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Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN FRANCISCO

MATTHEW O'DONNELL, an
individual, on behalf of himself and on
behalf of all persons similarly situated,

Plaintiff,

vs.

OKTA, INC., a Corporation; and Does
1 through 50, Inclusive;

Defendants.

Case No. **CGC- 20-587665**

NOTICE OF ENTRY OF JUDGMENT

Judge: Hon. Richard B. Ulmer, Jr.

Dept.: 302

Date: April 12, 2022

Time: 9:30 a.m.

Action Filed: October 30, 2020

Trial Date: None Set

1 **TO ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:**

2 YOU ARE HEREBY NOTIFIED THAT on April 12, 2022, the Court entered the Order
3 Granting Final Approval and the Judgment in the above entitled action. A true and correct copy of
4 the Order is attached hereto as Exhibit #1. A true and correct copy of the Judgment is attached
5 hereto as Exhibit #2.

6 Respectfully submitted,

7
8 Dated: April 13, 2022

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

9 By: /s/ Kyle Nordrehaug
10 Kyle R. Nordrehaug
11 Attorneys for Plaintiff
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1 STATE OF CALIFORNIA, COUNTY OF SAN DIEGO

2 I, Kyle Nordrehaug, am employed in the County of San Diego, State of California. I am over
3 the age of 18 and not a party to the within action. My business address is 2255 Calle Clara, La Jolla,
4 California 92037.

5 On April 13, 2022, I served the document(s) described as:

6 **1. NOTICE OF ENTRY OF JUDGMENT**

7
8 X (BY ELECTRONIC SERVICE): Pursuant to Court Order Authorizing Electronic Service, I
9 provided the document(s) listed above electronically on the File & ServeXpress Website to the
10 parties on the Service List maintained on the File & ServeXpress Website for this case. File &
11 ServeXpress is the on-line e-service provider designated in this case:

12 PAUL HASTINGS LLP
13 ZACHARY P. HUTTON (SB# 234737)
14 zachhutton@paulhastings.com
15 ANNA M. SKAGGS (SB# 319179)
16 annaskaggs@paulhastings.com
17 101 California Street
18 Forty-Eighth Floor
19 San Francisco, California 94111

20 X (ONLINE TO THE LWDA): I caused the above-described document to be delivered to the
21 Labor Workforce Development Agency via online process at the PAGA Filing website in
22 accordance with the procedure imposed by the LWDA.

23 X (State): I declare under penalty of perjury under the laws of the State of California that the
24 above is true and correct. Executed on April 13, 2022, at La Jolla, California.

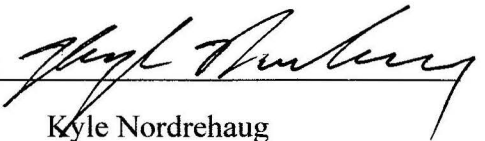
25
26
27
28 By: 
Kyle Nordrehaug

EXHIBIT #1

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Attorneys for Plaintiff and the Class

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Attorneys for Defendant Okta, Inc.

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN FRANCISCO**

MATTHEW O'DONNELL, an individual, on
behalf of himself and on behalf of all persons
similarly situated,

Plaintiff,

vs.

OKTA, INC., a corporation; and Does 1
through 50, Inclusive,

Defendants.

FILED

San Francisco County Superior Court

APR 12 2022

CLERK OF THE COURT


Deputy Clerk

Case No. CGC-20-587665

**[PROPOSED] ORDER GRANTING
JOINT MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

Judge: Hon. Richard B. Ulmer, Jr.
Dept.: 302
Hearing Date: April 12, 2022
Hearing Time: 9:30 a.m.

Complaint filed: October 30, 2020
Trial date: None set

1 On April 12, 2022, a hearing was held on the joint motion of plaintiff Matthew
2 O'Donnell ("Plaintiff") and defendant Okta, Inc. ("Defendant" or "Okta"), for final approval of
3 their class settlement (the "Settlement") and payments to the Labor and Workforce Development
4 Agency ("LWDA") and the Settlement Administrator. Kyle Nordrehaug of Blumenthal
5 Nordrehaug Bhowmik De Blouw LLP appeared for Plaintiff, and Zachary P. Hutton of Paul
6 Hastings LLP appeared for Okta. The motion was not opposed. The unopposed motion for final
7 approval of class action settlement is granted.

