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4 ATTORNEYS FOR PLAINTIFF DANA LIPKEN

RECEIVED
FILED 15:53:02
SUPERIOR COURT
Brandon E. Riley, Clerk

Mia Stipe
April 09, 2021

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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF SAN JOAQUIN COUNTY
10 (UNLIMITED JURISDICTION)
11

12 DANA LIPKEN,

13 PLAINTIFF,

14 v.

15 REYNOLDS PACKING CO., A
CALIFORNIA CORPORATION, AND DOES 1
16 THROUGH 10, .

17 DEFENDANTS.
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) CASE No. STK-CV-UWT-2020-0005673

) ~~PROPOSED~~ ORDER GRANTING
) UNOPPOSED MOTION FOR
) APPROVAL OF PAGA
) SETTLEMENT

1 Plaintiff Dana Lipken's Unopposed Motion for Approval of PAGA Settlement
2 was heard by the Court on March 25, 2021, in Department 10C. Appearances of counsel
3 for the parties was not necessary, as the Court issued a tentative ruling granting approval
4 of the PAGA settlement, which was not contested by the parties. After reviewing the
5 papers filed in support of said Motion:

6 IT IS HEREBY ORDERED as follows:

7 1. The Court grants Plaintiff's Unopposed Motion for Approval of PAGA
8 Settlement, based upon the terms set forth in the Private Attorneys General Act Settlement
9 Agreement and Release ("Settlement Agreement"), attached as an exhibit to the
10 Declaration of Kevin Woodall, which was concurrently filed in support of this motion.

11 2. The Court finds the \$45,000 PAGA Settlement to be fair, adequate, and
12 reasonable. The Court also Labor Workforce Development Agency ("LWDA") was
13 notified of the settlement, as required under the PAGA.

14 3. The Court approves the \$15,000 in attorney's fees and \$1,847.10 in costs
15 sought by Woodall Law Offices and to be paid from the \$45,000 PAGA settlement amount.
16 The attorney's fees and costs are reasonable in light of the work performed and expenses
17 incurred in this case, the fees representing a third of the settlement amount.

18 4. Pursuant to the Settlement Agreement, Defendant Reynolds Packing Co.
19 ("Defendant") shall separately pay, in addition to the \$45,000 PAGA settlement amount,
20 up to \$2,500 for the administrator's expenses and any mediator expenses beyond the initial
21 \$500 payment made by both parties.

22 5. Within 14 calendar days of this Order, Defendant shall deposit the PAGA
23 settlement amount with the administrator, Phoenix Class Action Administration Solutions
24 ("Phoenix"). Phoenix shall promptly determine the amount due to each PAGA aggrieved
25 employee, pursuant to the settlement agreement, and mail checks to those individuals,
26 along with the cover letter attached to the Declaration of Kevin Woodall, which was filed
27 concurrently with the motion. Phoenix shall also distribute the agreed upon amount to the
28 LWDA and the attorney's fees and costs set forth above to Woodall Law Offices. If any

1 checks remain uncashed after 180 days, the funds shall be paid to cy pres recipients
2 pursuant to Civil Code section 384.

3 6. Within 15 days of payment by Defendant of the PAGA settlement payment
4 and the individual payment to Plaintiff, Plaintiff shall file a request that the Court grant a
5 judgement of dismissal of the entire action with prejudice. The Court approves the PAGA
6 release set forth in the Settlement Agreement.

7
8 Dated: 4/7/21


Judge of the Superior Court

PROOF OF SERVICE

I, Kevin F. Woodall, am a resident of the State of California and over the age of 18, and not a party to the within action; my business address is 100 Pine Street, Suite 1250, San Francisco, CA 94111.

ON MARCH 29, 2021, I CAUSED TO BE SERVED THE DOCUMENT(S) DESCRIBED AS:

[PROPOSED] ORDER GRANTING UNOPPOSED MOTION FOR APPROVAL OF PAGA SETTLEMENT

on the following interested parties at the following address:

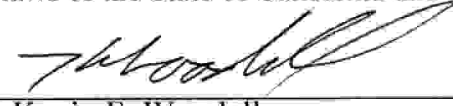
Christopher Onstott
Kronick Moskowitz Tiedemann & Girard
1331 Garden Hwy, 2nd Floor
Sacramento, CA 95833
constott@kmtg.com

Attorneys for Defendant, Reynolds Packing Co.

- ☐ (BY MAIL) I served the foregoing document(s) by U.S. mail. I am readily familiar with the business practice for collection and processing of correspondence for mailing with the United States Postal Service. This correspondence was deposited with the United States Postal Service this same day in the ordinary course of business at Corte Madera, California.
- ☐ (BY FACSIMILE) I transmitted via facsimile, the document(s) listed above to the fax number(s) set forth above on this date from Corte Madera, California. The transmitting facsimile machine telephone number is (415) 413-4629.
- ☐ (BY FEDEX GROUND) I served the foregoing document(s) by placing it in a sealed envelope or container provided by Federal Express, affixing a pre-paid air bill for ground delivery, and causing the envelope or container to be delivered to a Federal Express agent or depositing it in a box or other facility regularly maintained by Federal Express.
- ☐ (BY PERSONAL DELIVERY) I caused to be personally delivered the foregoing document(s) to the individual(s) at the address(es) listed above.
- ☒ (BY EMAIL and E-SERVICE) I served the foregoing documents by sending them via email to Defendant's counsel listed above.

Executed this March 29, 2021 at Corte Madera, California.

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


Kevin F. Woodall