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8 **IN THE SUPERIOR COURT OF CALIFORNIA**
9 **COUNTY OF RIVERSIDE, HISTORIC COURTHOUSE**

10 CEEJA LYNNE BARR, an individual,
11
12 Plaintiff,

13 vs.

14 TRIANGLE MOTORS, INC., a California
15 corporation, MATTHEW BROWNING, an
16 individual, KENT C. BROWNING, an
17 individual, SCOTT DICKINSON, an individual,
18 SHAKEEL AMEEN, an individual, and DOES
19 1-20,
20 Defendants.

Case No. CVRI2100242

Assigned to Hon. Sunshine Sykes in Dept. 06

**[PROPOSED] ORDER GRANTING
APPROVAL OF PAGA SETTLEMENT**

Action Filed: January 25, 2021
Trial Date: None

21 The matter having come regularly for hearing on October 28, 2021 in Dept. 06 of the above-
22 entitled Court and having considered the records and files in this action, and the oral and documentary
23 evidence presented at hearing on Plaintiff's Motion, along with the Private Attorneys General Act
24 Settlement Agreement and Release (the "Settlement Agreement") submitted therewith, and good cause
25 appearing, the Court hereby GRANTS Plaintiff's Motion for Approval of PAGA Settlement ("Motion"),
26 subject to the following findings and orders:

- 27 a) Pursuant to Labor Code § 2699(1)(2), the Court has reviewed the Settlement Agreement
28 and finds the proposed settlement of PAGA claims to be fair and reasonable. All defined

terms contained herein shall have the same meanings as set forth in the Settlement Agreement executed by the Parties and filed with this Court.

b) The Court approves the Settlement Agreement and confirms the release and waiver of claims provided therein. Upon entry of this Order, the Parties shall effectuate and act in accordance with all terms of the Settlement Agreement.

c) Pursuant to the terms of the Settlement Agreement, the Court approves the PAGA Payment in the amount of \$148,000.00. 75% of the PAGA Payment will be allocated and paid to the California Labor and Workforce Development Agency. 25% of the PAGA Payment will be allocated and distributed amongst the 128 alleged aggrieved employees as follows: 60% of the \$37,000 penalties payment will be paid to the 62 salespersons, and 40% will be paid to the 66 non-sales. Thus, \$22,200 in penalties payments will be paid to the 62 sales employees and \$14,800 to the 66 non-salespersons pro rata based on the number of pay periods they worked during the PAGA period.

d) The PAGA action is hereby DISMISSED WITH PREJUDICE in its entirety. Pursuant to C.C.P. §664.6, this Court shall have and retain continuing jurisdiction over this action to enforce the terms of the parties' agreement. Other than as expressly provided in the Settlement Agreement, both Parties shall bear their own costs and fees. The dismissal does not extend to or otherwise affect the ability of an aggrieved employee to bring individual, non-representative claims against the defendant for alleged violations of the Labor Code.

e) Pursuant to Labor Code § 2699(1)(3), Plaintiff shall submit a copy of this Order to the LWDA within 10 days of entry of this Order.

f) The date for the Final Accounting hearing is scheduled for _____, 2022 and the deadline for filing a report concerning the amount of money distributed and/or uncashed is _____, 2022.

IT IS SO ORDERED.

Dated: _____

THE HONORABLE SUNSHINE SYKES

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 30 N. Raymond Avenue, Suite 210, Pasadena, CA 91103.

On September 23, 2021, I served the foregoing document described as **[PROPOSED] ORDER GRANTING APPROVAL OF PAGA SETTLEMENT** on the interested parties in this action as follows:

- ☐ By placing true copies enclosed in a sealed envelope addressed to each addressee as follows:
- ☒ Electronically from my email address, YLR@PimentelLaw.com on the persons identified below at the following electronic service address: ngolob@fisherphillips.com; jmoon@fisherphillips.com

Nicole Golob, Esq.
Joel Moon, Esq.
Fisher & Phillips LLP
21600 Oxnard St., Suite 650
Woodland Hills, CA 91367

*Counsel for Defendants Triangle Motors,
Inc., Matthew Browning, Kent C. Browning,
Scott Dickinson and Shakeel Ameen*

☐ BY MAIL:

- ☐ I deposited each envelope in the mail at Pasadena, California, with postage thereon fully prepaid.
- ☐ I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses above. I placed the envelope or package for collection and overnight delivery at an office or regularly utilized drop box of the overnight delivery carrier.
- ☒ STATE I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Yesenia L. Rodriguez

Executed on September 23, 2021 at Pasadena, California.