

Alexander I. Dychter (SBN 234526)
S. Adam Spiewak (SBN 230872)
DYCHTER LAW OFFICES, APC
1010 Second Ave., Suite 1835
San Diego, California 92101
Telephone: (619) 487-0777
Facsimile: (619) 330-1827
E-Mail: alex@dychterlaw.com
E-Mail: adam@dychterlaw.com

Walter L. Haines (SBN 71075)
United Employees Law Group, PC
5500 Bolsa Ave., Suite 201
Huntington Beach, California 92649
Telephone: (562) 256-1047
Facsimile: (562) 256-1006
E-Mail: admin@uelglaw.com

Attorneys for Plaintiff Atlas Vargas

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF VENTURA

Atlas Vargas, an individual, on behalf of
himself and on behalf of all persons similarly
situated,

Plaintiff,

v.

SKYSKOPES, INC., a Delaware Corporation;
and DOES 1 through 50, inclusive,

Defendants.

Case No. 56-2020-00544196-CU-OE-VTA

Assigned for all Purposes to the Hon. Judge
Mark Borrell (Dept. 40)

Motion Reservation #: 2562304

**[proposed] ORDER GRANTING MOTION
FOR APPROVAL OF PRIVATE
ATTORNEYS GENERAL ACT (PAGA)
SETTLEMENT AND DISMISSAL OF
CLASS CLAIMS WITHOUT PREJUDICE**

Hearing Date: May 27, 2021
Hearing Time: 8:30 a.m.
Location: Dept. 40

Complaint Filed: August 11, 2020
FAC Filed: October 15, 2020
Trial Date: None Set

Pursuant to the Motion for an Order Granting Approval of the Private Attorneys General Act (“PAGA”) Settlement and Dismissal of Class Claims without Prejudice, submitted by Plaintiff Atlas Vargas, (“Motion”), and for good cause appearing, having considered the Motion, all legal authorities and documents submitted in support, the Declarations, the fully-executed Settlement Agreement, and good cause appearing,

IT IS ORDERED that the Motion is **GRANTED**, subject to the following orders:

- a) The Court approves the Settlement Payment by Defendant of \$166,000;
- b) The Court approves the PAGA Penalty Fund of \$97,751, from which
 - i) \$73,313.25 (75%) shall be paid to the California Labor and Workforce Development Agency (“LWDA”), and
 - ii) \$24,437.75 (25%) shall be paid to all PAGA Members, to be distributed on a proportionate basis according to the number of respective pay-periods worked during the period from August 11, 2019 through April 8, 2021;
- c) The Court approves and awards PAGA Counsel, Dychter Law Offices, APC, and United Employees Law Group, PC, attorneys’ fees of \$55,333.33, and litigation costs of \$5,915.66;
- d) The Court approves and awards to Plaintiff Vargas, \$5,000 as a service award, for his initiation, risks and burdens which resulted in monetary payments to the LWDA and to all PAGA Settlement Members;
- e) The Court finds the payment of \$2,000 to Atticus Administration, LLC, the Settlement Administrator, is fair and reasonable, and orders the Administrator to make this payment to itself in accordance with the Settlement Agreement;
- f) If any PAGA Members fail to negotiate their settlement payment checks within 120 days after they are mailed by the Administrator, the Administrator shall forward the uncashed sums to Ventura County Legal Aid, Inc. (www.vclegalaid.org);
- g) Pursuant to California Labor Code § 2699(l)(3), a copy of this Order shall be submitted to the LWDA within 10 days after entry of this Order;
- h) Pursuant to California Code of Civil Procedure § 664.6, the Court shall retain continuing jurisdiction over this action and the Parties, including after entry of this Order, to the

1 fullest extend necessary to interpret, enforce and effectuate the terms and intent of the Agreement
2 and this Order; and

3 i) The Court approves the dismissal *without prejudice* of all causes of action brought
4 by Plaintiff on behalf of all persons similarly situated (the “Class Claims”).

5 **IT IS SO ORDERED.**

6
7 Dated: _____

_____ The Honorable Mark Borrell