

PLAINTIFF/PETITIONER: RENATO FARIAS
 DEFENDANT/RESPONDENT: JOHN MUIR HEALTH

CASE NUMBER:
 C20-02454

**PROOF OF SERVICE BY FIRST-CLASS MAIL
 NOTICE OF ENTRY OF JUDGMENT OR ORDER**

(NOTE: You cannot serve the Notice of Entry of Judgment or Order if you are a party in the action. The person who served the notice must complete this proof of service.)

1. I am at least 18 years old and **not a party to this action**. I am a resident of or employed in the county where the mailing took place, and my residence or business address is (*specify*):
 515 S. Figueroa St., Suite 1250
 Los Angeles, CA 90071

2. I served a copy of the *Notice of Entry of Judgment or Order* by enclosing it in a sealed envelope with postage fully prepaid and (*check one*):
 - a. ☐ deposited the sealed envelope with the United States Postal Service.
 - b. ☒ placed the sealed envelope for collection and processing for mailing, following this business's usual practices, with which I am readily familiar. On the same day correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service.

3. The *Notice of Entry of Judgment or Order* was mailed:
 - a. on (*date*): 9/22/2022
 - b. from (*city and state*): Los Angeles

4. The envelope was addressed and mailed as follows:

a. Name of person served: Joshua D. Kienitz/ LITTLER MENDELSON, P.C. Street address: 1255 Treat Boulevard, Suite 600 City: Walnut Creek State and zip code: CA 94597 b. Name of person served: William A. Cosmopolos / LITTLER MENDELSON, P.C. Street address: 333 Bush Street, 34th Floor City: San Francisco State and zip code: CA 94104	c. Name of person served: Street address: City: State and zip code: d. Name of person served: Street address: City: State and zip code:
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☐ Names and addresses of additional persons served are attached. (*You may use form POS-030(P).*)

5. Number of pages attached 5 .

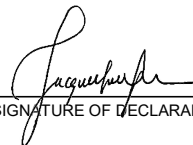
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: September 22, 2022

Jacqueline Park

(TYPE OR PRINT NAME OF DECLARANT)





(SIGNATURE OF DECLARANT)

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Attorneys for Plaintiff and the Class

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF CONTRA COSTA**

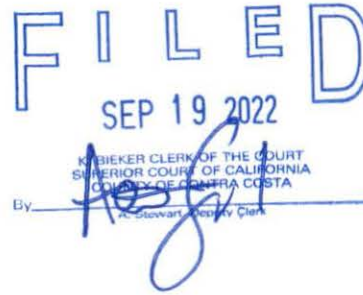
RENATO FARIAS, individually and on behalf
of all others similarly situated,

Plaintiff,

vs.

JOHN MUIR HEALTH, a Corporation; and
DOES 1 through 50, inclusive,

Defendants.



Dennis S. Hyun (State Bar No. 224240)
HYUN LEGAL, APC
515 S. Figueroa St., Suite 1250
Los Angeles, CA 90071
(213) 488-6555
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dhyun@hyunlegal.com

Case No. C20-02454

*Assigned for All Purposes to Honorable
Edward G. Weil in Department 39*

JUDGMENT

Date: September 15, 2022
Time: 9:00 a.m.
Dept.: 39

Pursuant to the Order Granting Preliminary Approval and the Order Granting Final Approval of Class Action Settlement, **IT IS HEREBY ADJUGED AND DECREED AS FOLLOWS:**

1. Class and Representative Action Settlement Agreement (“Settlement Agreement”) and all exhibits thereto, shall be incorporated into this Judgment as though all terms therein are set forth in full. The capitalized terms in this Judgment shall have the meanings set forth in the Settlement Agreement.

