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7 Attorneys for Plaintiff
ADAN ORTIZ
8

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 FOR THE COUNTY OF SAN MATEO
11 UNLIMITED JURISDICTION
12

13 ADAN ORTIZ, on behalf of himself, all others
14 similarly situated, and the general public,

15 *Plaintiff,*

16 vs.

17 STAFFMARK HOLDINGS, INC., an Ohio
corporation; STAFFMARK INVESTMENT,
18 LLC, an Ohio Limited Liability Company;
WALMART, INC., an Arkansas Corporation;
19 and DOES 1 through 50, inclusive,

20 *Defendants.*
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Case No. 20-CIV-01733

**PLAINTIFF'S NOTICE OF ENTRY OF
JUDGMENT**

Dept: 23

1 TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

2 On August 22, 2023, the Court entered its order and Judgment Granting the Motion for
3 Approval of PAGA Settlement, attached hereto as Exhibit A.

4
5 Dated: August 23, 2023

SETAREH LAW GROUP

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8 /s/ Farrah Grant

9 SHAUN SETAREH
10 THOMAS SEGAL
11 FARRAH GRANT
12 Attorneys for Plaintiff
13 ADAN ORTIZ
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EXHIBIT A

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7 Attorneys for Plaintiff
ADAN ORTIZ
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9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
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13 ADAN ORTIZ, on behalf of himself, all others
similarly situated, and the general public,
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Plaintiff,

15 vs.
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corporation; STAFFMARK INVESTMENT,
LLC, an Ohio Limited Liability Company;
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and DOES 1 through 50, inclusive,
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Defendants.
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FILED
SAN MATEO COUNTY

AUG 22 2023

Clerk of the Superior Court
By  DEPUTY CLERK

Case No. 20-CIV-01733

Assigned for All Purposes to the Honorable V.
Raymond Swope, Department 23

JUDGMENT and
[PROPOSED] AMENDED ORDER
GRANTING APPROVAL OF PAGA
SETTLEMENT; JUDGMENT

~~PROPOSED~~ ORDER AND JUDGMENT

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

The Court, having considered the Motion for Approval of PAGA Settlement and the Declaration of Shaun Setareh filed in support thereof, HEREBY ORDERS the following:

1. Each party is to bear its own attorneys' fees and costs associated with the dismissal except as set forth herein;

2. Plaintiff has exhausted all administrative remedies required to bring the PAGA claims asserted in this litigation and is authorized to act as a private attorney general with respect to the PAGA claims being released under the proposed PAGA settlement (the Released Claims);

3. The proposed PAGA Settlement, attached to the Declaration of Shaun Setareh in Support of Joint Stipulation Requesting Approval of Settlement Pursuant to the Private Attorneys General Act of 2004 as **Exhibit 1**, is approved and adopted as a reasonable compromise of the asserted PAGA claims pursuant to California Labor Code section 2699(I);

4. The Court grants in part and denies in part Plaintiff's motion for attorney fees, enhancement award and reimbursement of litigation costs as set forth below;

5. The Court awards attorney fees in the amount of \$550,000;

6. The Court awards reimbursement of litigation costs in the amount of \$11,766.40;

7. The Court awards Plaintiff an incentive award in the amount of \$5000;

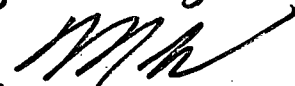
8. The Court awards the Settlement Administrator costs in the amount of \$8,400;

9. The Court approves Alliance for Children's Rights as the cy pres recipient;

10. This settlement approval order and judgment has full *res judicata* effect and is final and binding upon Aggrieved Employees regarding the Released Claims. *See Arias v. Superior Court*, 46 Cal.4th 969, 986 (2009) ("Because an aggrieved employee's action under the Labor Code Private Attorneys General Act of 2004 functions as a substitute for an action brought by the government itself, a judgment in that action binds all those, including nonparty aggrieved employees, who would be bound by a judgment in an action brought by the government"); *Baumann v. Chase Inv. Servs. Corp.*, 747 F.3d 1117, 1122 (9th Cir. 2014) ("PAGA has no notice requirements for unnamed aggrieved employees, nor may such employees opt out of a PAGA action"). Accordingly, any further proceedings regarding the

Released Claims by Aggrieved Employees are hereby enjoined; and

11. This Court retains continuing and exclusive jurisdiction for purposes of addressing: (a) the interpretation and enforcement of the terms of the Settlement; (b) matters relating to the administration of the Settlement; (c) such post-Judgment matters as may be appropriate under Court rules or as set forth in the Settlement; and (d) injunctive relief against any other proceedings on the PAGA claims of Aggrieved Employees in any other case, in light of the settlement and judgment regarding the Released Claims in the instant action. *See Arias v. Superior Court*, 46 Cal.4th 969, 986 (2009).

FOR GOOD CAUSE SHOWN, IT IS SO ORDERED AND JUDGMENT IS ENTERED IN ACCORDANCE WITH THE ABOVE. *Plaintiff shall immediately file and serve formal Notice of Entry of Judgment, including service on LWDA*
DATED: 8/22/23  HON. MARIE S. WEINER

for Honorable V. Raymond Swope
SAN MATEO SUPERIOR COURT JUDGE

PROOF OF SERVICE

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 not a party to the within action. My business address is 9665 Wilshire Blvd, Suite 430, Beverly Hills, CA 90212.

On August 23, 2023, I served the following document(s) described as

PLAINTIFF'S NOTICE OF ENTRY OF JUDGMENT

on all interested parties in this action:

Susan M. Steward
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LABOR AND WORKFORCE
DEVELOPMENT AGENCY (LWDA):
serviced electronically via online filing
system.

[X] **(BY E-MAIL OR ELECTRONIC TRANSMISSION)** Based on a court order or an agreement of the parties to accept service by electronic transmission, I electronically served the document(s) to the persons at the electronic service addresses listed above.

[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 August 23, 2023, at Beverly Hills, California.

/s/ Diana Maytorena

Diana Maytorena