

SROURIAN LAW FIRM, P.C.

Daniel Srourian (SBN 285678)

daniel@slfla.com

3435 Wilshire Blvd., Suite 1710

Los Angeles, California 90010

Telephone: (213) 474-3800

Facsimile: (213) 471-4160

COHELAN KHOURY & SINGER

Michael D. Singer (SBN 115301)

msinger@ckslaw.com

Marta Manus (SBN 260132)

mmanus@ckslaw.com

605 C Street, Suite 200

San Diego, CA 92101

Telephone: (619) 595-3001

Facsimile: (619) 595-3000

Attorneys for Plaintiffs Daniel Colmenares and Cathy Hernandez

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN BERNARDINO

DANIEL COLMENARES, an individual,
CATHY HERNANDEZ, and individual, on
behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

FREE ENERGY SAVINGS COMPANY,
LLC, a California Limited Liability
Corporation; ALLAN RAGO, an individual;
KRISTINE VANNEMAN, an individual;
LEFLORIDA LESLIE, an individual and
DOES I through 100, inclusive;

Defendants.

Case No. CIVSB2028719

ASSIGNED FOR ALL PURPOSES TO:

The Honorable Jessica Morgan
Department S26

REPRESENTATIVE ACTION

**NOTICE OF ENTRY OF ORDER GRANTING
PLAINTIFFS' MOTION FOR APPROVAL
OF PRIVATE ATTORNEYS' GENERAL ACT
("PAGA") SETTLEMENT AND JUDGMENT
THEREON**

Complaint filed: December 9, 2020

Trial date: Not Set

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

3 NOTICE IS GIVEN that on December 13, 2023, the Court issued an Order Granting
4 Plaintiffs' Motion for Approval of Private Attorneys' General Act ("PAGA") Settlement and
5 Judgment Thereon ("Order"), in the above-captioned matter. A true and correct copy of this
6 Order is attached as Exhibit 1.

7 NOTICE IS FURTHER GIVEN that a Hearing re: Final Distribution of Settlement
8 Funds has been set for April 15, 2024 at 8:30 a.m. in Department S-26 of the Superior Court for
9 the State of California, County of San Bernardino, located at 247 West Third Street, San
10 Bernardino, California 92415. A Final Report Re: Distribution of Settlement Funds is to be filed
11 with the Court no later than 10 days in advance of the hearing.

12 Respectfully submitted,

13 COHELAN KHOURY & SINGER
14 SROURIAN LAW FIRM, P.C.

15
16 Dated: December 13, 2023

By: 

Michael D. Singer

Marta Manus

Attorneys for Plaintiffs Daniel Colmenares and
Cathy Hernandez, on behalf of themselves and
all others similarly situated

EXHIBIT 1

SROURIAN LAW FIRM, P.C.

Daniel Srourian (SBN 285678)

daniel@slfla.com

3435 Wilshire Blvd., Suite 1710

Los Angeles, California 90010

Telephone: (213) 474-3800

Facsimile: (213) 471-4160

COHELAN KHOURY & SINGER

Michael D. Singer (SBN 115301)

msinger@ckslaw.com

Marta Manus (SBN 260132)

mmanus@ckslaw.com

605 C Street, Suite 200

San Diego, CA 92101

Telephone: (619) 595-3001

Facsimile: (619) 595-3000

Attorneys for Plaintiffs Daniel Colmenares and Cathy Hernandez

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN BERNARDINO

DANIEL COLMENARES, an individual,
CATHY HERNANDEZ, and individual, on
behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

FREE ENERGY SAVINGS COMPANY,
LLC, a California Limited Liability
Corporation; ALLAN RAGO, an individual;
KRISTINE VANNEMAN, an individual;
LEFLORIDA LESLIE, an individual and
DOES I through 100, inclusive;

Defendants.

Case No. CIVSB2028719

ASSIGNED FOR ALL PURPOSES TO:

The Honorable Jessica Morgan

Department S26

REPRESENTATIVE ACTION

**[PROPOSED] ORDER ON PLAINTIFFS'
MOTION FOR APPROVAL OF PRIVATE
ATTORNEYS' GENERAL ACT ("PAGA")
SETTLEMENT AND JUDGMENT THEREON**

Date: December 13, 2023

Time: 8:30 a.m.

Dept: S26

Judge: Hon. Jessica Morgan

Complaint filed: December 9, 2020

Trial date: Not Set

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

DEC 13 2023

BY *Victoria Sanchez*
VICTORIA SANCHEZ, DEPUTY

Pursuant to the Motion for an Order Granting Approval of the Private Attorneys General Act ("PAGA") Settlement submitted by Plaintiffs Daniel Colmenares and Cathy Hernandez ("Motion"), having considered the Motion, all legal authorities and documents submitted in support, Declarations of Michael D. Singer and Daniel Srourian and attached exhibits, including the fully-executed Joint Stipulation of PAGA Settlement and Release ("Settlement Agreement"), and good cause appearing, IT IS ORDERED that the Motion is GRANTED, subject to the following orders:

a) The Court approves the Gross Settlement Amount of \$200,000.00;

b) The Court orders 75% of the Net Settlement Fund, \$82,524.75, be paid to the California Labor and Workforce Development Agency as PAGA penalties;

c) The Court orders 25% of the Net Settlement Amount, \$27,508.25, be paid to the PAGA Members in pro rata shares based on the number of pay periods worked from November 19, 2019 to August 18, 2023, as PAGA penalties;

d) The Court approves and awards Plaintiffs' Counsel, Cohelan, Khoury & Singer, and the Srourian Law Firm, attorneys' fees of \$66,600.00, and litigation costs of \$19,372.00;

e) The Court finds the payment of \$3,995.00 to the Administrator, ILYM Group, Inc., for expenses incurred, is fair and reasonable, and orders the Administrator to make this payment to itself in accordance with the Agreement;

f) If any PAGA Member fails to negotiate their settlement check within 180 calendar days after mailing, ILYM Group, Inc. will send the amount of such settlement checks to the California State Controller for deposit in the Unclaimed Property Fund in the name of the employee.

JUDGMENT

In accordance with, and for the reasons stated in this Order, judgment shall be entered whereby named Plaintiffs and all PAGA Members shall take nothing from Defendants, except as expressly set forth in the Joint Stipulation of PAGA Settlement and Release, which was filed as part of Plaintiffs' Motion for Order Granting Approval of a Private Attorneys General Act ("PAGA") Settlement.

1 Under California Code of Civil Procedure section 664.6 and Rule 3.769(h) of the
2 California Rules of Court, this Court reserves exclusive and continuing jurisdiction over this
3 action, the named Plaintiffs, the PAGA Members, and Defendants, for the purposes of:

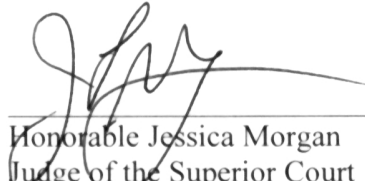
4 (a) supervising the implementation, enforcement, construction, and
5 interpretation of the Joint Stipulation of PAGA Settlement and Release, the Order Granting
6 Approval of a Private Attorneys General Act ("PAGA") Settlement, and the Judgment; and

7 (b) supervising distribution of amounts paid under this Settlement.

8 This document shall constitute a judgment for purposes of Rules of Court, Rule
9 3.769(h).

10 **IT IS SO ORDERED.**

11
12 Dated: 12/13/23


Honorable Jessica Morgan
Judge of the Superior Court