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Attorneys for Plaintiff DIANA MIRANDA, on behalf
of all other similarly situated aggrieved employees

FILED
Superior Court of California
County of Los Angeles

JAN 31 2023

David W. Slayton, Executive Officer/Clerk of Court
By: M. Vasquez, Deputy

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES, POMONA COURTHOUSE SOUTH**

DIANA MIRANDA, on behalf
of all other similarly situated aggrieved
employees

Plaintiffs,

v.

KITTRICH CORPORATION, a California
corporation; and DOES 1 through 100,
Inclusive

Defendants.

CASE NO.: 20STCV25005

[Assigned for all purposes to The Honorable Salvatore
Sirna- Department G]

**AMENDED ~~PROPOSED~~ ORDER AND
JUDGMENT FOR APPROVAL OF SETTLEMENT
UNDER PRIVATE ATTORNEYS GENERAL ACT
("PAGA")**

Hearing Date: July 15, 2022
Time: 10:00 a.m.
Dept. R

Complaint Filed: June 30, 2020
Trial Date: June 13, 2022
Reservation Number: 397633229428

[PROPOSED] ORDER AND JUDGMENT

Plaintiff DIANA MIRANDA's ("Plaintiff") Motion for Approval of Settlement Pursuant to the
Private Attorneys General Act of 2004 ("PAGA") and for Attorneys' Fees and Costs ("PAGA Settlement
Approval Motion") was heard on July 15, 2022 at 10:00 a.m. in Department R of the above-entitled

1 Court, the Hon. Thomas C. Falls presiding. Alex DiBona appeared on behalf of Plaintiff. Rachel Alpert,
2 Esq. appeared on behalf of Defendant Kittrich Corporation. After consideration of the pleadings filed in
3 connection with the PAGA Settlement Approval Motion, oral arguments, the complete file and record of
4 this case, and other evidence that was presented at or before the hearing on the PAGA Settlement
5 Approval Motion, the Court hereby ORDERS, ADJUDGES AND DECREES as follows:

6 1. The Motion is Granted as follows;

7 2. The Court has jurisdiction over the subject matter of the action and overall Parties thereto,
8 including the aggrieved employees;

9 3. The Court finds that the settlement memorialized in the Settlement Agreement (Settlement
10 and Release) appears to be fair, entered into in good faith, adequate, and falls within the range of
11 reasonableness, and therefore meets the requirement for approval and is approved;

12 4. The definition of the Settlement Period as August 28, 2019 to January 10, 2022 and the
13 definition of Aggrieved Employees as all hourly paid, non-exempt employees of Defendant who worked
14 in California during the Settlement Period, is approved for settlement purposes;

15 5. The notice to aggrieved employees as stated in the settlement agreement (and attached
16 thereto as "Notice of Settlement") constitutes the best practicable notice under the circumstances and
17 satisfies the requirements of due process;

18 6. All notices to the California Labor and Workforce Development Agency ("LWDA")
19 required by law have been submitted;

20 7. Upon entry of this Order, compensation to the aggrieved employees shall be affected
21 pursuant to the terms of the Settlement Agreement;

22 8. In addition to any recovery that Plaintiff may receive as an aggrieved employee under the
23 Settlement, and in recognition of Plaintiff's effort on behalf of the settlement, the Court hereby approves
24 the payment of a representative enhancement award to Plaintiff Diana Miranda in the amount of \$5,000 for
25 her services as the representative;

26 9. The Court finds that PAGA Counsel's required litigation expenses in the amount of
27 \$12,519.89 are reasonable and are hereby approved by the Court;

1 10. The Court finds that the requested attorney's fees of \$62,500 are reasonable.

2 11. The Court approves the payment of attorney's fees to Kokozyan Law Firm, APC in the
3 amount of \$62,500. These sums shall be paid to Kokozyan Law Firm, APC in accordance with the terms
4 of the settlement agreement;

5 12. The Court appoints Simpluris as the Settlement Administrator. The payment of settlement
6 administration cost of up to \$6,000 is approved;

7 13. The Court approves and orders payment in the amount of 122,985.08 to the LWDA, which
8 represents seventy five percent (75%) of the net settlement amount (PAGA Payment) and \$40,995.02, to
9 the Aggrieved Employees, which represents twenty five percent (25%) of the net settlement amount;

10 14. The methodology used to calculate and pay each aggrieved employees' individual payment
11 is fair and reasonable;

12 15. Plaintiff and the aggrieved employees shall have by operation of this Order and
13 accompanying Judgment, fully, finally and forever released, relinquished and discharged Defendant from
14 Covered Claims for the PAGA Period as defined in the settlement agreement;

15 16. This Court shall retain jurisdiction with respect to all matters related to the administration,
16 consummation of the settlement and to enforce the terms of the Judgment and any disputes arising under
17 the settlement agreement or administration thereof;

18 17. ~~An Order to Show Cause regarding compliance with the terms of the settlement is set for~~
19 ~~_____.~~ The Settlement Administrator shall file a report regarding,
20 ~~the distribution of the funds no later than _____ including the~~
21 ~~aggrieved employees; and~~ SS

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18. The Parties are ordered to carry out the Settlement according to the terms of the Settlement Agreement.

IT IS SO ORDERED, ADJUGED AND DECREED.

DATED: JAN 31 2023


The Honorable Salvatore Sirna
Judge of the Superior Court

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PROOF OF SERVICE

Diana Miranda, et al. v. Kittrich Corporation

LASC CASE NO. 20STCV25005

I, the undersigned, declare as follows:

I am over the age of 18 years and employed in the County of Los Angeles, State of California. I am employed in the office of Kokozyan Law Firm, APC, and I made the service referred to below at their direction. My business address is 10940 Wilshire Blvd., Suite 1200, Los Angeles, CA 90024.

On December 1, 2022, I served true copies of **PLAINTIFF'S RESPONSE TO ORDER TO SHOW CAUSE RE DISMISSAL; EXHIBITS** on INTERESTED PARTIES as stated on the attached Service List.

☐ **BY MAIL:** by depositing the same for collection and mailing at Los Angeles, California, on the date hereinabove set forth, in sealed envelopes with the postage thereon fully prepaid. I am readily familiar with the firm's practice of collection and processing of correspondence for mailing. Under the practice, it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or if the postage meter date is more than one day after the date of deposit for mailing in affidavit.

☐ **BY PERSONAL SERVICE:** I caused such envelope to be delivered by hand to the office(s) of the addressee(s).

☐ **VIA FACSIMILE:** I caused the foregoing documents(s) to be transmitted to the below-named individual(s) via facsimile prior to 5:00 p.m. on said date and the transmission was reported as complete and without error

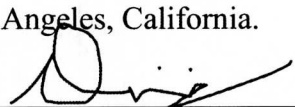
☐ **VIA OVERNIGHT COURIER:** I caused the above-referenced documents(s) to be delivered to FEDERAL EXPRESS for delivery to the below-named individual(s).

☒ **BY ELECTRONIC SERVICE:** Pursuant to agreement by the parties in this action and/or CCP § 1010.6 et seq., I caused such documents to be converted to Adobe .PDF format and uploaded to the Court-authorized Electronic Filing Service Provider (EFSP) ONE LEGAL LLC, authorizing said EFSP to affect electronic service to the addressee(s) listed below.

SEE ATTACHED SERVICE LIST

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

Executed on December 1, 2022, at Los Angeles, California.



Glenn Dwiggins

SERVICE LIST

Pettit Kohn Ingrassia Lutz & Dolin

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