8 The parties have submitted their Settlement, which this Court preliminarily approved by
9 its October 7, 2021, order ("Preliminary Approval Order"). In accordance with the Preliminary
10 Approval Order, Class Members have been given notice of the terms of the Settlement and the
11 opportunity to comment on or object to it or to exclude themselves from its provisions.

12 Having received and considered the Settlement, the supporting papers filed by the parties,
13 and the evidence and argument received by the Court at the hearing before it entered the
14 Preliminary Approval Order and the final approval hearing on April 12, 2022, the Court grants
15 final approval of the Settlement, and HEREBY ORDERS and MAKES DETERMINATIONS as
16 follows:

17 1. The certification of the following Class is confirmed for the purpose of entering a
18 settlement in this matter:

19 All current and former employees who worked for Okta in a non-exempt
20 position in California at any time from October 30, 2016 through June 7,
21 2021.

22 2. The Settlement Administrator received no requests for exclusion from the Class.

23 3. The Court confirms the appointment of plaintiff Matthew O'Donnell as Class
24 Representative, and Norman B. Blumenthal, Kyle R. Nordrehaug and Aparajit Bhowmik of
Blumenthal Nordrehaug Bhowmik De Blouw LLP as Class Counsel.

25 4. Pursuant to the Preliminary Approval Order, a Notice of Proposed Settlement and
26 Final Approval Hearing, and Notice of Estimated Settlement Share were sent to each Class
27 Member by first-class mail. These papers informed Class Members of the terms of the
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1 Settlement, their right to receive a Settlement Share, their right to comment on or object to the
2 Settlement or to opt out of the Settlement and pursue their own remedies, and their right to
3 appear in person or by counsel at the final approval hearing and be heard regarding approval of
4 the Settlement. Adequate periods of time were provided by each of these procedures. No Class
5 Members objected to the Settlement as part of this notice process or stated an intent to appear at
6 the final approval hearing.

7 5. The Court finds and determines that this notice procedure afforded adequate
8 protections to Class Members and provides the basis for the Court to make an informed decision
9 regarding approval of the Settlement based on the responses of Class Members. The Court finds
10 and determines that the notice provided in this case was the best notice practicable, which
11 satisfied the requirements of law and due process.

12 6. For the reasons stated in the Preliminary Approval Order, the Court finds and
13 determines that the proposed class, as defined in the definitions section of the Settlement, meets
14 all of the legal requirements for class certification, and it is hereby ordered that the Class is
15 finally approved and certified as a class for purposes of the Settlement.

16 7. The Court further finds and determines that the terms of the Settlement are fair,
17 reasonable, and adequate to the Class and to each Class Member. The Class Members who have
18 not opted out will be bound by the Settlement, except that PAGA Settlement Group Members (as
19 defined in the Settlement, those who worked for Okta during the applicable PAGA period
20 (October 30, 2019 through June 7, 2021) will release the PAGA claims released in the
21 Settlement, and will receive a portion of the amount set aside as PAGA penalties, regardless of
22 whether they opt out of the Settlement. The Settlement is ordered finally approved, and that all
23 terms and provisions of the Settlement should be and hereby are ordered to be consummated.

24 8. The Court finds and determines that the Settlement Shares to be paid to the Class
25 Members (including the Class Payments to be paid to Class Members who did not timely submit
26 a valid Request for Exclusion and PAGA Amount Payments to be paid to all PAGA Settlement
27 Group Members), as provided for by the Settlement, are fair and reasonable. The Court hereby
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1 grants final approval to and orders the payment of those amounts to be made to the Class
2 Members out of the Net Settlement Amount and PAGA Amount in accordance with the
3 Settlement.

