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SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES – EAST DISTRICT, POMONA COURTHOUSE

NATALIE QUINTERO, individually, and on
behalf of other aggrieved employees,

Plaintiff,

vs.

READY PAC FOODS, INC., a Delaware
corporation; READY PAC PRODUCE, INC., a
California corporation; BONDUELLE FRESH
AMERICAS, a business entity form unknown;
and DOES 1 through 100, inclusive,

Defendants.

LEON A. CASTRO, JR., on behalf of himself
and all others similarly situated,

Plaintiffs,

v.

READY PAC PRODUCE, INC., a California
corporation; and DOES 1 to 100, inclusive,

FILED

Superior Court of California
County of Los Angeles

11/03/2022

Sherri R. Carter, Executive Officer / Clerk of Court

By: J. Alfaro Deputy

CLASS AND PAGA ACTION

Lead Case No. 20PSCV00586
Reservation No. 282818529713

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' UNOPPOSED MOTION
FOR FINAL APPROVAL OF CLASS AND
PAGA ACTION SETTLEMENT**

Final Approval Hearing:
Date: November 2, 2022
Time: 9:30 a.m.

Honorable Peter A. Hernandez
Department O

Action filed: September 8, 2020
Trial Date: None Set

Related (on January 7, 2021) to:

CLASS AND PAGA ACTION

Case No. 20STCV48608

Honorable Peter A. Hernandez
Department O

Action filed: December 21, 2020
Trial Date: None Set

1 Defendants.

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3
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11 Attorneys for Plaintiff LEON A. CASTRO, JR.,
12 on behalf of himself and all others similarly situated

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19 Attorneys for Plaintiff LEON A. CASTRO, JR.,
20 on behalf of himself and all others similarly situated

1 Plaintiffs' Unopposed Motion for Final Approval of Class Action Settlement came on for
2 hearing before this Court on November 2, 2022 at 9:30 a.m., the Honorable Peter A. Hernandez
3 presiding.

4 Having considered the Joint Stipulation of Class Action and PAGA Settlement and Release
5 ("Joint Stipulation"), all papers submitted in support of both motions, oral argument at the hearing,
6 and having reviewed the files and records in this action, and good cause appearing therefor,
7

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

9 1. For purposes of this Order, the Court adopts all defined terms as set forth in the
10 Joint Stipulation.

11 2. The Court hereby grants the Motion for Final Approval, approves the terms of the
12 settlement outlined in the Joint Stipulation, and finds that the settlement is, in all respects, fair,
13 adequate and reasonable and in the best interests of the Class and each Class Member, based on
14 the following factors:

- 15 a. The strength of Plaintiffs' case in relation to the amount offered in
16 settlement;
- 17 b. The risk, expense, complexity, and likely duration of further litigation;
- 18 c. The risk of maintaining class action status throughout the trial;
- 19 d. The extent of discovery completed and the stage of the proceedings;
- 20 e. The experience and views of counsel;
- 21 f. The reaction of the class members to the proposed settlement; and
- 22 g. The fact that the settlement was reached after extensive arm's length
23 negotiation conducted in good faith by the parties with the assistance of an
24 experienced mediator.

25 3. As ruled in the Court's Order granting preliminary approval on May 10, 2022, the
26 Class, for settlement purposes only, is defined as follows:

27 All persons employed by Ready Pac Produce, Inc. in California as hourly-
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1 paid non-exempt employees during the Settlement Period (defined as
2 September 6, 2019 through April 30, 2022).

3 4. The Court finds that distribution of the Notice to Class Members in the manner and
4 form required has been completed in accordance with this Court's Order Granting Preliminary
5 Approval and the terms of the Joint Stipulation, constituted the best notice practicable under the
6 circumstances, provided due and adequate notice of the proceedings and the matters herein,
7 including the proposed settlement, to all persons entitled to such notice, and the Notice fully
8 satisfied the requirements of due process under California law.

9 5. The Court acknowledges that no Class Members objected to the settlement.

10 6. The Court acknowledges that no Class Members opted out of the settlement.

11 7. The Court hereby grants the Motion for Award of Class Representative Service
12 Payment, Settlement Administrator's Expenses and Attorneys' Fees and Costs. Accordingly, the
13 Court awards a service payment in the amount of \$7,500 each to Plaintiff Quintero and Plaintiff
14 Castro to compensate them for their service and for signing a general release with a waiver of
15 California Civil Code § 1542. The Court approves the payment of settlement administration costs
16 in the amount of \$25,000 to Rust Consulting. The Court awards Class Counsel the requested
17 attorneys' fees in the amount of \$133,333.00 (one-third of the Total Settlement Amount), as well
18 as the costs actually incurred during the litigation in the amount of \$14,714.10.

19 8. The Court hereby directs the parties to effectuate the settlement according to the
20 terms set forth in the Joint Stipulation and this Order.

21 9. As to the unpaid residue or unclaimed or abandoned class member funds that
22 remain in the Settlement Fund Account after 180 days, those funds will be sent to the State of
23 California's Unclaimed Property Fund in the Class Participants' names.

24 10. Without affecting the finality of this Order, the Court hereby retains continuing
25 jurisdiction over the settlement fund, the settling parties, the Class Members and distribution of
26 the settlement fund, and any other matters involving the implementation of the terms in the Joint
27 Stipulation.

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1 IT IS SO ORDERED.

2 Dated: 11/03/2022

A handwritten signature in black ink, appearing to read 'Peter A. Hernandez', is written over a horizontal line.

HONORABLE PETER A. HERNANDEZ
JUDGE OF THE SUPERIOR COURT OF
THE STATE OF CALIFORNIA

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

I am employed in the county of Los Angeles, State of California. I am over the age of 18, and my business address is 1156 E. Green Street, Suite 200, Pasadena, California 91106.

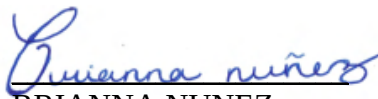
On October 11, 2022, I served the document described as **[PROPOSED] ORDER GRANTING PLAINTIFFS' UNOPPOSED MOTION FOR FINAL APPROVAL OF CLASS AND PAGA ACTION SETTLEMENT** on the following interested parties and/or their counsel in this action by the method(s) noted below:

Kenneth D. Sulzer
Regina Musolino
CONSTANGY BROOKS, SMITH & PROPHETE LLP
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Attorneys for Defendant READY PAC FOODS, INC. et al.

- ☐ **(BY FIRST CLASS MAIL):** I caused an envelope containing the above-described document to be deposited in the United States mail at Pasadena, California. The envelope was mailed with postage thereon fully prepaid.
- ☐ **(BY FACSIMILE):** I sent the above-described document via facsimile to the office of the above addressee(s) at the above-noted fax number(s).
- ☐ **(BY EMAIL):** The above-described document was emailed to the above addressee(s)' email address(es) as full and complete service pursuant to California Code of Civil Procedure § 1010.6(e).
- ☒ **(BY ELECTRONIC SERVICE):** I caused the above-described document to be served electronically via Green Filing (authorized and court-approved Electronic Filing Service Provider).
- ☐ **(BY PERSONAL SERVICE):** I personally served the above-described document to the above addressee(s) on this day.
- ☒ **(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 11, 2022 at Pasadena, California.


BRIANNA NUNEZ