, pursuant to California Code of Civil Procedure
5 section 664.6, the Court shall retain jurisdiction to construe, interpret, implement, and enforce the
6 Settlement Agreement and this Order and Judgment, to hear and resolve any contested challenge to a
7 claim for settlement benefits, and to supervise and adjudicate any dispute arising from or in
8 connection with the distribution of settlement benefits.

9
10 **IT IS SO ORDERED.**

11
12 Dated: _____

Hon. William Claster
Judge of The Superior Court