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1 Thomas D. Rutledge filed in support of the foregoing Motion is approved subject to
2 the terms of this Order.

3 3. The notice of settlement attached as Exhibit 6 to the Declaration of
4 Thomas D. Rutledge filed in support of the foregoing Motion is approved subject to
5 the terms of this Order and that one is sent in Spanish to the Aggrieved Employees.

6 4. Defendants shall pay \$500,000 (the “Gross Settlement Amount”) to
7 settle this Action within 30 days from the date of entry of Order granting PAGA
8 approval (the “Effective Date”).

9 5. Plaintiffs’ Counsel shall provide the required notice to the Labor
10 Workforce Development Agency (LWDA) before this Order is followed.

11 6. Phoenix Settlement Administrators shall serve as the settlement
12 administrator and will perform all reasonably necessary requirements to effectuate the
13 settlement as described in Plaintiffs’ Motion.

14 7. From the Gross Settlement Amount, the settlement administrator shall
15 make the following distributions:

16	Gross Settlement Amount:	\$500,000
17	The named Plaintiff (minus):	(\$50,000)
18	Plaintiffs’ Counsel Fees (minus):	(\$166,700)
19	(one half to Mr. Rutledge; one half to The Pendergast Law Firm, PC)	
20	Plaintiffs’ Counsel Costs (minus):	(\$4,711)
21	Settlement Administrator (minus):	(\$6,000)
22	Net Settlement Amount:	\$272,589
23	The LWDA (minus)(i.e., 75% of the NSA):	(\$204,442)
24	Estimated Distributable Amount to Aggrieved	
25	Employees (minus) (i.e., 25% of the NSA):	(\$68,147)
26	Amount Left After Distribution:	\$0

27 8. The Settlement Administrator shall pay any remaining proceeds from
28 uncashed checks after the expiration of 180 days to the LWDA.

- 1 9. There will be no reversion of unclaimed funds to Defendants.
- 2 10. Under no circumstances will Defendants be required to pay more than
- 3 the Gross Settlement Amount of \$500,000.
- 4 11. Upon receipt of his portion of the settlement proceeds, all of Plaintiff
- 5 Limon's claims shall be released pursuant to § 1542 of the Civil Code.
- 6 12. Upon distribution of the settlement proceeds, all Aggrieved Employees,
- 7 fully release and discharge the Released Persons from all Released Claims, whether
- 8 known or unknown during the PAGA Period regardless of whether that Aggrieved
- 9 Employee receives and cashes his or her check for Settlement Payment.
- 10 13. All aspects of the foregoing shall constitute a JUDGMENT within the
- 11 meaning of California law.
- 12 14. Upon distribution of the settlement proceeds, this action shall be
- 13 dismissed with prejudice and the JUDGMENT shall be deemed paid in full (i.e.,
- 14 satisfied).
- 15 15. This Court shall retain jurisdiction with respect to all matters related to
- 16 the administration and consummation of the settlement in this matter.

17 IT IS SO ORDERED.

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20 Dated: _____

Hon. Timothy Taylor
Judge of the Superior Court of California
County of San Diego

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