2. The following class of employees of defendant and related entities” who: “All current and former non-exempt California employees of John Muir Health and related entities John Muir Behavioral Health, John Muir Physician Network, John Muir Health Foundation and John Muir Health Community Benefit Fund (collectively ‘JMH’) who: (a) were employed by JMH during the PAGA Period; and/or (b) received paid sick leave pay (PSL) or PTO-Sick pay during the Class Period (June 8, 2016, through and including November 8, 2021).”

3. The Court finds that there three (3) requests for exclusion by Lisa Lundsgaard, Leslie Randolph, and Patricia Sanchez. These individuals shall not be bound by this settlement.

4. Final judgment is entered, as defined in section 577 of the California Code of Civil Procedure, binding each Settlement Class Member and operating as a full release and discharge of Settlement Class Member’s Released Claims as follows:

“Any and all claims that were alleged or reasonably related to the facts pleaded in the Lawsuit, except claims under Labor Code Section 2802. Released Claims also include all claims under the pleaded sections of the California Labor Code, Business and Professions Code and/or IWC Wage Orders, namely: Labor Code Sections 201, 202, 203, 204, 210, 218, 218.6, 226, 226.3, 233, 246, 246.5, 248.5, and 2698-2699.5 (PAGA); and the Unfair Competition Law (B&PC Section 17200, et seq.). To the extent not already covered by the foregoing, Released Claims also include all claims brought in the Lawsuit (or that could have been brought in the Lawsuit based on the facts pleaded in the Lawsuit, and except for claims under Labor Code Section 2802) for civil penalties, statutory penalties, wages, interest, restitution, injunctive relief and attorneys’ fees and costs (including fees and costs per Labor Code Section 218.5 and Code of Civil Procedure Section 1021.5). The “Settlement Class Members’ Released Claims” are released from June 8, 2016 through and including November 8, 2021 (the “Release Period”).”

1 “Released Parties” means Defendant John Muir Health, John Muir
2 Behavioral Health, John Muir Physician Network, John Muir Health
3 Foundation, John Muir Community Benefit Fund, and each and all of their
4 past, present, and future divisions, affiliates, predecessors, successors,
5 assigns, shareholders, owners, officers, directors, employees, agents,
6 trustees, attorneys, representatives, administrators, fiduciaries,
7 beneficiaries, subrogees, executors, partners, parents, subsidiaries, and
8 privies.

9 By means of this Final Approval Order, final judgment is entered, as defined in section
10 577 of the California Code of Civil Procedure, binding each PAGA Members and operating as
11 a full release and discharge of the PAGA Members’ Released Claims as follows:

12 “For the entire PAGA Period, of any and all claims, rights, demands,
13 liabilities, and causes of action for the recovery of civil penalties,
14 attorneys’ fees and costs permissible under the California Labor Code
15 Private Attorneys General Act of 2004, California Labor Code Sections
16 2698 *et seq.*, which Plaintiff and/or the PAGA Members had, or may
17 claim to have, against Released Parties, for any and all claims that were
18 alleged or reasonably related to the facts pleaded in the Lawsuit or the
19 PAGA Letter, except claims under Labor Code Section 2802, including
20 civil penalties, attorneys’ fees, and costs arising under the PAGA for
21 violations of California Labor Code Sections 201, 202, 203, 204, 210, 218,
22 218.6, 226, 226.3, 233, 246, 246.5, and 248.5. “PAGA Period” means
23 May 23, 2019, through and including November 8, 2021.

24 5. The Court finds that the Total Settlement Amount of \$3,250,000.00 and the
25 terms set forth in the parties’ Settlement Agreement are fair, reasonable, and adequate.

26 6. The Court hereby grants final approval of attorneys’ fees in the amount of
27 \$812,500.00 that will be paid to (1) Diversity Law Group, P.C. in the amount of \$451,425.00;
28 (2) Law Offices of Choi & Associates in the amount of \$180,537.50; and (3) Hyun Legal, P.C.
in the amount of \$180,537.50. 5% of the attorney’s fees are to be withheld by the claims
administrator pending satisfactory compliance as found by the Court.

