

FILED
San Francisco County Superior Court

SEP 16 2022

CLERK OF THE COURT
BY: [Signature] Deputy Clerk

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO
DEPARTMENT 304

MARIA VICTORIA REYES, an individual; and
CARLOS MAGANA, an individual, on behalf of
themselves, other persons similarly-situated, the
State of California, and other current and former
employees,

Plaintiffs,

vs.

THE WHOLE CART, LLC, a California limited
liability corporation; OFF THE GRID
SERVICES, LLC, a Delaware limited liability
corporation; and DOES 1-20, inclusive,

Defendants.

Case No. CGC-20-584861

JUDGMENT AFTER ENTRY OF ORDER
GRANTING MOTION FOR FINAL
APPROVAL OF CLASS ACTION & PAGA
SETTLEMENT

Judgment is hereby entered in accordance with the terms of this Court's Order Granting Final Approval of Class Action & PAGA Settlement ("Final Approval Order"). The Final Approval Order is hereby incorporated by reference.

The Settlement Class is defined as: All non-exempt employees employed by Defendants performing food preparation and cooking services in Defendants' kitchens, except any employee who held the position of "Instructional Entrepreneur," within the State of California from June 1, 2016 through April 19, 2022, inclusive.

There were no objections or requests for exclusion.

The only Class Members entitled to payment pursuant to this Judgment are Settlement Class Members.

The Gross Settlement Amount is \$425,000. Through its Final Approval Order, the Court authorized the following distributions from the Gross Settlement Amount: (1) \$4,000 as a service award to Plaintiff Maria Victoria Reyes and \$3,000 for Plaintiff Carlos Magana; (2) \$141,666.67 for attorneys' fees; (3) \$8,394 for litigation costs; (4) \$9,750 to Phoenix Settlement Administrators for the costs of settlement administration; and (5) \$10,000 in settlement of the Private Attorneys General Act ("PAGA") cause of action.

Therefore, approximately \$248,189.33 (i.e., the Net Settlement Amount) is payable to the Settlement Class Members. Payments from the Net Settlement Amount shall be determined by the Settlement Administrator in accordance with the Settlement.

Should one or more Class Members fail to cash the check for their Settlement Shares within 180 days after it is mailed to their last known address, and if the aggregate funds represented by the uncashed checks total ten thousand dollars (\$10,000.00) or more, a second distribution shall issue to participating Class Members who cashed their initial Settlement Share, in the manner set forth in the Settlement. (See Settlement, § III(D)(1).) If the aggregate funds represented by the uncashed checks total less than ten thousand dollars (\$10,000.00), they will be donated to La Raza Centro Legal. The Court finds La Raza Centro Legal is an appropriate cy pres beneficiary pursuant to Code of Civil Procedure section 384(b).

1 The Court retains exclusive and continuing jurisdiction over the litigation for purposes of
2 supervising, implementing, interpreting, and enforcing the Settlement and Judgment pursuant to
3 Code of Civil Procedure section 664.6 and California Rules of Court, rule 3.769(h).

4 This document shall constitute a judgment for purposes of California Rules of Court, rule
5 3.769(h).

6 Within ten (10) days after entry of this Judgment, Class Counsel shall submit a copy of this
7 Judgment to the LWDA pursuant to Labor Code section 2699(1)(3).

8

9 JUDGMENT IS HEREBY ENTERED.

10

11

12

Dated: September 16, 2022

13

14

15

16

17

18

19

20

21

22

23

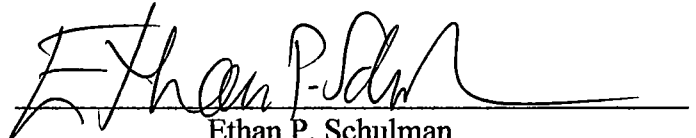
24

25

26

27

28



Ethan P. Schulman
Judge of the Superior Court

CERTIFICATE OF ELECTRONIC SERVICE
(CCP 1010.6(6) & CRC 2.251)

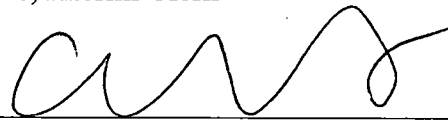
I, Ericka Larnauti, a Deputy Clerk of the Superior Court of the County of San Francisco, certify that I am not a party to the within action.

On September 16, 2022, I electronically served the attached document via File & ServeXpress on the recipients designated on the Transaction Receipt located on the File & ServeXpress website.

Dated: September 16, 2022

Mark Culkins, Interim Clerk

By: _____



Ericka Larnauti, Deputy Clerk