4 9. Pursuant to the Labor Code Private Attorneys General Act ("PAGA"), Cal. Lab.
5 Code §§ 2699(1)(2), (1)(4), the LWDA has been given notice of the Settlement. Pursuant to
6 PAGA, on the date the parties filed the motion seeking approval of the Settlement with the
7 Court, Plaintiff submitted to the LWDA a notice of the Settlement enclosing a copy of the
8 Settlement. The Court finds and determines that the notice of the Settlement complied with the
9 statutory requirements of PAGA.

10 10. The Court finds and determines that the resolution of the Released PAGA Claims
11 and the PAGA Civil Penalties, which includes the payment to the LWDA of \$37,500 as its share
12 of the settlement of civil penalties, in this case is fair, reasonable, and appropriate. The Court
13 hereby gives final approval to and orders that the payment of the PAGA Civil Penalties be paid
14 out of the Total Settlement Amount in accordance with the Settlement.

15 11. The Court finds and determines that the fees and expenses of ILYM Group in
16 administering the settlement, in the amount of \$15,000, are fair and reasonable. The Court
17 hereby grants final approval to and orders that the payment of approximately that amount be paid
18 out of the Total Settlement Amount in accordance with the Settlement.

19 12. In addition to any recovery that Plaintiff may receive from the Net Settlement
20 Amount and PAGA Amount, and in recognition of the Plaintiff's efforts on behalf of the
21 Settlement Class, the Court hereby approves the payment of an incentive award to Plaintiff in the
22 amount of \$10,000. This shall be paid from the Total Settlement Amount.

23 13. Pursuant to the authorities and argument presented to the Court, the Court
24 approves the payment of attorneys' fees to Class Counsel in the sum of \$933,333, plus costs and
25 expenses in the amount of \$23,556.6. This shall be paid from the Total Settlement Amount.

26 14. The parties are hereby ordered to comply with the terms of the Settlement.
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15. Without affecting the finality of this order in any way, pursuant to California Code of Civil Procedure section 664.6 the Court retains jurisdiction of all matters relating to the interpretation, administration, implementation, effectuation, and enforcement of this order and the Settlement.

IT IS SO ORDERED.

Dated: 4/12, 2022

hls
The Honorable Richard B. Ulmer, Jr.
Judge of the Superior Court

EXHIBIT #2

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Attorneys for Defendant Okta, Inc. [Counsel listed on
next page]

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN FRANCISCO

MATTHEW O'DONNELL, an individual, on
behalf of himself and on behalf of all persons
similarly situated,

Plaintiff,

vs.

OKTA, INC., a corporation; and Does 1
through 50, Inclusive,

Defendants.

Case No. CGC-20-587665

^{Per}
[PROPOSED] FINAL JUDGMENT

Judge: Hon. Richard B. Ulmer, Jr.

Dept.: 302

Hearing Date: April 12, 2022

Hearing Time: 9:30 a.m.

Complaint filed: October 30, 2020

Trial date: None set

1 The parties having settled this action and the Court having entered an Order Granting
2 Final Approval of Settlement and good cause appearing therefor,

3 IT IS HEREBY ORDERED, ADJUDICATED AND DECREED THAT:

4 1. Except as set forth in the Settlement Agreement and the Order Granting Final
5 Approval of Settlement, Plaintiff Matthew O'Donnell ("Plaintiff"), and all members of the Class,
6 shall take nothing by their complaint in this Action.

7 2. Without affecting the finality of this judgment in any way, pursuant to California
8 Code of Civil Procedure section 664.6 the Court retains jurisdiction of all matters relating to the
9 interpretation, administration, implementation, effectuation, and enforcement of this order and
10 the Settlement.

11 3. Upon completion of administration of the settlement, the Settlement
12 Administrator will provide written certification of such completion to the Court and counsel for
13 the parties. The Court sets a compliance hearing date of February 16, 2023, at
14 9:30 a.m. / p.m., and the written certification of the Settlement Administrator shall be
15 filed no later than fourteen (14) days before this hearing.

