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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

MAY 21 2021

By *Wimala Blanchard*
WIMALA BLANCHARD, Deputy

(Counsel listed on the next page)

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO

ARTHUR BARNES, JOSEPH D.
ORNELAS and RODNEY ALAN
ROBINSON, JR., on behalf of themselves
and all others similarly situated,

Plaintiffs,

vs.

TARGET CORPORATION, a Minnesota
Corporation; and DOES 1 through 10,
inclusive,

Defendant.

No. CIVDS2007761 [consolidated with
Nos. CIVDS2012750 and CIVDS2004578]

and Judgment
~~[PROPOSED]~~ ORDER GRANTING FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT AND ENTERING FINAL
JUDGMENT

Date: May 21, 2021
Time: 10:00 a.m.
Judge: Hon. David Cohn
Dept.: S-26
247 West Third Street
San Bernardino, California 92415

Complaint filed: March 13, 2020
Trial date: None set

FILED BY FAX

ORDER GRANTING FINAL APPROVAL OF SETTLEMENT

LEGAL_US_W # 105297359.2

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Attorneys for Defendant
Target Corporation

1 On May 21, 2021, a hearing was held on the joint motion of plaintiffs Arthur Barnes,
2 Joseph D. Ornelas, and Rodney Alan Robinson, Jr. (collectively, "Plaintiffs") and defendant
3 Target Corporation ("Target"), for final approval of their class settlement (the "Settlement").
4 Joseph R. Becerra of Becerra Law Firm and Torey Joseph Favarote of Gleason Favarote LLP
5 appeared for Plaintiffs; and Jeffrey D. Wohl, Ryan D. Derry, Paul A. Holton, and Anna M.
6 Skaggs of Paul Hastings LLP appeared for Target.

7 The parties have submitted their Settlement, which this Court preliminarily approved by
8 its order entered on January 5, 2021. In accordance with the Preliminary Approval Order, Class
9 Members have been given notice of the terms of the Settlement and the opportunity to object to it
10 or to exclude themselves from its provisions.

11 Having received and considered the Settlement, the supporting papers filed by the parties,
12 and the evidence and argument received by the Court at the hearing before it entered the
13 Preliminary Approval Order and at the final approval hearing on May 21, 2021, the Court grants
14 final approval of the Settlement, and HEREBY ORDERS and MAKES DETERMINATIONS as
15 follows:

16 1. Pursuant to the Preliminary Approval Order, a Notice of Proposed Settlement,
17 Conditional Certification of Settlement Class, Preliminary Approval of Settlement, and Hearing
18 Date for Final Court Approval; a Class Member Settlement Information Sheet; and an Election
19 Not to Participate in Settlement were sent to each Class Member by first-class mail. These papers
20 informed Class Members of the terms of the Settlement, their right to receive a Settlement Share,
21 their right to object to the Settlement or to elect not to participate in the Settlement and pursue
22 their own remedies, and their right to appear in person or by counsel at the final approval hearing
23 and be heard regarding approval of the Settlement. Adequate periods of time were provided by
24 each of these procedures. The Court finds and determines that this notice procedure afforded
25 adequate protections to Class Members and provides the basis for the Court to make an informed
26 decision regarding approval of the Settlement based on the responses of Class Members. The
27 Court finds and determines that the notice provided in this case was the best notice practicable
28 and satisfied the requirements of law and due process.

1 2. In addition to the notice to the Class, the Attorney General of the United States and
2 the appropriate state official in each state in which a Class Member resides have been given
3 notice of the Settlement. Not later than 10 days after the motion seeking preliminary approval of
4 the Settlement was filed with the Court, Target served upon the appropriate state official of each
5 state in which a Class Member resides and the appropriate federal official a notice of the
6 Settlement consisting of: copies of the operative complaint in this action; a notice of the
7 scheduled judicial hearings in this action; copies of the Settlement Agreement, proposed notices
8 of class action settlement and Class Members' right to request exclusion from the class; and the
9 names of Class Members who reside in each state and the estimated proportionate share of the
10 claims of Class Members in each state to the entire Settlement. The notice of Settlement also
11 invited comment on the Settlement. The Court finds and determines that Target's notice of the
12 Settlement was timely, adequate, and compliant with the Class Action Fairness Act of 2005
13 ("CAFA"), 28 U.S.C. § 1715, and that 28 U.S.C. section 1715(e) has no application to the
14 Settlement.

15 3. In addition to the notice to the Class and the CAFA notice described above, the
16 California Labor and Workforce Development Agency (the "LWDA") was given timely notice of
17 the Settlement pursuant to the California Labor Code Private Attorneys General Act ("PAGA"),
18 Cal. Lab. Code § 2699(1)(2). The notice of Settlement invited comment on the Settlement. The
19 Court finds and determines that this notice of the Settlement was timely, adequate, and compliant
20 with PAGA.

21 4. For the reasons stated in the Preliminary Approval Order, the Court finds and
22 determines that the proposed Class, as defined in the definitions section of the Settlement and
23 conditionally certified by the Preliminary Approval Order, meets all of the legal requirements for
24 class certification, and it is hereby ordered that the Class is finally approved and certified as a
25 class for purposes of the Settlement.

