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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE**

LAIJAYNA CASEY, individually, and on
behalf of other members of the general public
similarly situated and on behalf of other
aggrieved employees pursuant to the California
Private Attorneys General Act;

Plaintiff,

vs.

CAINE & WEINER COMPANY, INC., a
California corporation; and DOES 1 through
100, inclusive,

Defendants.

Case No.: 20STCV36086

Honorable Carolyn B. Kuhl
Department SSC-12

CLASS ACTION

**[PROPOSED] FINAL APPROVAL
ORDER AND JUDGMENT**

Date: March 7, 2023
Time: 10:30 a.m.
Department: SSC-12

Complaint Filed: September 22, 2020
FAC Filed: April 27, 2022
Trial Date: None Set

1 This matter has come before the Honorable Carolyn B. Kuhl in Department 12 of the
2 above-entitled Court, located at 312 North Spring Street, Los Angeles, California 90012, on
3 Plaintiff Laijayna Casey's ("Plaintiff") Motion for Final Approval of Class Action Settlement,
4 Attorneys' Fees and Costs, and Enhancement Payment ("Motion for Final Approval"). Lawyers
5 for Justice, PC appeared on behalf of Plaintiff, and LightGabler appeared on behalf of Defendant
6 Caine & Weiner Company Inc., ("Defendant").

7 On September 12, 2022, the Court entered the Order Granting Preliminary Approval of
8 Class Action Settlement ("Preliminary Approval Order"), thereby preliminarily approving the
9 settlement of the above-entitled action ("Action") in accordance with the Joint Stipulation of Class
10 Action and PAGA Settlement and Release ("Settlement," "Agreement," or "Settlement
11 Agreement"), which, together with the exhibits annexed thereto, set forth the terms and conditions
12 for settlement of the Action.

13 Having reviewed the Settlement Agreement and duly considered the parties' papers and
14 oral argument, and good cause appearing,

15 **THE COURT HEREBY ORDERS, ADJUDGES, AND DECREES AS FOLLOWS:**

16 1. All terms used herein shall have the same meaning as defined in the Settlement
17 Agreement and the Preliminary Approval Order.

18 2. This Court has jurisdiction over the claims of the Class Members asserted in this
19 proceeding and over all parties to the Action.

20 3. The Court finds that the applicable requirements of California Code of Civil
21 Procedure section 382 and California Rule of Court 3.769, *et seq.* have been satisfied with respect
22 to the Class and the Settlement. The Court hereby makes final its earlier provisional certification
23 of the Class for settlement purposes, as set forth in the Preliminary Approval Order. The Class is
24 hereby defined to include:

25 All current and former hourly-paid or non-exempt employees employed by
26 Defendant who worked in the office in California at any time from September
27 22, 2016, through January 1, 2022 ("Class" or "Class Members").

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1 4. The Notice of Class Action Settlement (“Class Notice”) that was provided to the
2 Class Members, fully and accurately informed the Class Members of all material elements of the
3 Settlement and of their opportunity to participate in the Settlement, object to or comment to the
4 Class Settlement, or to seek exclusion from the Class Settlement; was the best notice practicable
5 under the circumstances; was valid, due, and sufficient notice to all Class Members; and complied
6 fully with the laws of the State of California, the United States Constitution, due process and other
7 applicable law. The Class Notice fairly and adequately described the Settlement and provided the
8 Class Members with adequate instructions and a variety of means to obtain additional information.

9 5. Pursuant to California law, the Court hereby grants final approval of the Settlement
10 and finds that it is reasonable and adequate, and in the best interests of the Class as a whole. More
11 specifically, the Court finds that the Settlement was reached following meaningful discovery and
12 investigation conducted by Lawyers *for* Justice, PC (“Class Counsel”); that the Settlement is the
13 result of serious, informed, adversarial, and arms-length negotiations between the parties; and that
14 the terms of the Settlement are in all respects fair, adequate, and reasonable. In so finding, the
15 Court has considered all of the evidence presented, including evidence regarding the strength of
16 Plaintiff’s claims; the risk, expense, and complexity of the claims presented; the likely duration of
17 further litigation; the amount offered in the Settlement; the extent of investigation and discovery
18 completed; and the experience and views of Class Counsel. The Court has further considered the
19 absence of objections to the Class Settlement submitted by Class Members. Accordingly, the Court
20 hereby directs that the Settlement be affected in accordance with the Settlement Agreement and
21 the following terms and conditions.

