

FILED
Superior Court of California
County of Los Angeles

11/17/2022

Sherri R. Carter, Executive Officer / Clerk of Court

By: R. Duarte Deputy

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

1
2
3
4
5
6
7
8
9
10 NERY MARROQUIN, an individual, JOSE
11 CASTANEDA, an individual, on behalf of
12 themselves and other employees and on
13 behalf of the State of California and the
14 Labor and Workforce Development Agency,

15 Plaintiffs,

16 v.

17 PERFORMING ARTS CENTER OF LOS
18 ANGELES COUNTY, a California Domestic
19 Nonprofit Corporation, and DOES 1 through
20 100, INCLUSIVE

21 Defendants.

Case No. 20STCV33336

(Assigned: Judge Stephanie Bowick)

**[PROPOSED] ORDER GRANTING
PAGA SETTLEMENT**

Date: April 20, 2023

Time: 8:30 a.m.

Dept.: 19

Action Filed: September 1, 2020

Trial Date: July 18, 2023

Reservation ID: 53779377511

22
23
24
25
26 Plaintiffs Nery Marroquin's and Jose Castaneda's Motion for Approval of PAGA
27 Settlement was heard by the Court on April 20, 2023. The Court having reviewed the
28 Motion for Approval of PAGA Settlement, the PAGA Stipulation attached as exhibit A to

1 the Declaration of T. Joshua Ritz filed with the Motion, the Memorandum of Points and
2 Authorities attached to the Motion, the remaining exhibits attached to the Declaration of T.
3 Joshua Ritz, the remaining papers and file in this matter, the arguments of counsel, and all
4 other evidence and matters presented, and GOOD CAUSE appearing:

5 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that Plaintiff's Motion
6 for Approval of PAGA Settlement is GRANTED, with the following findings and orders:

- 7 1. The Court hereby approves the terms set forth in the PAGA Stipulation in
8 accordance with Labor Code § 2699(1)(2) and finds that the PAGA Stipulation
9 attached as exhibit A to the Declaration of T. Joshua Ritz (as part of Plaintiff's
10 Motion for Approval of the PAGA Settlement) is, in all respects, fair, adequate
11 and reasonable and directs the Parties to effectuate the PAGA Stipulation
12 according to the terms set forth in the settlement agreement;
- 13 2. The PAGA Stipulation is not an admission by Defendant, nor is this Order a
14 finding of the validity of any allegations or of any wrongdoing by Defendant;
- 15 3. The Court hereby approves the selection of CPT, Group, Inc. as the Claims
16 Administrator;
- 17 4. Pursuant to the terms set forth in the PAGA Stipulation, the Defendant shall
18 deliver to CPT Group, Inc. the Aggrieved Employee Data;
- 19 5. Pursuant to the terms set forth in the PAGA Stipulation, the Defendant shall fund
20 the PAGA settlement by transmitting \$360,000 to CPT Group, Inc.;
- 21 6. Upon receiving the funds from Defendant, and pursuant to the terms and manner
22 set forth in the PAGA Stipulation, CPT, Group, Inc. shall specifically disburse
23 the received funds from Defendant as follows:
 - 24 A. Pay the LWDA \$146,354.45 (as recovered Labor Code violation
25 penalties);
 - 26 B. Pay the PAGA Employees the total sum of \$48,784.81 (as
27 recovered Labor Code violation penalties) by calculating (in
28

- 1 accordance with the terms set forth in the PAGA Stipulation) the
2 payment due each individual PAGA Employee;
3 C. Pay Plaintiff Nery Marroquin an Enhancement Award of \$2,000;
4 D. Pay Plaintiff Jose Castaneda an Enhancement Award of \$2,000;
5 E. Pay Plaintiffs' Counsel, T. Joshua Ritz & Associates, Inc.
6 attorneys' fees in the amount of \$136,800;
7 F. Pay Plaintiffs' Counsel, T. Joshua Ritz & Associates, Inc.,
8 \$19,060.74 for reimbursement of costs; and
9 G. Pay itself \$5,000 for its services as the Claims Administrator.

