

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 62

20STCV33127

JUAN L. RODRIGUEZ vs CITIGUARD, INC., A

CALIFORNIA CORPORATION

October 28, 2022

9:30 AM

Judge: Honorable Michael L. Stern

Judicial Assistant: M. Alaniz

Courtroom Assistant: S. Brown

CSR: None

ERM: None

Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): Nazo Koulloukian (Telephonic)

For Defendant(s): Daniel M. Josephson by Ryan Gonzalez (Telephonic)

NATURE OF PROCEEDINGS: Order to Show Cause Re: Dismissal (Settlement) and approval of the stipulation of settlement

The matter is called for hearing.

After conferring with counsel, the Court rules as follows:

The request is granted.

Stipulated judgment entered for Plaintiff Juan L. Rodriguez against Defendant CITIGUARD, INC., a California corporation on the Complaint filed by Juan L. Rodriguez on 08/31/2020 for damages of \$125,000.00 for a total of \$125,000.00.

See written stipulation for further terms and conditions.

The Court signs and files the Order granting approval of PAGA settlement and entering judgment this date.

Clerk is to give notice.

Certificate of Mailing is attached.

FILED
Superior Court of California
County of Los Angeles

OCT 28 2022

Sherri R. Carter, Executive Officer/Clerk of Court
By: M. Alaniz, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
LOS ANGELES COUNTY

JUAN L. RODRIGUEZ, an individual, on
behalf of himself, all aggrieved employees, and
the State of California as a Private Attorneys
General,

Plaintiffs,

vs.

CITIGUARD, INC., a California corporation,
and DOES 1-50, inclusive,

Defendant.

Case No.: 20STCV33127

Judge: Hon. Michael L. Stern
Dept.: 62

**~~PROPOSED~~ ORDER GRANTING
APPROVAL OF PAGA SETTLEMENT
AND ENTERING JUDGMENT**

~~PROPOSED~~ ORDER AND JUDGMENT

The Court has received and considered the Stipulation and Agreement for PAGA Representative Action Settlement ("Settlement Agreement") entered into between Plaintiff JUAN L. RODRIGUEZ, an individual, on behalf of the State of California as a private attorney general under the California Labor Code Private Attorneys General Act ("PAGA"), and the Defendant CITIGUARD, INC., a California corporation.

Having received and considered the Stipulation and Agreement and the supporting papers filed, the Court grants approval of the PAGA Settlement and HEREBY ORDERS AND MAKES THE FOLLOWING DETERMINATIONS:

1 1. Except as otherwise defined in this Order and Judgment ("Order"), all capitalized
2 terms have the same meaning as defined in the Settlement Agreement.

3 2. The California Labor Workforce and Development Agency ("LWDA") has been
4 provided notice of the Settlement in accordance with PAGA, California Labor Code § 2699(1)(2),
5 (1)(4). In particular, on the date Plaintiff filed the stipulation seeking approval of the Settlement
6 with the Court, Plaintiff submitted to the LWDA a notice of the Settlement enclosing a copy of the
7 Settlement Agreement. Plaintiff's notice of the Settlement to the LWDA complied with the notice
8 requirements of PAGA.

9 3. The Court confirms approval of the Settlement as to the Aggrieved Employees.

10 4. The Court has jurisdiction over the subject matter of this litigation, over all
11 Aggrieved Employees, and over those persons undertaking affirmative obligations under the
12 Settlement.

13 5. The Settlement is approved under Labor Code § 2699(1)(2).

14 6. The PAGA Settlement Notice to Aggrieved Employees proposed by the Parties fairly
15 and adequately describes the Action, the approved Settlement, and is the best notice practicable
16 under the circumstances.

17 7. The Court finds that each Aggrieved Employee, in accordance with the Settlement,
18 releases all Released Claims against the Released Parties.

19 8. The Gross Settlement Amount and the methodology used to calculate the Individual
20 Penalty Payments in accordance with the Settlement is approved.

21 9. The Court approves Simpluris, to act as the Settlement Administrator. The Court
22 awards the Settlement Administrator in this Action its actual fees and costs in accordance with the
23 terms of the Settlement Agreement, not to exceed \$5,039.22.

24 10. The Court approves the Koul Law Firm and the Law Offices of Sahag Majarian II as
25 PAGA Class Counsel.