22 6. A full opportunity has been afforded to the Class Members to participate in the
23 Final Approval Hearing, and all Class Members and other persons wishing to be heard have been
24 heard. The Class Members also have had a full and fair opportunity to exclude themselves from
25 the Class Settlement. Accordingly, the Court determines that all Class Members who did not timely
26 and validly opt out of the Class Settlement (“Settlement Class Member”) are bound by the Class
27 Settlement and by this order and judgment (“Final Approval Order and Judgment”), and the State
28 of California and all current and former hourly-paid or non-exempt employees employed by

1 Defendant who worked in the office in California at any time from September 18, 2019 through
2 January 1, 2022 (“PAGA Member”) are bound by the PAGA Settlement and this Final Approval
3 Order and Judgment.

4 7. The Court finds that one (1) Class Member has timely and validly opted out of the
5 Class Settlement and will not be bound by the terms of the Class Settlement.

6 8. The Court finds that allocation of \$180,000 toward penalties under the California
7 Private Attorneys General Act of 2004 (“PAGA Payment”), is fair, reasonable, and appropriate,
8 and hereby approved. The Settlement Administrator shall distribute the PAGA Payment as
9 follows: the amount of \$135,000.00 to the California Labor and Workforce Development Agency,
10 and the amount of \$45,000.00 to PAGA Members on a pro rata basis, based on PAGA Workweeks
11 during the PAGA Period (i.e., Individual PAGA Payment), in accordance to the terms and
12 methodology set forth in the Settlement Agreement.

13 9. The Court finds that payment of Settlement Administration Costs in the amount of
14 \$8,000.00 is appropriate for the services performed and costs incurred and to be incurred for the
15 notice and settlement administration process. It is hereby ordered that the Settlement
16 Administrator, Phoenix Class Action Administration Solutions, shall issue payment to itself in the
17 amount of \$8,000.00, in accordance with the terms and methodology set forth in Settlement
18 Agreement.

19 10. The Court finds that the Enhancement Payment sought is fair and reasonable for
20 the work performed by Plaintiff on behalf of the Class, the State of California, and PAGA
21 Members. It is hereby ordered that the Settlement Administrator issue payment in the amount of
22 \$7,500.00 to Plaintiff Laijayna Casey for her Enhancement Payment, according to the terms and
23 methodology set forth in the Settlement Agreement.

24 11. The Court finds that the request for attorneys’ fees in the amount of \$318,370.54 to
25 Class Counsel falls within the range of reasonableness, and the results achieved justify the award
26 sought. The requested attorneys’ fees to Class Counsel are fair, reasonable, and appropriate, and
27 are hereby approved. It is hereby ordered that the Settlement Administrator issue payment in the
28 amount of \$318,370.54 to Class Counsel for attorneys’ fees, in accordance with the terms and

methodology set forth in the Settlement Agreement.

12. The Court finds that reimbursement of litigation costs and expenses in the amount of \$18,177.60 to Class Counsel is reasonable, and hereby approved. It is hereby ordered that the Settlement Administrator issue payment in the amount of \$18,177.60 to Class Counsel for reimbursement of litigation costs and expenses, in accordance with the terms and methodology set forth in the Settlement Agreement.

13. The Court hereby enters Judgment by which Settlement Class Members shall be conclusively determined to have given a release of any and all Released Class Claims against the Released Parties, and all PAGA Members and the State of California shall be conclusively determined to have given a release of any and all Released PAGA Claims against the Released Parties, as set forth in the Settlement Agreement and Class Notice.

14. It is hereby ordered that Defendant shall deposit the Total Settlement Amount together with an amount sufficient to pay employer's share of taxes, into a settlement account to be established by the Settlement Administrator within thirty (30) calendar days after the Effective Date, in accordance with the terms and methodology set forth in the Settlement Agreement.

15. It is hereby ordered that the Settlement Administrator shall distribute Individual Settlement Payments to the Settlement Class Members and Individual PAGA Payments to PAGA Members within seven (7) calendar days after Defendant funds the Total Settlement Amount, according to the methodology and terms set forth in the Settlement Agreement.

16. After entry of this Final Approval Order and Judgment, pursuant to California Rules of Court, Rule 3.769(h), the Court shall retain jurisdiction to construe, interpret, implement, and enforce the Settlement Agreement and this Final Approval Order and Judgment, to hear and resolve any contested challenge to a claim for settlement benefits, and to supervise and adjudicate any dispute arising from or in connection with the distribution of settlement benefits.

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1 17. Notice of entry of this Final Approval Order and Judgment shall be given to the
2 Settlement Class Members and PAGA Members by posting a copy of the Final Approval Order
3 and Judgment on the Settlement Administrator's website for a period of at least sixty (60) calendar
4 days after the date of entry of this Final Approval Order and Judgment. Individualized notice is
5 not required.

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7 Dated: _____

HONORABLE CAROLYN B. KUHL
JUDGE OF THE SUPERIOR COURT