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FILED
SUPERIOR COURT of CALIFORNIA
COUNTY of SANTA BARBARA
08/24/2021
Darrel E. Parker, Executive Officer
BY Willoughby, Norma
Deputy Clerk

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and the Aggrieved Employees

[Additional counsel on following page]

**SUPERIOR COURT FOR THE STATE OF CALIFORNIA
COUNTY OF SANTA BARBARA**

LESHA PERRY, individually and on behalf
of other individuals similarly situated,

Plaintiff,

v.

PREMIUM RETAIL SERVICES, INC., a
Missouri corporation; and DOES 1 through
50, inclusive,

Defendants.

Case No. 20CV01914

(Hon. James Rigali, Department SM2)

**[AMENDED ~~PROPOSED~~ ORDER
GRANTING MOTION FOR APPROVAL
OF PAGA SETTLEMENT**

1 Larry W. Lee (State Bar No. 228175)
2 Max W. Gavron (State Bar No. 291697)
3 **DIVERSITY LAW GROUP, P.C.**
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9 Attorneys for Plaintiff Lesha Perry and the Aggrieved Employees
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1 **PROPOSED ORDER**

2 Before the Court is the *Motion for Approval of PAGA Settlement* (the “Motion”) filed by
3 Plaintiffs Lesha Perry, Andrea Baruqui, and Arturo Ledezma (collectively, “Plaintiffs”) in the above
4 captioned case seeking approval of the “Private Attorneys General Act of 2004 (Labor Code § 2698
5 *et seq.*) Settlement Agreement and Release” (“Settlement Agreement”). The Court has considered the
6 Motion, including the declarations filed in support thereof, the relevant legal authority, and the record
7 in this case. Having jurisdiction and venue to consider the Motion and the relief requested therein,
8 the Court after due deliberation now makes the following FINDINGS AND ORDERS:

9 **IT IS HEREBY ORDERED:**

10 1. The Court grants and orders approval of the terms set forth in the Settlement. Pursuant
11 to Labor Code § 2699(1)(2), the Court has reviewed the settlement and finds that the terms of the
12 Settlement are fair, adequate, and reasonable, and to have been the product of serious, informed, and
13 extensive arm’s-length negotiations among the Parties. In making this finding, the Court considers
14 the nature of the claims, the relative strength of Plaintiffs’ claims, benefits of the settlement, the
15 allocation of settlement proceeds, and the fact that a settlement represents a compromise of the
16 Parties’ respective positions rather than the result of a finding of liability at trial. The Court also
17 finds that the LWDA has not objected to the terms of the Settlement.

18 2. Specifically, the Court orders approved in full the Settlement Agreement, as modified
19 herein. The Parties are ordered to comply with and implement the Settlement Agreement according
20 to its terms, including those provisions not expressly stated in this Order.

21 3. By this approval order and judgment, the Aggrieved Employees shall be deemed to
22 have, and by operation of the judgment shall have, fully, finally, and forever released, relinquished
23 and discharged all Released Claims.

24 4. The Court also finds that the requested attorneys’ fees and costs and costs of
25 administration as set forth in the Settlement are reasonable and hereby are approved, as follows:

- 26 a. \$250,000.00 as requested attorneys’ fees to Plaintiffs’ Counsel;
27 b. \$16,563.30 as total expenses to Plaintiffs’ Counsel;
28 c. \$19,836.40 as fees to the third-party administrator;

- 1 d. 75% of the Net Settlement Fund, or \$347,700.20, to the LWDA; and
2 e. 25% of the Net Settlement Fund, or \$115,900.10, to the Aggrieved Employees,
3 pursuant to the terms of the Settlement.

4 5. The Court shall retain continuing jurisdiction over the Parties to this action to ensure
5 effectuation of the Settlement in accordance with the terms of the Settlement and this Order.

6 6. Plaintiffs shall submit a copy of this Order to the LWDA within ten (10) days of
7 entry of this Order.

8
9 **IT IS SO ORDERED.**

10 **08/24/2021**

11 DATED: _____



THE HONORABLE JAMES F. RIGALI
Judge of the Superior Court

1 **PROOF OF SERVICE**

2 **(Code of Civil Procedure Sections 1013a, 2015.5)**

3 STATE OF CALIFORNIA]
4]ss.
5 COUNTY OF LOS ANGELES]

6 I am employed in the County of Los Angeles, State of California. I am over the age of
7 18 and not a party to the within action; my business address is 515 S. Figueroa Street, Suite
8 1250, Los Angeles, California 90071.

9 On August 20, 2021, I served the following document(s) described as: [AMENDED
10 PROPOSED] ORDER GRANTING MOTION FOR APPROVAL OF PAGA SETTLEMENT
11 on the interested parties in this action as follows:

12 Aaron Buckley
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28 X BY ELECTRONIC SERVICE: Based on a court order I caused the
above-entitled document(s) to be served through the Odyssey eFileCA E-Filing System at the
website www.california.tylerhost.net, addressed to all parties appearing on the electronic service
list for the above-entitled case. The service transmission was reported as complete and a copy of
the filing receipt/confirmation will be filed, deposited, or maintained with the original
document(s) in this office.

I declare under penalty of perjury under the laws of the State of California that the
above is true and correct. Executed on August 20, 2021, at Los Angeles, California.


Christine Choo