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8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF LOS ANGELES

10 JENNY HINES, an individual, on behalf of
11 the State of California, as a private attorney
12 general, and on behalf of all aggrieved
employees,

13 Plaintiff,

14 v.

15 FIELD AGENT, INC., a Delaware
16 corporation; and DOES 1 to 100, inclusive

17 Defendants.
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CASE NO: 20STCV24579

Hon. Kenneth R. Freeman / Dept. 14

**[PROPOSED] FINAL ORDER AND
JUDGMENT GRANTING APPROVAL OF
PAGA SETTLEMENT**

Hearing:

Date: November 28, 2023

Time: 8:30 a.m.

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TO ALL PARTIES AND THEIR RESPECTIVE COUNSEL OF RECORD:

The Motion for Preliminary Approval of a PAGA Settlement came before this Court, on November 28, 2023, the Honorable Kenneth R. Freeman presiding. The Court having considered the papers submitted in support of the application of the parties, HEREBY ORDERS THE FOLLOWING:

1. The Court grants approval of the Settlement and the Settlement Class based upon the terms set forth in the PAGA Settlement Agreement ("Settlement Agreement") filed with the Declaration of James M. Treglio in support of Plaintiff's motion for approval. All terms used

herein shall have the same meaning as defined in the Settlement Agreement. The settlement set forth in the Settlement Agreement ("Settlement") appears to be fair, adequate and reasonable to the Allegedly Aggrieved Employees.

2. The Settlement falls within the range of reasonableness and appears to be presumptively valid.

3. The PAGA Period means the period from March 10, 2019 to the present.

4. The Allegedly Aggrieved Employees are defined as follows:

a. all individuals who are or were employed by Field Agent and/or its predecessor or merged entities in California as workers or in any similar capacity, and who were classified as independent contractors from March 10, 2019 and continuing into the present; (the "Aggrieved Employees")

b. all individuals who are or were employed by Field Agent and/or its predecessor or merged entities in California as workers or in any similar capacity, and who were classified as independent contractors from March 10, 2019 and continuing into the present and who worked shifts in excess of three and a half hours in a day; ("the Rest Period Aggrieved Employees")

c. all individuals who are or were employed by Field Agent and/or its predecessor or merged entities in California as workers or in any similar capacity, and who were classified as independent contractors from March 10, 2019 and continuing into the present and who worked in excess of five hours in a day; (the "Meal Period Aggrieved Employees") and

d. all individuals who are or were employed by Field Agent and/or its predecessor or merged entities in California as workers or in any similar capacity, and who were classified as independent contractors from March 10, 2019 and continuing into the present and who worked in excess of eight hours in a day, or more than forty hours in a workweek; ("the Overtime Aggrieved Employees").

5. This Court approves, as to form and content, the Notice of PAGA Settlement and Release of Claims ("Notice"), in substantially the form attached to the Declaration of Treglio as **Exhibit 1 to the Settlement** and the proposed Settlement, and attorneys' fees and costs to PAGA Counsel, as fair, reasonable and adequate as to the Allegedly Aggrieved Employees

6. The Court directs the mailing of the Notice by first class mail to the Allegedly Aggrieved Employees in accordance with the Implementation Schedule set forth below. The Court finds the dates selected for the mailing and distribution of the Notice, as set forth in the Implementation Schedule, meet the requirements of due process and provide the best notice practicable under the circumstances and shall constitute due and sufficient notice to all persons entitled thereto.

7. The Court confirms Plaintiff Jenny Hines as PAGA Representative, and James M. Treglio of Potter Handy LLP as PAGA Counsel.

8. The Court confirms Simpluris, Inc. as the Settlement Administrator.

9. The Court orders the following **Implementation Schedule** for further proceedings:

Last day for Defendants to provide Settlement Administrator with Alleged Aggrieved Employee information	Within 30 calendar days after Effective Date (defined as 61 calendar days after entry of Final Order and Judgment, assuming no appeal)
Defendant to make first of three installment payments in the amount of \$35,000.00	One month after Effective Date
Defendant to make the second of three installment payments in the amount of \$50,000	Four months after Effective Date
Defendant to make third and final installment payment in the amount of \$50,000	Nine months after Effective Date
Last day for Settlement Administrator to deliver payment of PAGA Counsel's attorney's fees and costs, PAGA Payment to LWDA, Settlement Administrator Costs, and payments to Allegedly Aggrieved Employees	Within 15 business days of Defendant funding the third and final installment payment
Last day for Allegedly Aggrieved Employees to cash settlement checks	180 days after issuance of checks to Alleged Aggrieved Employees

1 Last day for Claims Administrator to provide
2 Parties with compliance declaration

Within 21 days after settlement
check cashing deadline

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4 10. If any of the dates in this Implementation Schedule falls on a weekend, bank or
5 court holiday, the time to act shall be extended to the next business day.
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7 11. Judgment shall be entered through the filing of this Order and Judgment. (Code
8 Civ. Proc., § 668.5.) Plaintiff shall take only the relief set forth in the parties' Settlement
9 Agreement and this Order and Judgment. The Court retains jurisdiction over the parties to
10 enforce the terms of the PAGA Settlement Agreement and this Final Order and Judgment.
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12 **IT IS SO ORDERED.**

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14 Dated: _____

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16 Hon. Kenneth R. Freeman
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