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Superior Court of California
County of Los Angeles

11/01/2021

Sherri R. Carter, Executive Officer / Clerk of Court

By: R. Navarro Deputy

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13 *Attorneys for Plaintiffs and All Aggrieved Employees.*

14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
15 **COUNTY OF LOS ANGELES – UNLIMITED JURISDICTION**

16 MARCO CALVILLO, an individual;
17 OCTAVIO RIO CARRANZA, an individual;
18 and
19 All Aggrieved Employees,

20 Plaintiffs,

21 v.

22 UNIX CONSTRUCTION, INC., a California
23 corporation;
24 ARCHIPRO CONSTRUCTION, INC., a
25 California corporation;
26 YOUNG SOOK JUNG, an individual;
27 EUI KYOUNG HWANG, an individual;
28 HO TAE SEOK, an individual; and
DOES 1-20, inclusive,

Defendants

Case No.: 20STCV48935

[Assigned for all purposes to Hon. Michael P. Linfield, Dept. 34]

**~~[PROPOSED]~~ ORDER FOR APPROVAL
OF REPRESENTATIVE SETTLEMENT OF
PRIVATE ATTORNEYS GENERAL ACT
2004 (“PAGA”) CAUSE OF ACTION**

Date: October 21, 2021

Time: 8:30 a.m.

Dept.: 34

Complaint Filed: December 23, 2020

Trial Date: January 18, 2021

Reservation ID: 102928343236

1 The Court, having reviewed the Notice of Motion and Motion for Approval of
2 Representative Settlement of Private Attorneys General Act 2004 (“PAGA”) Cause of Action;
3 Memorandum of Points and Authorities in Support, the Declarations of Adrian C. Byrne and Nina
4 Baumler in support thereof, and the exhibits attached thereto, hereby ORDERS:

5 1. The Court finds that the proposed settlement of Plaintiffs’ ninth cause of action in the
6 operative First Amended Complaint for civil penalties under PAGA, is fair, reasonable and
7 adequate, and satisfies the standards and applicable requirements for approval of representative
8 PAGA actions under California law.

9 2. Pursuant to Labor Code section 2699(l), the Court approves the penalties to be paid to
10 the State of California and the putative Aggrieved Employees as set forth in the PAGA Settlement
11 Agreement, attached as Exhibit A to the Declaration of Nina Baumler. The Court further approves
12 all payments to be made based on the terms of the PAGA Settlement Agreement except that any
13 civil penalty checks not cashed within six months will escheat to the Labor & Workforce
14 Development Agency and will not revert to Defendants.

15 3. The Notice to accompany the PAGA penalty payments to the putative Aggrieved
16 Employees shall be mailed in the form attached as Exhibit B to the Declaration of Nina Baumler.

17 4. Upon entry of this Order, the parties shall effectuate all terms of the settlement based
18 on the provisions and timelines set forth in their PAGA Settlement Agreement except that any civil
19 penalty checks not cashed within six months will escheat to the Labor & Workforce Development
20 Agency and will not revert to Defendants.

21 5. The Court hereby sets a final accounting conference and Order to Show Cause Re:
22 Dismissal on March 21, 2022 at 8:30 a.m. in Department 34 of Stanley Mosk Courthouse.

23 6. Plaintiffs are ordered to submit a declaration from the settlement administrator at least
24 10 days prior to the final accounting conference advising as to the status of administration of the
25 PAGA Settlement, including all information necessary for the Court to determine the total funds
26 successfully disbursed and received by the putative Aggrieved Employees, and any amount(s) to
27

1 escheat to the Labor & Workforce Development Agency.

2 7. This Court shall retain jurisdiction with respect to all matters related to the
3 administration and consummation of the settlement, including but not limited to all matters related
4 to the PAGA Settlement Agreement and the determination of all controversies relating thereto.

5 8. Plaintiffs to give notice.

6
7 **IT IS SO ORDERED.**



A handwritten signature in black ink, appearing to read "Michael P. Linfield".

Michael P. Linfield / Judge

8
9
10 Dated: 11/01/2021

By: _____
Hon. Michael P. Linfield