16 4. The Court finds that in consideration of Plaintiff's awarded Class Representative
17 Payment, Plaintiff's Settlement Share, and the other terms and conditions of the Settlement, as of
18 the date the Settlement becomes Final and is fully funded, except as provided below, Plaintiff
19 releases any and all known and unknown claims against Okta and any present and former
20 parents, subsidiaries and affiliated companies or entities, and their respective officers, directors,
21 employees, partners, shareholders and agents, and any other successors, assigns and legal
22 representatives and its related persons and entities ("Released Parties"), and waives the
23 protection of California Civil Code section 1542, which provides: "A general release does not
24 extend to claims that the creditor or releasing party does not know or suspect to exist in his or
25 her favor at the time of executing the release and that, if known by him or her, would have
26 materially affected his or her settlement with the debtor or released party." ("Plaintiff's
27 Released Claims.") Expressly excluded from Plaintiff's Released Claims are Plaintiff's
28 individual claims for disability and leave discrimination, retaliation, and wrongful termination in

1 violation of public policy previously asserted in this action and dismissed with prejudice
2 following the execution of a separate settlement agreement, any claims for workers
3 compensation benefits or unemployment insurance benefits, claims outside the Class Period, and
4 any other claims that cannot be waived by law.

5 5. The Court finds that in consideration for their awarded Class Payment portions of
6 their Settlement Shares, as of the Effective Date of the Settlement, all Class Members (other than
7 those Class Members who timely and validly requested to be excluded from the Settlement)
8 release any and all known and unknown claims against Okta and the Released Parties that were
9 pled or could have been pled based on the factual allegations contained in the operative
10 complaint or any amendments thereto or notices submitted by Plaintiff to the LWDA pursuant to
11 PAGA that occurred from October 30, 2016 through June 7, 2021 and arise out of the allegations
12 that Okta failed to pay all wages due, including minimum wages and overtime wages; provide
13 meal and rest periods; furnish accurate itemized wage statements; or pay all wages due to
14 discharged and quitting employees. The released claims include claims brought under California
15 Labor Code sections 201-204, 206.5, 210, 226, 226.3, 226.7, 351, 510, 512, 515, 558, 1174,
16 1182.12, 1194, 1194.2, 1197, 1197.1, 1198, 2698 *et seq.*, and 2802, California Business and
17 Professions Code sections 17200-17208, the Industrial Welfare Commission Wage Order, and
18 the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.* Such claims include claims for wages,
19 statutory penalties, civil penalties, or other relief under the California Labor Code, PAGA, relief
20 from unfair competition under California Business and Professions Code section 17200 *et seq.*;
21 attorneys' fees and costs; and interest. The release excludes all other claims, including claims
22 for vested benefits, wrongful termination, unemployment insurance, disability, social security,
23 workers' compensation, claims outside of the Class Period (October 30, 2016 through June 7,
24 2021) and PAGA claims outside of the PAGA Period (October 30, 2019 through June 7, 2021).
25 (The "Released Class Claims.")

26 6. The Court finds that in consideration for their awarded PAGA Amount Payment
27 portions of their Settlement Shares, as of the Effective Date of the Settlement, all PAGA
28 Settlement Group Members release any and all claims under PAGA for civil penalties against

1 Okta and the Released Parties that were pled or could have been pled based on the factual
2 allegations contained in the operative complaints in the Actions or any amendments thereto or
3 notices submitted by Plaintiff to the LWDA pursuant to PAGA that occurred during the PAGA
4 Period (the "Released PAGA Claims"), regardless of whether they opted out of the Settlement.

5 7. The parties shall bear his, her, its or their own respective attorneys' fees and costs
6 except as otherwise provided in the Settlement, the Order Granting Final Approval of
7 Settlement, and this Judgment.

8 The Court enters final judgment in the Action in accordance with the Settlement and this
9 Order, subject to the Court's retention of continuing jurisdiction over the Action and the
10 Settlement, including jurisdiction pursuant to California Rule of Court 3.769(h), solely for
11 purposes of (a) enforcing the Agreement, (b) addressing settlement administration matters, and
12 (c) addressing such post-Judgment matters as may be appropriate under court rules or applicable
13 law.

14 **LET JUDGMENT BE FORTHWITH ENTERED ACCORDINGLY.**

15 Dated: 4/12, 2022

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17 The Honorable Richard B. Ulmer, Jr.
18 Judge of the Superior Court
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