

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE

Civil Complex Center
751 W. Santa Ana Blvd
Santa Ana, CA 92701

SHORT TITLE: Henry vs. PACIFIC MEDICAL LABORATORY, INC.

**CLERK'S CERTIFICATE OF MAILING/ELECTRONIC
SERVICE**

CASE NUMBER:
30-2020-01174058-CU-OE-CXC

I certify that I am not a party to this cause. I certify that the following document(s), Judgment dated 12/08/22, have been transmitted electronically by Orange County Superior Court at Santa Ana, CA. The transmission originated from Orange County Superior Court email address on December 8, 2022, at 10:24:22 AM PST. The electronically transmitted document(s) is in accordance with rule 2.251 of the California Rules of Court, addressed as shown above. The list of electronically served recipients are listed below:

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SAHAGII@AOL.COM

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Clerk of the Court, by:  , Deputy

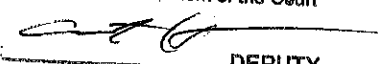
CLERK'S CERTIFICATE OF MAILING/ELECTRONIC SERVICE

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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER

DEC 08 2022

DAVID H. YAMASAKI, Clerk of the Court

BY:  DEPUTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE

DEJA HENRY, an individual, on behalf of
herself, all aggrieved employees, and the State
of California as a Private Attorneys General,

Plaintiffs,

vs.

PACIFIC MEDICAL LABORATORY, INC., a
California corporation, INTERNATIONAL
MEDICAL LABORATORY, INC., and DOES
1-50, inclusive,

Defendant.

Case No. 30-2020-01174058-CU-OE-CXC

**[AMENDED PROPOSED] ORDER
GRANTING APPROVAL OF PAGA
SETTLEMENT AND ENTERING
JUDGMENT**

[PROPOSED] ORDER AND JUDGMENT

This matter came on for hearing on November 18, 2022, at 9:00 a.m., in Department CX104
of the above-captioned Court on Plaintiff's unopposed motion for approval of a settlement
agreement pursuant to the California Labor Code Private Attorneys General Act ("PAGA") (the
"Settlement").

Having received and considered the Settlement Agreement, the supporting papers filed by
Plaintiff, and the evidence and argument received by the Court, the Court grants approval of the
PAGA Settlement and HEREBY ORDERS AND MAKES THE FOLLOWING

1 DETERMINATIONS:

2 1. Except as otherwise defined in this Order and Judgment ("Order"), all capitalized
3 terms have the same meaning as defined in the Settlement Agreement.

4 2. The California Labor Workforce and Development Agency ("LWDA") has been
5 provided notice of the Settlement in accordance with PAGA, California Labor Code § 2699(1)(2),
6 (1)(4). On the date Plaintiff filed the motion seeking approval of the Settlement with the Court,
7 Plaintiff submitted to the LWDA a notice of the Settlement enclosing a copy of the Settlement
8 Agreement. Plaintiff's notice of the Settlement to the LWDA complied with the notice requirements
9 of PAGA.

10 3. The Court confirms approval of the Settlement as to the Aggrieved Employees.

11 4. The Court has jurisdiction over the subject matter of this litigation, over all
12 Aggrieved Employees, and over those persons undertaking affirmative obligations under the
13 Settlement.

14 5. The Settlement is approved under Labor Code § 2699(1)(2).

15 6. The PAGA Settlement Notice to Aggrieved Employees fairly and adequately
16 describes the Action, the approved Settlement, and is the best notice practicable under the
17 circumstances.

18 7. The Court finds that each Aggrieved Employee, in accordance with the Settlement,
19 releases all Released Claims against the Released Parties.

20 8. The Gross Settlement Amount and the methodology used to calculate the Individual
Penalty Payments in accordance with the Settlement is approved.

21 9. The Court approves ILYM to act as the Settlement Administrator. The Court awards
22 the Settlement Administrator in this Action its actual fees and costs in accordance with the terms of
the Settlement Agreement, not to exceed \$6,550.

23 10. The Court approves the Koul Law Firm and Law Offices of Sahag Majarian II as
24 PAGA Class Counsel.

