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Attorneys for Plaintiff Emily Ferrer

[Additional Counsel listed on following page]

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN DIEGO

EMILY FERRER, ELIJAH WESTCOTT,
MANUEAL BANUELOS MACIAS and on
behalf of themselves and other aggrieved
employees,

Plaintiffs,

v.

FITNESS INTERNATIONAL, LLC, a
California Limited Liability Company;
and DOES 1 through 100, inclusive,

Defendants.

CASE NO. 37-2020-00044088-CU-OE-CTL

ASSIGNED FOR ALL PURPOSES TO:

The Honorable Joel R. Wohlfeil

Department C-73

REPRESENTATIVE ACTION

**NOTICE OF ENTRY OF ORDER
GRANTING MOTION FOR APPROVAL OF
PRIVATE ATTORNEYS GENERAL ACT
("PAGA") SETTLEMENT**

Complaint filed: December 2, 2020

Trial date: Not set

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Counsel for Plaintiff Manuel Banuelos Macias

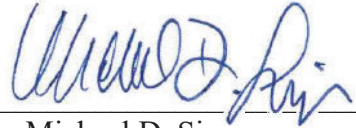
1 TO: ALL PARTIES AND THEIR COUNSEL OF RECORD, AND TO THE LABOR AND
2 WORKFORCE DEVELOPMENT AGENCY:

3 NOTICE IS GIVEN that on July 21, 2023 the Court issued an Order Granting Motion
4 for Approval of Private Attorneys General Act ("PAGA") Settlement, ("Order"), in the above-
5 captioned matter. A true and correct copy of this Order is attached as Exhibit 1.

6 Respectfully submitted,

7 **COHELAN KHOURY & SINGER**
8 **HAIG B. KAZANDJIAN LAWYERS, APC**
9 **CAPSTONE LAW APC**

10 Dated: July 24, 2023

By: 

Michael D. Singer

11 Counsel for Plaintiffs EMILY FERRER, ELIJAH
12 WESTCOTT, MANUEAL BANUELOS MACIAS

EXHIBIT 1

1 **COHELAN KHOURY & SINGER**

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9 Attorneys for Plaintiff Emily Ferrer

10 *[Additional Counsel listed on following page]*

11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

12 **FOR THE COUNTY OF SAN DIEGO**

13 EMILY FERRER, ELIJAH WESTCOTT,
14 MANUEAL BANUELOS MACIAS and on
15 behalf of themselves and other aggrieved
16 employees,

17 Plaintiffs,

18 v.

19 FITNESS INTERNATIONAL, LLC, a
20 California Limited Liability Company;
21 and DOES 1 through 100, inclusive,

22 Defendants.

FILED
Clerk of the Superior Court

JUL 21 2023

By: R. Day, Deputy

ELECTRONICALLY RECEIVED
Superior Court of California,
County of San Diego

05/16/2023 at 01:37:04 PM

Clerk of the Superior Court
By Malka Manneh, Deputy Clerk

CASE NO. 37-2020-00044088-CU-OE-CTL
ASSIGNED FOR ALL PURPOSES TO:
The Honorable Joel R. Wohlfeil
Department C-73

REPRESENTATIVE ACTION

**[PROPOSED] ORDER GRANTING
MOTION FOR APPROVAL OF PRIVATE
ATTORNEYS GENERAL ACT ("PAGA")
SETTLEMENT**

Date: July 21, 2023
Time: 9:00 a.m.
Dept: C-73
Judge: Honorable Joel R. Wohlfeil
Reservation: 2974855

Complaint filed: December 2, 2020
Trial date: Not set

1 Pursuant to the Motion for an Order Granting Approval of the Private Attorneys
2 General Act ("PAGA") Settlement submitted by Plaintiffs Emily Ferrer, Elijah Westcott, and
3 Manuel Banuelos Macias ("Motion"), and for good cause appearing, having considered the
4 Motion, all legal authorities and documents submitted in support, the Declarations of PAGA
5 Counsel Michael D. Singer, Haig B. Kazandjian, and Raul Perez, Declarations of Plaintiffs
6 Emily Ferrer, Elijah Westcott, Manuel Banuelos Macias, the Private Attorneys General Act
7 Settlement and Release ("Settlement" or "Agreement"), and good cause appearing, IT IS
8 ORDERED that the Motion is GRANTED, subject to the following orders:

9 a) The Court approves the maximum non-reversionary Gross PAGA Amount of
10 \$334,530.00 by Defendant Fitness International, LLC;

11 b) The Court approves and awards to PAGA Counsel, Cohelan Khoury & Singer;
12 Haig B. Kazandjian Lawyers, APC; and Capstone Law APC, attorneys' fees of \$131,666.67,
13 and litigation costs of \$21,366.76;

14 c) The Court finds the payment of \$16,250.00 to CPT Group, Inc., the
15 Administrator, for expenses incurred and to be incurred, is fair and reasonable, and orders the
16 Administrator to make this payment to itself in accordance with the Settlement;

17 d) The Court approves the PAGA Fund of \$165,246.57, from which

18 i) \$123,934.93 (75%) shall be paid to the California Labor and

19 Workforce Development Agency, and

20 ii) \$41,311.64 (25%) shall be paid to all PAGA Members to be

21 distributed on a proportionate basis;

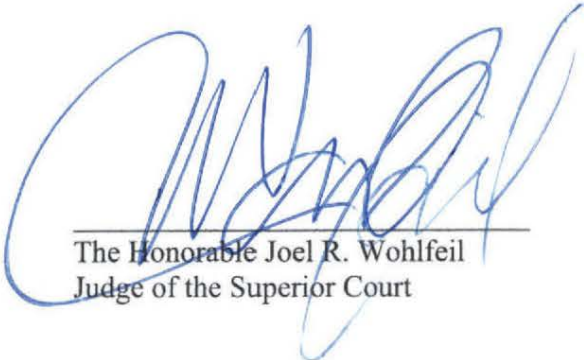
22 e) If any PAGA Member fails to negotiate their Individual Settlement Payment
23 check within 180 calendar days after issuance, the Administrator shall forward the sums
24 represented by the uncashed checks to the State of California, Controller's Office, Unclaimed
25 Property Division;

26 f) Pursuant to Labor Code section 2699(l)(3), Plaintiffs shall submit a copy of this
27 Order and Judgment to the California Labor and Workforce Development Agency within 10
28 days after entry of the Order and Judgment.

1 g) Pursuant to California Rules of Court, Rule 3.769(h), the Court retains
2 jurisdiction over the parties with respect to enforcement of this Judgment under California
3 Code of Civil Procedure §664.6.

4
5 **IT IS SO ORDERED.**

6
7 Dated: 7-21-23


The Honorable Joel R. Wohlfeil
Judge of the Superior Court