- 10 7. The Court further orders, adjudges and decrees that Plaintiffs and the PAGA
11 Employees have released and forever discharged Defendant and the Released
12 Parties from and regarding the Released Claims as set forth in the PAGA
13 Stipulation for the PAGA Period as defined and otherwise set forth in the PAGA
14 Stipulation.
15 8. This Order is entered pursuant to the PAGA Stipulation and is intended
16 to effectuate the settlement more fully described in the PAGA Stipulation; and
17 9. The Court maintains jurisdiction to adjudicate any matters related to this Order
18 and PAGA Stipulation.

19 The Court sets a Status Conference Re: Settlement Administration Completion and Dismissal for
20 April 7, 2023, at 9:00 a.m.

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

22 The Clerk of the Court is hereby ordered to enter this Order.

23 Counsel for Plaintiff to give notice.

24
25 DATED: 11/17/2022



26 By: 
27 Judge of the Superior Court
28 Stephanie M. Bowick / Judge

PROOF OF SERVICE — 1013a

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 years and not a party to the within action; my business address is 15233 Ventura Blvd., Suite 1002, Sherman Oaks, CA 91403

On **October 10, 2022**, I served true copies of the following document (s) described as: **P[PROPOSED] ORDER GRANTING APPROVAL OF PAGA SETTLEMENT AND JUDGMENT** on the interested parties in this action to:

Joshua B. Wagner, Esq. (jwagner@grsm.com)
Paul Harshaw, Esq. (pharshaw@grsm.com)
GORDON REES SCULLY MANSUKHANI, LLP
633 West Fifth Street, 52nd Floor
Los Angeles, CA 90071

BY MAIL: I enclosed the document(s) in a sealed envelope/package addressed to the addressee(s) designated and placed it for mailing, following our ordinary business practices. I am readily familiar with the mailing practice of my place of employment in respect to the collection and processing of correspondence and pleadings for mailing. It is deposited with the United States Postal Service on that same day in the ordinary course of business with postage fully prepaid.

BY HAND DELIVERY: On the above date, I delivered such envelop(s) by hand to the addressee (s).

BY FEDERAL EXPRESS/OVERNIGHT: I caused such envelope(s) to be delivered via Federal Express Overnight to the addressee(s) designated.

X BY EMAIL: by electronic mail transmission to the email address(es) listed.

(STATE) I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on **October 10, 2022**, Sherman Oaks, California.

Cindy Torres

Cindy Torres



Make a Reservation

NERY MARROQUIN, et al. vs PERFORMING ARTS CENTER OF LOS ANGELES COUNTY

Case Number: 20STCV33336 Case Type: Civil Unlimited Category: Other Employment Complaint Case
Date Filed: 2020-09-01 Location: Stanley Mosk Courthouse - Department 19

Reservation

Case Name:

NERY MARROQUIN, et al. vs PERFORMING ARTS
CENTER OF LOS ANGELES COUNTY

Case Number:

20STCV33336

Type:

Motion to Confirm Settlement

Status:

RESERVED

Filing Party:

Nery Marroquin (Plaintiff)

Location:

Stanley Mosk Courthouse - Department 19

Date/Time:

04/20/2023 8:30 AM

Number of Motions:

1

Reservation ID:

553779377511

Confirmation Code:

CR-DH8MHY2HTGN5XRXGW

Fees

Description	Fee	Qty	Amount
Motion to Confirm Settlement	60.00	1	60.00
Credit Card Percentage Fee (2.75%)	1.65	1	1.65
TOTAL			\$61.65

Payment

Amount:

\$61.65

Type:

Visa

Account Number:

XXXX0356

Authorization:

03020G

[Print Receipt](#)

[Reserve Another Hearing](#)

[View My Reservations](#)