25 11. The Court awards PAGA Class Counsel attorneys' fees in the amount of \$15,000.00
26 and actual litigation costs of \$10,515.65, both of which the Court finds to be fair and reasonable.

1 The Court authorizes the Settlement Administrator to make these payments, in accordance with the
2 terms of the Settlement Agreement.

3 12. The Court approves Plaintiff's Enhancement Award of \$5,000 for services in
4 bringing the Action on behalf of the Aggrieved Employees and State of California;

5 13. The Court authorizes the Settlement Administrator to calculate and pay the
6 Individual Penalty Payments in accordance with the terms of the Settlement Agreement.

7 14. The Court finds that LWDA Payment of \$9,700.76 as its share of the settlement of
8 civil penalties is fair and reasonable. The Court authorizes the Settlement Administrator to pay the
9 LWDA Payment, in accordance with the terms of the Settlement Agreement.

10 15. Checks for Individual Penalty Payments sent to Aggrieved Employees shall be valid
11 for 180 days after issuance. Funds remaining from any checks for Individual Penalty Payments
12 uncashed after 180 days will be dispersed to the state controller unpaid payment fund in the name
13 of the Aggrieved Employee.

14 16. Upon completion of the Settlement, the Settlement Administrator will provide
15 written certification of the completion to the Court and counsel for the Parties which shall be filed
16 with the Court within 30 days after completion of the Settlement.

17 17. Without affecting the finality of this order and entry of judgment, the Court retains
18 exclusive and continuing jurisdiction over this Action for purposes of supervising, administering,
19 implementing, and enforcement of this Order and the Settlement.

20 18. Nothing in this Order or the Settlement shall be construed as an admission or
concession by any party. The Settlement and this resulting Order and entry of judgement simply
represent a compromise of disputed allegations.

21 19. The Court enters final judgment in accordance with the terms of the Settlement
22 Agreement and this Order.

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2 20. Plaintiff is directed to submit a copy of this Order and entry of judgment to the
3 LWDA within 10 days of the date of this Order and entry of judgment.

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5 **IT IS SO ORDERED:**

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7 DATED: 12-8-22



Judge of the Superior Court

William D. Claster

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PROOF OF SERVICE

Case No. 30-2020-01174058-CU-OE-CXC
Henry v. Pacific Medical Laboratory, Inc., et al.

I, JACKELINE HERNANDEZ declare that I am a resident of or employed in the County of Los Angeles, California. I am over the age of 18 years and not a party to the entitled case. The name and address of my residence or business is KOUL LAW FIRM, 3435 Wilshire Blvd. Ste. 1710, Los Angeles, California 90010.

On November 18, 2022, I served the foregoing document described as:

**[AMENDED PROPOSED] ORDER GRANTING APPROVAL OF PAGA SETTLEMENT
AND ENTERING JUDGMENT**

- _____ by placing the document(s) listed above in a sealed envelope, addressed as set forth below, and placing the envelope for collection and mailing in the place designated for such in our offices, following ordinary business practices.
- _____ by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00PM.
- X** _____ by transmitting via electronic mail the document(s) listed above to the electronic mailing address set forth below on this date before 5:00PM.
- _____ by causing a true copy thereof to be personally delivered to the person(s) at the address(es) set forth below.

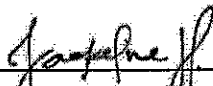
on the parties listed below by placing a true copy thereof enclosed in a sealed envelope for collection and mailing in the United States Postal Service following ordinary business practices at Los Angeles, California addressed as follows:

SEE ATTACHED SERVICE LIST

I am readily familiar with the ordinary practice of the business of collecting, processing and depositing correspondence in the United States Postal Service and that the correspondence will be deposited the same day with postage thereon fully prepaid.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on this November 18, 2022, in Los Angeles, California.



JACKELINE HERNANDEZ

PROOF OF SERVICE

Case No. 30-2020-01174058-CU-OE-CXC
Henry v. Pacific Medical Laboratory, Inc., et al.

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INTERNATIONAL MEDICAL LABORATORY, INC**