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MAR 14 2022

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

MAR 11 2022

G. Voelker

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF RIVERSIDE, PALM SPRINGS COURTHOUSE

JORGE NAVARRETE, an individual, on
behalf of himself, all aggrieved employees, and
the State of California as a Private Attorneys
General,

Plaintiffs,

vs.

SHOTTENKIRK-CALIFORNIA, LLC, dba
SHOTTENKIRK DESERT LEXUS, a
California limited liability company, and DOES
1-50, inclusive,

Defendant.

Case No. PSC2002783

PROPOSED ORDER GRANTING
APPROVAL OF PAGA SETTLEMENT
AND ENTERING JUDGMENT

PROPOSED ORDER AND JUDGMENT

The Court has received and considered the Stipulation and Agreement for PAGA Representative Action Settlement ("Settlement Agreement") entered into between Plaintiff JORGE NAVARRETE, an individual, on behalf of the State of California as a private attorney general under the California Labor Code Private Attorneys General Act ("PAGA"), and the Defendant SHOTTENKIRK-CALIFORNIA, LLC, DBA SHOTTENKIRK DESERT LEXUS.

Having received and considered the Stipulation and Agreement and the supporting papers filed, the Court grants approval of the PAGA Settlement and HEREBY ORDERS AND MAKES

1 THE FOLLOWING DETERMINATIONS:

2 1. Except as otherwise defined in this Final Order and Judgment ("Order"), all
3 capitalized terms have the same meaning as defined in the Settlement Agreement that is attached as
4 Exhibit 1 to this Order.

5 2. The California Labor Workforce and Development Agency ("LWDA") has been
6 provided notice of the Settlement in accordance with PAGA, California Labor Code § 2699(1)(2),
7 (1)(4). In particular, on the date Plaintiff filed the stipulation seeking approval of the Settlement
8 with the Court, Plaintiff submitted to the LWDA a notice of the Settlement enclosing a copy of the
9 Settlement Agreement. Plaintiff's notice of the Settlement to the LWDA complied with the notice
10 requirements of PAGA.

11 3. The Court confirms approval of the Settlement as to the Aggrieved Employees.

12 4. The Court has jurisdiction over the subject matter of this litigation, over all
13 Aggrieved Employees, and over those persons undertaking affirmative obligations under the
14 Settlement.

15 5. The Settlement is approved under Labor Code § 2699(1)(2).

16 6. The PAGA Settlement Notice to Aggrieved Employees, attached as Exhibit 2 to this
17 Order, fairly and adequately describes the Navarrete Action, the approved Settlement, and is the
18 best notice practicable under the circumstances.

19 7. The Court finds that each Aggrieved Employee and Representative Plaintiff, release
20 all Released Claims against the Released Parties, in accordance with the Settlement

21 8. The Gross Settlement Amount and the methodology used to calculate the Individual
22 Penalty Payments in accordance with the Settlement is approved.

23 9. The Court approves CPT GROUP, INC. to act as the Settlement Administrator. The
24 Court awards the Settlement Administrator in this Action its actual fees and costs in accordance
25 with the terms of the Settlement Agreement, not to exceed \$4,100.

26 10. The Court approves the Koul Law Firm and the Law Offices of Sahag Majarian II as
27 PAGA Class Counsel.

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1 11. The Court awards PAGA Class Counsel attorneys' fees in the amount of \$66,660
2 and actual litigation costs not to exceed \$8,000, both of which the Court finds to be fair and
3 reasonable. The Court authorizes the Settlement Administrator to make these payments, in
4 accordance with the terms of the Settlement Agreement.

5 12. The Court authorizes the Settlement Administrator to calculate and pay the
6 Individual Penalty Payments in accordance with the terms of the Settlement Agreement.

7 13. The Court finds that LWDA Payment of \$89,055 as its share of the settlement of
8 civil penalties is fair and reasonable. The Court authorizes the Settlement Administrator to pay the
9 LWDA Payment, in accordance with the terms of the Settlement Agreement.

10 14. The Court finds the Representative Plaintiff's Enhancement Award in the sum of
11 \$2,500.00 is fair and reasonable. The Court authorizes the Settlement Administrator to pay the
12 Representative Plaintiff's Enhancement Awards, in accordance with the terms of the Settlement
13 Agreement.

14 15. Checks for Individual Penalty Payments sent to Aggrieved Employees shall be valid
15 for 180 days after issuance. Funds remaining from any checks for Individual Penalty Payments
16 uncashed after 180 days will be dispersed to the state controller unpaid payment fund in the name
17 of the Aggrieved Employee.

18 16. Upon completion of the Settlement, the Settlement Administrator will provide
19 written certification of the completion to the Court and counsel for the Parties which shall be filed
20 with the Court within 30 days after completion of the Settlement.

21 17. Without affecting the finality of this order and entry of judgment, the Court retains
22 exclusive and continuing jurisdiction over this Action for purposes of supervising, administering,
23 implementing, and enforcement of this Order and the Settlement.

24 18. Nothing in this Order or the Settlement shall be construed as an admission or
25 concession by any party. The Settlement and this resulting Order and entry of judgement simply
26 represent a compromise of disputed allegations.

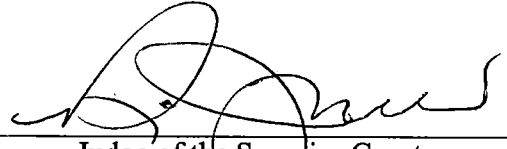
27 19. The Court enters final judgment in accordance with the terms of the Settlement
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1 Agreement and this Order.

2 20. Plaintiff is directed to submit a copy of this Order and entry of judgment to the
3 LWDA within 10 days of the date of this Order and entry of judgment.

4 **IT IS SO ORDERED:**

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6 DATED: 03/11/22



Judge of the Superior Court

8 **Ronald L. Johnson**

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