 7. The Court hereby grants final approval of attorneys’ costs in the amount of
\$16,815.39 to Class Counsel that will be paid as follows: (1) Diversity Law Group, P.C. in the
amount of \$12,141.67; (2) Law Offices of Choi & Associates in the amount of \$2,753.97; and
(3) Hyun Legal, P.C. in the amount of \$1,919.75.

1 8. The Court hereby grants final approval of a Service Award in the amount of
2 \$10,000.00 to Named Plaintiff, in addition to his share of the Individual Class Settlement
3 Payment Allocation as a Settlement Class Member, for his time and effort serving as the Class
4 Representative.

5 9. The Court also hereby approves payment of \$43,000.00 to Phoenix Settlement
6 Administrators, the appointed Settlement Administrator, for the services it has rendered and
7 will render in administering the Settlement as described more fully in the Settlement
8 Agreement.

9 10. Pursuant to California Labor Code Section 2698, et seq., the Court also hereby
10 approves payment of \$121,875.00 to the California Labor & Workforce Development Agency
11 ("LWDA") as payment for Named Plaintiff's claims on his own behalf and on behalf of all
12 aggrieved employees/Class Members for penalties under the Private Attorneys General Act
13 ("PAGA"). The \$121,875.00 payment constitutes the 75% allocation to the LWDA of the total
14 amount of \$162,500.00 allocated to PAGA penalties.

15 11. Without affecting the finality of the Judgment in any way, the Court reserves
16 exclusive and continuing jurisdiction over the action and the Parties for purposes of
17 supervising the implementation, enforcement, construction, administration and effectuation of
18 the Settlement Agreement.

19 12. The Parties and Phoenix Settlement Administrators are hereby ordered to
20 implement and comply with the terms of the Settlement Agreement.

21 13. Notice of entry of this Order and Judgment will be available on the Settlement
22 Administrator's website.

23 14. A non-appearance compliance hearing is set for August 24, 2023 at 9:00 a.m. in
24 Department 39 of the above-referenced Court. At least one week prior to the compliance
25 hearing, the Settlement Administrator will provide a written declaration under oath to certify

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27 //

28 //

15. the total amount that was paid to all class members the amount of uncashed checks to be tendered to the California State Controller to be held in the unclaimed property fund in the name of the Settlement Class Member.

IT IS SO ADJUGED AND DECREED.

Dated: September 16, 2022

Honorable Edward G. Weil
Judge of the Superior Court

PROOF OF SERVICE

I am employed in the County of Los Angeles; I am over the age of 18 years and not a party to the within action; my business address is 515 S. Figueroa St. Suite 1250, Los Angeles, California 90071.

On September 22, 2022, I served the foregoing document(s) described as: **NOTICE OF ENTRY OF JUDGMENT OR ORDER**, on the interested parties in this action by placing a true copy thereof, in a sealed envelope(s) addressed as follows:

Joshua D. Kienitz
LITTLER MENDELSON, P.C.
1255 Treat Boulevard, Suite 600
Walnut Creek, CA 94597
jkienitz@littler.com

William A. Cosmopulos
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Dennis S. Hyun (State Bar No. 224240)
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Los Angeles, CA 90071
dhyun@hyunlegal.com

 X

BY MAIL

 X

As follows: I am "readily familiar" with the practice of Choi & Associates, Attorneys at Law for collection and processing of correspondence for mailing with the United States Postal Service and that correspondence placed in the outgoing mail tray in my office for collection would be deposited in the United States Mail that same day in the ordinary course of business.

 X

BY ELECTRONIC SERVICE

 X

I caused such document to be uploaded to **Odyssey** to be served on the offices of the addressees.

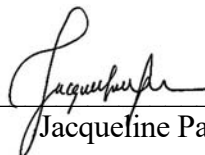
 X (State)

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

_____ (Federal)

I declare under penalty of perjury that the foregoing is true and correct, and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on September 22, 2022, at Los Angeles, California.



Jacqueline Park