

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Spring Street Courthouse, Department 9

20STCV35957

SELENA TOWELL vs SILVER STAR A.G., LTD.

May 24, 2023

10:00 AM

Judge: Honorable Yvette M. Palazuelos
Judicial Assistant: R. Arraiga
Courtroom Assistant: M. Tavakoli

CSR: None
ERM: None
Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): No Appearances

For Defendant(s): No Appearances

NATURE OF PROCEEDINGS: Hearing on Motion - Other Approval of Settlement (Paga Only);

The matter is NOT called for hearing.

The Court's tentative ruling was issued and served on the parties via Case Anywhere on 05/23/2023.

The parties submitted to the Court's tentative ruling via the Case Anywhere message board on 05/23/2023.

The Court now adopts its tentative FINAL RULINGS/ORDERS RE: MOTION FOR APPROVAL OF PAGA SETTLEMENT as the final order of the court. Said ruling is signed and filed this date and is incorporated into the case file

The Court's ruling is as follows:

The Notice Of Plaintiff's Unopposed Motion And Motion For Approval Of Settlement For Penalties Under Labor Code Sections 2698, Et. Seq.; Memorandum Of Points And Authorities; Declaration Of Shadie L. Berenji In Support Thereof filed by Selena Towell on 01/03/2023 is Granted.

The Parties' Motion for Final Approval of Class Action Settlement is GRANTED as the settlement is fair, adequate, and reasonable on the condition that counsel file and serve a request for dismissal of class claims and supporting documents per CRC 3.769 and CRC 3.770.

The Parties' supplemental paperwork must be filed by 06/07/2023.

If supplemental paperwork is NOT filed by said date an Order to Show Cause Re: Sanctions

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hearing will be set.

The essential terms are:

A. The Gross Settlement Amount ("GSA") is \$205,000.

B. The Net Settlement Amount is the GSA minus the following:

\$68,333 (33%) for attorney fees to PAGA Counsel, Berenji Law Firm, APC;

\$10,000 for litigation costs to PAGA Counsel;

\$8,000 for settlement administration costs to CPT Group, Inc.;

\$89,000 (75% PAGA penalty) to the LWDA.

C. Plaintiffs release of Defendants from claims described herein.

By 06/07/2023, Plaintiffs must:

a. serve this Order on the LWDA pursuant to Labor Code section 2699 (1)(3);

b. file and serve a [Proposed] Judgment consistent with this ruling containing among other things, the PAGA aggrieved employee definition; PAGA period; and full release language; and

c. email the [Proposed] Judgment in Word format to Dept. 9 staff at sscdept9@lacourt.org.

If [proposed] Judgment is NOT lodged and emailed by said date an Order to Show Cause Re: Sanctions hearing will be set.

A Non-Appearance Case Review Re: Filing of Supplemental Papers and Lodging and Emailing of [Proposed] Judgment is scheduled for 06/14/2023 at 08:30 AM in Department 9 at Spring Street Courthouse.

By 02/26/2024, Class Counsel must file a Final Report Re: Final Accounting.

If report is NOT filed by said date an Order to Show Cause Hearing will be set.

A Non-Appearance Case Review Re: Final Accounting and Distribution is scheduled for 03/04/2024 at 08:30 AM in Department 9 at Spring Street Courthouse.

The Judicial Assistant to give notice to Counsel for Plaintiff who is ordered to give further and

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formal notice to all parties.

Clerk's Certificate of Service By Electronic Service is attached.

SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES		Reserved for Clerk's File Stamp FILED Superior Court of California County of Los Angeles 05/24/2023 David W. Slayton, Executive Officer / Clerk of Court By: <u>R. Arraiga</u> Deputy
COURTHOUSE ADDRESS: Spring Street Courthouse 312 North Spring Street, Los Angeles, CA 90012		
PLAINTIFF: Selena Towell		
DEFENDANT: Silver Star A.G., LTD.		
CERTIFICATE OF ELECTRONIC SERVICE CODE OF CIVIL PROCEDURE 1010.6		CASE NUMBER 20STCV35957

I, the below named Executive Officer/Clerk of Court of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served one copy of the Minute Order and FINAL RULINGS/ORDERS RE: MOTION FOR APPROVAL OF PAGA SETTLEMENT entered herein, on 05/24/2023, upon each party or counsel of record in the above entitled action, by electronically serving the document(s) on Case Anywhere at www.caseanywhere.com on 05/24/2023 from my place of business, Spring Street Courthouse 312 North Spring Street, Los Angeles, CA 90012 in accordance with standard court practices.

David W. Slayton, Executive Officer / Clerk of Court

Dated: 05/24/2023

By: R. Arraiga

Deputy Clerk