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Attorneys for Plaintiff
JUAN ALCARAZ, an Individual,
on behalf of himself and all others similarly situated

FILED
Superior Court of California
County of Los Angeles

JUL 01 2021

RECEIVED
LOS ANGELES SUPERIOR COURT
By: *[Signature]* Executive Officer/Clerk
Marilyn Fregoso Deputy

MAY 03 2021

S. DREW

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES, SPRING STREET COURTHOUSE**

JUAN ALCARAZ, an Individual, on behalf
of himself and all others similarly situated

Plaintiffs,

v.

WESTERN SHIELD ACQUISITIONS, LLC;
and DOES 1 through 100, Inclusive

Defendants.

CASE NO.: 20STCV01764

[Assigned for all purposes to the Hon. Elihu M. Berle
- Dept. "SSC 6"]

CLASS ACTION

**[PROPOSED] FINAL ORDER AND
JUDGMENT FOLLOWING GRANTING OF
PLAINTIFF'S MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: July 1, 2021

Time: 9:00 a.m.

Dept.: SSC 6

Action filed: January 15, 2020

Trial date: Not set

The Parties reached a settlement subject to Court approval as represented in the Amended Joint
Stipulation and Settlement of Class Action Claims (the "Stipulation"/"Settlement Agreement") filed

1 previously with this Court. Thereafter, on July 1, 2021, this Court conducted a Final Settlement Fairness
2 Hearing pursuant to Rule 3.769 of the California Rules of Court and this Court's previous Order
3 Granting Plaintiff's Motion for Preliminary Approval of Class Action Settlement (the "Preliminary
4 Approval Order") entered herein on March 11, 2021. Due and adequate notice having been given to the
5 Settlement Class as required in said Preliminary Approval Order, and the Court having considered all
6 papers filed and proceedings had herein and otherwise being fully informed in the matter, and good
7 cause appearing therefore:

8 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:**

9 1. For the reasons set forth in the Preliminary Approval Order, which are adopted and incorporated
10 herein by reference, this Court finds that the applicable requirements of the California Code of Civil
11 Procedure § 382 and Rule 3.769 of the California Rules of Court have been satisfied with respect to the
12 Class and the proposed Settlement. The Court hereby makes final its earlier provisional certification of
13 the Class, as set forth in the Preliminary Approval Order.

14 2. This Order and Judgment Granting Final Approval of Class Action Settlement hereby adopts
15 and incorporates by reference the terms and conditions of the parties' Stipulation, together with the
16 definitions of terms used and contained therein.

17 3. The Court finds that it has jurisdiction over the subject matter of the Class Action and over all
18 parties to the Class Action, including all members of the Settlement Class. Pursuant to Rule 3.771(a) of
19 the California Rules of Court, the Settlement Class consists of all current and former non-exempt,
20 hourly-paid employees who worked for Western Shield Acquisitions, LLC. in California at any time
21 from January 15, 2016 through October 31, 2020.

22 4. The Class Notice given to the Class Members fully and accurately informed the Class Members
23 of all material elements of the proposed Settlement and of their opportunity to object to or comment
24 thereon; was the best notice practicable under the circumstances; was valid, due, and sufficient notice to
25 all Class Members; and complied fully with the laws of the State of California, the United States
26 Constitution, due process, and other applicable law. The Class Notice fairly and adequately described
27 the Settlement and provided Class Members adequate instructions and a variety of means to obtain
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1 additional information. A full opportunity has been afforded to the Class Members to participate in the
2 Final Approval hearing, and all Class Members and other persons wishing to be heard have been heard.
3 Accordingly, the Court determines that all Class Members who did not timely and properly execute a
4 request for exclusion are bound by this Order and Judgment.

5 5. The Court has considered all relevant factors for determining the fairness of the settlement and
6 has concluded that all such factors weigh in favor of granting final approval. In particular, the Court
7 finds that the Settlement was reached following meaningful discovery and investigation conducted by
8 Class Counsel; that the Settlement is the result of serious, informed, adversarial, and arm's-length
9 negotiations between the Parties; and that the terms of the Settlement are in all respects fair, adequate,
10 and reasonable. In so finding, the Court has considered all of the evidence presented, including
11 evidence regarding the strength of the Plaintiff's case; the risk, expense, and complexity of the claims
12 presented; the likely duration of further litigation; the amount offered in Settlement; the extent of
13 investigation and discovery completed; and the experience and views of Class Counsel. Accordingly,
14 the Court hereby approves the settlement as set forth in the Stipulation and expressly finds that said
15 settlement is, in all respects, fair, reasonable, adequate, and in the best interests of the entire Settlement
16 Class and hereby directs implementation of all remaining terms, conditions, and provisions of the
17 Stipulation.

