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

SERGIO ECHEVERRIA, as an individual and
on behalf of other similarly situated employees,

Plaintiff,

vs.

STATEK CORPORATION, a California
corporation,

Defendants.

Case No. 30-2021-01192372-CU-OE-CXC

ASSIGNED FOR ALL PURPOSES TO
HONORABLE LON F. HURWITZ
DEPARTMENT CX-103

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

Hearing Date: April 7, 2023
Hearing Time: 1:30 p.m.
Department: CX103

Date Action Filed: March 30, 2021
Trial Date:

1 This matter came on for hearing on _____, 2023 at _____, in Department CX-
2 103 of the above-captioned Court on Plaintiff's unopposed motion for approval of a PAGA
3 Settlement Agreement (the "Settlement" or "Settlement Agreement") pursuant to the California
4 Labor Code Private Attorneys General Act ("PAGA").

5 Having received and considered the Settlement Agreement, the supporting papers filed by
6 Plaintiff, and the evidence and argument received by the Court, the Court grants approval of the
7 Settlement. GOOD CAUSE BEING FOUND, IT IS ORDERED AND ADJUDGED that:

8 1. Final judgment is entered in conformity with the parties' PAGA Settlement
9 Agreement (the "Settlement Agreement"), a copy of which is attached as Exhibit A. Except as
10 otherwise defined in this Order and Judgment ("Judgment"), all capitalized terms have the same
11 meaning as defined in the Settlement Agreement.

12 2. The California Labor Workforce and Development Agency ("LWDA") has been
13 provided notice of the Settlement in accordance with PAGA, California Labor Code § 2699(1)(2),
14 (1)(4). In particular, on March 2, 2023, Plaintiff submitted to the LWDA a notice of the Settlement
15 enclosing a copy of the Settlement Agreement. Plaintiff's notice of the Settlement to the LWDA
16 complied with the notice requirements of PAGA.

17 3. The Court approves the release of claims Plaintiff brings under the PAGA in
18 conformity with the Settlement Agreement. As of the date that this Judgment becomes final, all
19 Aggrieved Employees releases and discharges the Released Parties from all Released Claims;

20 4. The Court confirms approval of the Settlement as to the LWDA and the Aggrieved
21 Employees.

22 5. The Court has jurisdiction over the subject matter of this litigation, over all
23 Aggrieved Employees, and over those persons undertaking affirmative obligations under the
24 Settlement.

25 6. The Settlement is approved under Labor Code § 2699(1)(2).

26 7. The PAGA Settlement Notice to Aggrieved Employees, attached as Exhibit 3 to the
27 Settlement Agreement, fairly and adequately describes the Action, the approved Settlement, and
28 provides adequate notice to the Aggrieved Employees.

1 8. The Court finds that each Aggrieved Employee, in accordance with the Settlement,
2 releases all Released Claims against the Released Parties.

3 9. The Gross Settlement Amount and the methodology used to calculate the PAGA
4 Payment and Individual PAGA Payments set forth in the Settlement Agreement are approved.

5 10. The Court approves Phoenix Class Action Administration to act as the Settlement
6 Administrator. The Court awards the Settlement Administrator in this Action its actual fees and
7 costs in accordance with the terms of the Settlement Agreement, not to exceed \$6,000.

8 11. The Court approves the law firm of Jackson Law APC as Plaintiff's Counsel.

9 12. The Court awards Plaintiff's counsel's attorneys' fees in the amount of \$71,326.20
10 and actual litigation costs not to exceed \$13,070.24, both of which the Court finds to be fair and
11 reasonable. The Court authorizes the Settlement Administrator to make these payments, in
12 accordance with the terms of the Settlement Agreement.

13 13. The Court authorizes the Settlement Administrator to calculate and pay the
14 Individual PAGA Payments to the Aggrieved Employees, in accordance with the terms of the
15 Settlement Agreement.

16 14. The Court finds that payment to the LWDA of \$88,952.67 as its share of the
17 settlement of PAGA civil penalties is fair and reasonable. The Court authorizes the Settlement
18 Administrator to pay the LWDA payment, in accordance with the terms of the Settlement
19 Agreement.

20 15. The Court finds the Service Award in the sum of \$5,000 to Plaintiff is fair and
21 reasonable. The Court authorizes the Settlement Administrator to pay the Incentive Award in
22 accordance with the terms of the Settlement Agreement.

23 16. Upon completion of the settlement administration process, the Settlement
24 Administrator will provide written declaration of the completion to counsel for the Parties.
25 Plaintiff's Counsel shall file the declaration with the Court on or before November 17, 2023.
26 Plaintiff also will file a Notice of Satisfaction of Judgment upon payment of the entire Gross
27 Settlement Amount by Defendant and distribution of the Gross Settlement Amount by the
28 Settlement Administrator in accordance with this Settlement Agreement.

1 17. The Court dismissed the PAGA claims and the Action with prejudice.

2 18. Without affecting the finality of this Judgment, the Court retains exclusive and
3 continuing jurisdiction over this Action for purposes of supervising, administering, implementing,
4 and enforcement of this Judgment and the Settlement Agreement.

5 19. Nothing in this Judgment or the Settlement Agreement shall be construed as an
6 admission or concession by any party. The Settlement and this resulting Judgment and entry of
7 judgement simply represent a compromise of disputed allegations.

8 20. The Court enters final judgment in accordance with the terms of the Settlement
9 Agreement and this Judgment.

10 21. Plaintiff's Counsel is directed to submit a copy of this Judgment and entry of
11 Judgment to the LWDA within 10 days of the date of entry of this Judgment.

12 **IT IS SO ORDERED:**

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14 DATED: _____

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HONORABLE LON F. HURWITZ
Judge of the Superior Court