26 5. The Court further finds and determines that the terms of the Settlement are fair,
27 reasonable and adequate to the Class and to each Class Member and that the Class Members who
28 did not timely submit valid elections not to participate in the Settlement in accordance with the

1 Settlement Agreement and the Preliminary Approval Order will be bound by the Settlement, that
2 the Settlement is ordered finally approved, and that all terms and provisions of the Settlement
3 should be and hereby are ordered to be consummated.

4 6. The Court finds and determines that the Settlement Shares to be paid to the Class
5 Members, as provided for by the Settlement, are fair and reasonable. The Court hereby gives
6 final approval to and orders the payment of those amounts be made to the Class Members out of
7 the Net Settlement Amount in accordance with the Settlement.

8 7. The Court finds and determines that the fees and expenses in administering the
9 Settlement, in the amount of \$60,000.00, are fair and reasonable. The Court hereby gives final
10 approval to and orders that amount be paid out of the Maximum Settlement Amount in
11 accordance with the Settlement.

12 8. The Court determines by separate order the request by plaintiffs and Class Counsel
13 to the Class Representative Payments and the Class Counsel Fees and Expenses Payment.

14 9. Without affecting the finality of this order in any way, the Court retains
15 jurisdiction of all matters relating to the interpretation, administration, implementation,
16 effectuation and enforcement of this order and the Settlement.

17 10. Nothing in this order will preclude any action to enforce the parties' obligations
18 under the Settlement or under this order, including the requirement that Target make payments to
19 the Class Members in accordance with the Settlement.

20 11. Upon completion of administration of the Settlement, the Settlement Administrator
21 will provide written certification of such completion to the Court and counsel for the parties.

22 12. Pursuant to the Settlement, plaintiffs and all Class Members who did not timely
23 submit valid elections not to participate are permanently barred from prosecuting against Target,
24 and its parents, predecessors, successors, subsidiaries, affiliates, joint ventures, and trusts, and all
25 of its employees, officers, agents, attorneys, stockholders, fiduciaries, other service providers, and
26 related persons and entities, and assigns, any of the claims released by them under the Settlement.

27 13. The parties are hereby ordered to comply with the terms of the Settlement.

28 14. The Court hereby enters final judgment in accordance with the terms of the

1 Settlement Agreement, the Order Granting Preliminary Approval of Class Action Settlement
2 entered on January 5, 2021, and this order, each side to bear its own costs and attorneys' fees
3 except as provided by the Settlement.

4 IT IS SO ORDERED.

5 Dated: 5/21, 2021.



David Cohn
Judge of the Superior Court

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PROOF OF SERVICE

I, Thomas Steinhart, declare:

I am and was at the time of the service mentioned in this declaration, employed in the County of Los Angeles, California. I am over the age of 18 years and not a party to the within action. My business address is Gleason & Favarote, LLP, 4014 Long Beach Blvd., Suite 300, Long Beach, CA 90807.

On April 28, 2021, I served a copy(ies) of the following document(s):

**[PROPOSED] ORDER GRANTING FINAL APPROVAL OF CLASS ACTION
SETTLEMENT AND ENTERING FINAL JUDGMENT**

on the parties to this action by placing them in a sealed envelope(s) addressed as follows:

Attorney	Party(ies) Served	Method of Service
JEFFREY D. WOHL RYAN D. DERRY PAUL A. HOLTON ANNA M. SKAGGS PAUL HASTINGS LLP 101 California Street, 48th Floor San Francisco, California 94111 Tel: (415) 856-7000 Fax: (415) 856-7100 jeffwohl@paulhastings.com ryanderry@paulhastings.com paulholton@paulhastings.com annaskaggs@paulhastings.com meredithmitchell@paulhastings.com	Attorneys for Defendant TARGET CORPORATION	By email per service agreement

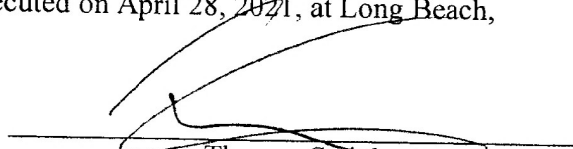
☐ [BY MAIL] I placed the sealed envelope(s) for collection and mailing by following the ordinary business practice of Gleason & Favarote, LLP, Long Beach, California. I am readily familiar with Gleason & Favarote, LLP's practice for collecting and processing of correspondence for mailing with the United States Postal Service, said practice being that, in the ordinary course of business, correspondence with postage fully prepaid is deposited with the United States Postal Service the same day as it is placed for collection.

☐ [BY OVERNIGHT COURIER] I caused the sealed envelope(s) to be delivered by a commercial courier service for overnight delivery to the offices of the addressee(s).

☐ [BY HAND] I directed the sealed envelope(s) to the party(ies) so designated on the service list to be delivered by Ace Attorney Service, Inc. this date.

☒ [BY ELECTRONIC TRANSMISSION] I caused said document to be sent by electronic transmission to the e-mail address indicated for the party(ies) listed above.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct, and that this declaration was executed on April 28, 2021, at Long Beach, California.


Thomas Steinhart