18 6. The Court hereby approves attorneys' fees to Class Counsel in the amount of \$31,666.66 and
19 costs of \$2963.45, as compensation for all attorney time spent on this matter from inception through
20 and including the final Settlement Fairness Hearing and all other work related to this case and all costs,
21 as these requests are fair and reasonable. Costs to the claims administrator in the amount of \$6,500 is
22 hereby approved as fair and reasonable.

23 7. The Court hereby approves a Service Award to the Named Plaintiff in the amount of \$4,000.
24 Named Plaintiff's Service Award is approved based on his contribution to the class, risks incurred, the
25 associated stigma, execution of a general release and all other factors presented to the Court, the Court
26 finds this request fair and reasonable.

27 8. The Court hereby approves a PAGA penalty payment of \$2,400 with \$1,800 payable to the
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1 Labor Workforce Development Agency (LWDA), as this request is fair and reasonable. The balance of
2 \$600 is payable to Class Members. Accordingly, all Class Members, including those who requested to
3 be excluded, will not be excluded from the PAGA claim release and will be bound by the Judgment
4 entered by this Court.

5 9. Entry of this Final Judgment shall constitute a full and complete bar against the Settlement Class
6 as to all the claims released by the Stipulation, and shall constitute res judicata and collateral estoppel
7 with respect to any and all such released claims, except to those who opted out of the settlement.

8 10. The Court further confirms and finds that nothing contained in the Stipulation, the Preliminary
9 Approval Order, this Final Order and Judgment, or any other Order entered in this action shall in any
10 way or manner constitute an admission or determination of liability by or against Defendants, or any
11 other Released Parties with respect to any of the claims and causes of action asserted by the Settlement
12 Class or any member thereof, and shall not be offered in evidence in any action or proceeding against
13 Defendants, or any other Released Parties in any court, administrative agency, or other tribunal for any
14 purpose whatsoever, other than to the extent necessary to enforce the provisions of the Stipulation or
15 this Order. This paragraph shall not, however, diminish or otherwise affect the obligation,
16 responsibilities, or duties of Defendants under the Stipulation and this Final Order and Judgment.

17 11. By operation of the entry of this Final Order and Judgment, as of the Effective Date, the Parties
18 and Settlement Class Members are ordered to perform their respective duties and obligations under the
19 Stipulation.

20 12. If the settlement does not become final and effective in accord with the terms of the Stipulation,
21 then this Final Order and Judgment shall be rendered null and void and shall be vacated and, in such
22 event, all orders entered, including but not limited to all releases delivered in connection herewith, shall
23 be null and void.

24 **JUDGMENT**

25 In accordance with, and for the reasons stated in, the Final Approval Order, judgment shall be
26 entered whereby Representative Plaintiff and all Settlement Class Members shall take nothing from
27 Defendants, except as expressly set forth in the Settlement Agreement. A true and correct copy of the

1 executed Amended Joint Stipulation and Settlement of Class Action Claims are attached hereto as
2 Exhibit "1". Pursuant to California Code of Civil Procedure Section 664.6 and Rule 3.769(h) of the
3 California Rules of Court, this Court reserves exclusive and continuing jurisdiction over this action, the
4 Representative Plaintiff, Class Members, and Defendant, for the purposes of:

- 5 (a) supervising the implementation, enforcement, construction, and interpretation of the Stipulation, the
6 Preliminary Approval Order, the plan of allocation, the Final Approval Order, and the Judgment; and
7 (b) supervising distribution of amounts paid under this Settlement.

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10 Order to Show Re Compliance with Judgment set for 3/1/22 at 8³⁰. Report
11 due 2/18/22.

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13 **IT IS SO ORDERED, ADJUDGED, AND DECREED.**

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15 Dated: 7/1/21


Honorable Elihu M. Berle
Judge of the Superior Court