26 11. The Court awards PAGA Class Counsel attorneys' fees in the amount of \$30,000
27 and actual litigation of \$9,026.97, both of which the Court finds to be fair and reasonable. The
28 Court authorizes the Settlement Administrator to make these payments, in accordance with the terms

1 of the Settlement Agreement.

2 12. The Court authorizes the Settlement Administrator to calculate and pay the
3 Individual Penalty Payments in accordance with the terms of the Settlement Agreement.

4 13. The Court finds that LWDA Payment of \$56,949.83 (75% of \$75,933.11, which is
5 the amount remaining after deducting all amounts above) as its share of the settlement of civil
6 penalties is fair and reasonable. The Court authorizes the Settlement Administrator to pay the
7 LWDA Payment, in accordance with the terms of the Settlement Agreement.

8 14. The Court finds the Representative Plaintiff's Enhancement Award in the sum of
9 \$5,000.00 is fair and reasonable. The Court authorizes the Settlement Administrator to pay the
10 Representative Plaintiff's Enhancement Award, in accordance with the terms of the Settlement
11 Agreement.

12 15. Checks for Individual Penalty Payments sent to Aggrieved Employees shall be valid
13 for 180 days after issuance. Funds remaining from any checks for Individual Penalty Payments
14 uncashed after 180 days will be dispersed to the state controller unpaid payment fund in the name
15 of the Aggrieved Employee.

16 16. Upon completion of the Settlement, the Settlement Administrator will provide
17 written certification of the completion to the Court and counsel for the Parties which shall be filed
18 with the Court within 30 days after completion of the Settlement.

19 17. Without affecting the finality of this order and entry of judgment, the Court retains
20 exclusive and continuing jurisdiction over this Action for purposes of supervising, administering,
21 implementing, and enforcement of this Order and the Settlement.

22 18. Nothing in this Order or the Settlement shall be construed as an admission or
23 concession by any party. The Settlement and this resulting Order and entry of judgement simply
24 represent a compromise of disputed allegations.

25 19. The Court enters final judgment in accordance with the terms of the Settlement
26 Agreement and this Order.

27 ///

28 ///

1 20. Plaintiff is directed to submit a copy of this Order and entry of judgment to the
2 LWDA within 10 days of the date of this Order and entry of judgment.

3 **IT IS SO ORDERED:**

4
5 DATED: October 28, 2022


The Hon. Michael L. Stern
Judge of the Superior Court

PROOF OF SERVICE

Case No. 20STCV33127
Rodriguez v. Citiguard, Inc.

I, JACKELINE HERNANDEZ declare that I am a resident of or employed in the County of Los Angeles, California. I am over the age of 18 years and not a party to the entitled case. The name and address of my residence or business is KOUL LAW FIRM, 3435 Wilshire Blvd. Ste. 1710, Los Angeles, California 90010.

On August 29, 2022, I served the foregoing document described as:

[PROPOSED] ORDER GRANTING APPROVAL OF PAGA SETTLEMENT AND ENTERING JUDGMENT

- _____ by placing the document(s) listed above in a sealed envelope, addressed as set forth below, and placing the envelope for collection and mailing in the place designated for such in our offices, following ordinary business practices.
- _____ by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00PM.
- X_____ by transmitting via electronic mail the document(s) listed above to the electronic mailing address set forth below on this date.
- _____ by causing Bosco Legal Services, Inc. to personally delivered a true copy thereof to the person(s) at the address(es) set forth below.

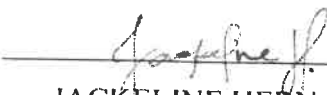
on the parties listed below by placing a true copy thereof enclosed in a sealed envelope for collection and mailing in the United States Postal Service following ordinary business practices at Los Angeles, California addressed as follows:

SEE ATTACHED SERVICE LIST

I am readily familiar with the ordinary practice of the business of collecting, processing and depositing correspondence in the United States Postal Service and that the correspondence will be deposited the same day with postage thereon fully prepaid.

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

Executed on this August 29, 2022, in Los Angeles, California.


JACKELINE HERNANDEZ

PROOF OF SERVICE

Case No. 20STCV33127
Rodriguez v. Citiguard, Inc.

Daniel M. Josephson, Esq.
djosephson@sidlawpc.com

Omar A. Siddiqui, Esq.
osiddiqui@sidlawpc.com

Ryan A. Gonzales, Esq.
rgonzales@sidlawpc.com

Allyson C. Edge
aedge@sidlawpc.com

Melissa Suffield
msuffield@sidlawpc.com

SIDDIQUI LAW, A PROF. CORP

695 Town Center Drive, Suite 700

Costa Mesa, California 92626

Telephone: (714) 384-6650

Facsimile: (714) 384-6651

Attorneys for Defendant CITIGUARD, INC.

SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES		Reserved for Clerk's File Stamp
COURTHOUSE ADDRESS: Stanley Mosk Courthouse 111 North Hill Street, Los Angeles, CA 90012		FILED Superior Court of California County of Los Angeles 10/28/2022 Sherri R. Carter, Executive Officer / Clerk of Court By: <u>M. Alaniz</u> Deputy
PLAINTIFF(S): Juan L. Rodriguez		
DEFENDANT(S): CITIGUARD, INC., a California corporation		
NOTICE OF ENTRY OF: ☒ JUDGMENT ☐ DISMISSAL ☐ OTHER ORDER ☐ AMENDED		CASE NUMBER: 20STCV33127

TO THE PARTIES AND TO THEIR ATTORNEYS OF RECORD, you are hereby given notice of entry of:

☒ Judgment in the above-entitled matter, entered on 10/28/2022.

☐ Order of Dismissal in the above-entitled matter, filed on _____.

☐ Order _____ filed on _____.

Sherri R. Carter, Executive Officer / Clerk of Court

Dated: 10/28/2022

By M. Alaniz
Deputy Clerk

NOTICE OF ENTRY OF JUDGMENT / DISMISSAL / ORDER

SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES		Reserved for Clerk's File Stamp
COURTHOUSE ADDRESS: Stanley Mosk Courthouse 111 North Hill Street, Los Angeles, CA 90012		FILED Superior Court of California County of Los Angeles 10/28/2022
PLAINTIFF/PETITIONER: Juan L. Rodriguez		Sherri R. Carter, Executive Officer / Clerk of Court By: <u>M. Alaniz</u> Deputy
DEFENDANT/RESPONDENT: CITIGUARD, INC., a California corporation		
CERTIFICATE OF MAILING		CASE NUMBER: 20STCV33127

I, the below-named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served the Notice of Entry of Judgment / Dismissal / Other Order upon each party or counsel named below by placing the document for collection and mailing so as to cause it to be deposited in the United States mail at the courthouse in Los Angeles, California, one copy of the original filed/entered herein in a separate sealed envelope to each address as shown below with the postage thereon fully prepaid, in accordance with standard court practices.

Daniel M. Josephson
SIDDQUI LAW, A Prof. Corp.
695 Town Center Dr., Suite 700
Costa Mesa, CA 92626

Nazo Koulloukian
Koul Law Firm
3435 Wilshire Blvd., Suite 1710
Los Angeles, CA 90010

Dated: 10/31/2022

Sherri R. Carter, Executive Officer / Clerk of Court

By: M. Alaniz
Deputy Clerk

CERTIFICATE OF MAILING

SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES		Reserved for Clerk's File Stamp
COURTHOUSE ADDRESS: Stanley Mosk Courthouse 111 North Hill Street, Los Angeles, CA 90012		FILED Superior Court of California County of Los Angeles 10/28/2022 Sherri R. Carter, Executive Officer / Clerk of Court By: <u>M. Alaniz</u> Deputy
PLAINTIFF/PETITIONER: Juan L. Rodriguez		
DEFENDANT/RESPONDENT: CITIGUARD, INC., a California corporation		
CERTIFICATE OF MAILING		CASE NUMBER: 20STCV33127

I, the below-named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served the Minute Order (Order to Show Cause Re: Dismissal (Settlement) and approval o...) of 10/28/2022, Order granting approval of PAGA settlement upon each party or counsel named below by placing the document for collection and mailing so as to cause it to be deposited in the United States mail at the courthouse in Los Angeles, California, one copy of the original filed/entered herein in a separate sealed envelope to each address as shown below with the postage thereon fully prepaid, in accordance with standard court practices.

Daniel M. Josephson
SIDDQUI LAW, A Prof. Corp.
695 Town Center Dr., Suite 700
Costa Mesa, CA 92626

✓
Nazo Koulloukian
Kout Law Firm
3435 Wilshire Blvd., Suite 1710
Los Angeles, CA 90010

Dated: 10/31/2022

Sherri R. Carter, Executive Officer / Clerk of Court

By: M. Alaniz
Deputy Clerk

CERTIFICATE OF MAILING