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Attorneys for Plaintiffs

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

ROSALIE WAYMAN, as an individual and
on behalf of all other aggrieved employees,

Plaintiff,

vs.

TERRY YORK MOTOR CARS, LTD., a
California Corporation; and DOES 1 through
100,

Defendants.

Case No. 20STCV22528

*[Assigned for all purposes to the Hon.
Michelle Williams Court, Dept. 74]*

**[AMENDED PROPOSED] JUDGMENT
AND ORDER GRANTING
PLAINTIFFS' MOTION FOR
APPROVAL OF SETTLEMENT OF
CLAIMS BROUGHT UNDER THE
PRIVATE ATTORNEYS' GENERAL
ACT AND REASONABLE
ATTORNEYS' FEES, COSTS, AND
ENHANCEMENT PAYMENTS**

Date: October 3, 2022
Time: 8:30 a.m.
Dept.: 74

Reservation ID: 649532899470

Complaint Filed: June 15, 2020
Trial Date: None Set

FILED
Superior Court of California
County of Los Angeles
10/28/2022
Sherri R. Carter, Executive Officer / Clerk of Court
By: C. Guerrero Deputy

1 This matter came on regularly for hearing before this Court on October 3, 2022 at 8:30
2 a.m. Having considered the Parties' Settlement Agreement ("Settlement");¹ the documents and
3 evidence presented in support thereof; and recognizing the disputed factual and legal issues
4 involved in this case; the risks of further prosecution, the substantial benefits to be received by
5 the State of California and the Aggrieved Employees pursuant to the Settlement; and the fair,
6 reasonable, and adequate nature of the settlement obtained as a result of good faith arm's-length
7 negotiations between the parties, the Court hereby makes a final ruling that the Settlement is
8 approved pursuant to Labor Code section 2699(l). Good cause appearing therefor, the Court
9 hereby GRANTS Plaintiffs Rosalie Wayman, Riham Megally, and Sultan Ahmad's ("Plaintiffs")
10 Motion for Approval of Claims under the Private Attorneys General Act ("Motion"), and
11 ORDERS as follows:

12 1. The "Aggrieved Employees" shall be defined as all current and former non-
13 exempt employees who worked for Defendants in California at any time during the PAGA
14 Period. The "PAGA Period" means the time period from November 15, 2019 through June 30,
15 2022.

16 2. The Court hereby approves the settlement as set forth in the Settlement as fair,
17 reasonable, and adequate, and directs the parties to effectuate the Settlement according to its
18 terms.

19 3. Defendants shall fund the Gross Settlement Amount of \$1,209,274 with the
20 Settlement Administrator within fifteen (15) days of this Order.

21 4. The Court hereby approves, as to form and content, the Explanatory Letter
22 submitted by the parties and included as Exhibit A to the Settlement Agreement.

23 5. The Court hereby appoints Phoenix Settlement Administrators as the Settlement
24 Administrator.

25 6. Within ten (10) business days of this Order, Defendants shall provide the
26

27 ¹ All terms used in this Order shall have the same meaning as that assigned to them in the
28 Settlement Agreement, which is attached as Exhibit 5 to the Declaration of Paul K. Haines
submitted concurrently with the Motion.

1 Settlement Administrator with a list containing the Aggrieved Employees' full names, last known
2 mailing addresses, last known telephone numbers, number of pay periods worked during the
3 PAGA Period, and Social Security numbers to the extent available from Defendants' records,
4 pursuant to the terms of the Settlement.

5 7. The Settlement Administrator is directed to mail the Individual PAGA Payments
6 and the Explanatory Letter to the Aggrieved Employees within twenty-one (21) calendar days of
7 receipt of the Gross Settlement Amount being fully funded, pursuant to the terms of the
8 Settlement.

9 8. The Court finds that attorneys' fees in the amount of one-third of the Gross
10 Settlement Amount (i.e., \$403,091.33) for Plaintiffs' Counsel, and reimbursement of litigation
11 costs of \$17,555.37 to Plaintiffs' Counsel, are fair, reasonable, and adequate, and orders the
12 Settlement Administrator to distribute these payments to Plaintiffs' Counsel as provided for in
13 the Settlement Agreement.

14 9. The Court orders that the Settlement Administrator shall be paid \$21,950.00 for
15 all of its work done and to be done until the completion of this matter, and finds that sum
16 appropriate.

17 10. The Court finds that the amount of \$575,008.00, representing 75% of the
18 \$766,677.33 allocated as PAGA civil penalties under the Settlement, to be paid to the California
19 Labor and Workforce Development Agency ("LWDA") as provided for by the Settlement, is
20 fair, adequate, and reasonable, and orders that payment be made to the LWDA in accordance
21 with the terms of the Settlement Agreement.

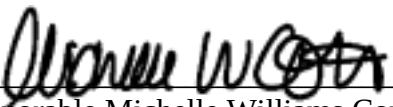
22 11. The Court approves the scope of the release as set forth in the Settlement.
23 Following entry of this Judgment and Order and the Settlement being fully funded, Plaintiffs and
24 all Aggrieved Employees will release the PAGA Released Claims against the Released Parties
25 that arose during the PAGA Period. Upon entry of the Order approving the settlement and
26 judgment entered thereon and the Settlement being fully funded, Plaintiffs and all Aggrieved
27 Employees will be forever barred from pursuing any and all of the PAGA Released Claims that
28

1 arose during the PAGA Period against the Released Parties.

2 12. Plaintiffs shall file a declaration confirming the final distribution of funds on or
3 before July 5, 2023.

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

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6 Dated: 10/28/2022

By: 
7 Honorable Michelle Williams Court
8 Judge of the Superior Court
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PROOF OF SERVICE

Rosalie Wayman v. Terry York Motor Cars, Ltd.
Los Angeles County Superior Court Case No. 20STCV22528

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 2155 Campus Drive, Suite 180, El Segundo, California 90245.

On October 3, 2022, I served the foregoing document(s) described as:

[AMENDED PROPOSED] JUDGMENT AND ORDER GRANTING PLAINTIFFS' MOTION FOR APPROVAL OF SETTLEMENT OF CLAIMS BROUGHT UNDER THE PRIVATE ATTORNEYS' GENERAL ACT AND REASONABLE ATTORNEYS' FEES, COSTS, AND ENHANCEMENT PAYMENTS

on the interested party(ies) in this action as follows:

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Attorneys for Defendant TERRY YORK MOTOR CARS, LTD.

(BY ELECTRONIC MAIL) I am "readily familiar" with Haines Law Group, APC's practice of serving documents via electronic mail. Under the practice, pursuant to an agreement between Haines Law Group, APC, and the party(ies) listed above, the document is being sent via electronic mail to the email address last provided by the individual to whom the aforementioned document is being served.

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

Executed on October 3, 2022, at El Segundo, California.



Nestor Castillo