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Attorneys for Plaintiff SERGIO ECHEVERRIA

**SUPERIOR COURT OF STATE OF CALIFORNIA  
FOR THE COUNTY OF ORANGE-CIVIL COMPLEX CENTER**

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 Judge  
Lon Hurwitz  
Dept. CX103

**NOTICE OF FINAL ORDER AND  
JUDGMENT**

**Hearing Date:** September 15, 2023

**Hearing Time:** 1:30 p.m.

**Department:** CX103

Action Filed: March 30, 2021

Trial Date: None Set

**NOTICE OF FINAL ORDER AND JUDGMENT**

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE THAT** the Final Order and Judgment is attached hereto as  
3 **Exhibit A.**

4  
5  
6 Dated: October 6, 2023

Jackson APC

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8 By: */s/ Armond M. Jackson*  
9 Armond M. Jackson  
Attorneys for Plaintiff Sergio Echeverria

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**NOTICE OF FINAL ORDER AND JUDGMENT**

# **EXHIBIT A**

SEP 28 2023

DAVID H. YAMASAKI, Clerk of the Court

BY: \_\_\_\_\_, DEPUTY

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: September 15, 2023  
Hearing Time: 1:30 p.m.  
Department: CX103

Date Action Filed: March 30, 2021  
Trial Date: Not Yet Set

1 This matter came on for hearing on September 15, 2023 at 1:30 p.m. 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 and is ROA#  
10 143. Except as otherwise defined in this Order Granting Approval of PAGA Settlement and  
11 Entering Judgment ("Final Order and Judgment"), all capitalized terms have the same meaning as  
12 defined in the Settlement Agreement.

13 2. The California Labor Workforce and Development Agency ("LWDA") has been  
14 provided notice of the Settlement in accordance with PAGA, California Labor Code § 2699(1)(2),  
15 (1)(4). In particular, on March 3, 2023, Plaintiff submitted to the LWDA a notice of the Settlement  
16 enclosing a copy of the Settlement Agreement. (Ex. B.) Plaintiff thereafter submitted a copy of  
17 the amended PAGA Settlement to the LWDA on September 1, 2023. (Ex. C.) Plaintiff also  
18 submitted to the LWDA a copy of the Court's Minute Order, dated June 23, 2023. (Ex. D.)  
19 Plaintiff's notice of the Settlement to the LWDA complied with the notice requirements of PAGA  
20 and the Court's Minute Order, dated June 23, 2023.

21 3. The Court approves the release of claims Plaintiff brings under the PAGA in  
22 conformity with the Settlement Agreement. As of the date that this Final Order and Judgment  
23 becomes final, all Aggrieved Employees release and discharge the Released Parties from all  
24 Released Claims;

25 4. The Court confirms approval of the Settlement as to the LWDA and the Aggrieved  
26 Employees.

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

1 Settlement.

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

3 7. The PAGA Settlement Notice to Aggrieved Employees, attached to this Final Order  
4 and Judgment as Exhibit B, fairly and adequately describes the Action, the approved Settlement,  
5 and provides adequate notice to the Aggrieved Employees.

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

8 9. The Gross Settlement Amount of \$214,000.00, and the methodology used to  
9 calculate the PAGA Payment and Individual PAGA Payments, set forth in the Settlement  
10 Agreement are approved. More specifically, the Court approves the following payments:

- 11 a. Fees and Costs Award of \$84,396.44 (as more fully set forth in ¶ 12, below);
- 12 b. Plaintiff's Incentive Award of \$5,000;
- 13 c. The Administration Costs of \$6,000; and
- 14 d. PAGA Payment (i.e., net settlement amount) of \$118,603.56, with 75%  
15 (\$88,952.67) paid to the LWDA and 25% (\$29,650.89) allocated to Individual  
16 PAGA Payments to Aggrieved Employees.

17 10. The Court approves Phoenix Class Action Administration to act as the Settlement  
18 Administrator.

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

20 12. The Court awards Plaintiff's counsel's attorneys' fees in the amount of \$71,326.20  
21 and actual litigation costs of \$13,070.24, both of which the Court finds to be fair and reasonable.  
22 The Court authorizes the Settlement Administrator to make these payments, in accordance with  
23 the terms of the Settlement Agreement.

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

27 14. The Court finds that payment to the LWDA of \$88,952.67 as its share of the  
28 settlement of PAGA civil penalties is fair and reasonable. The Court authorizes the Settlement

1 Administrator to pay the LWDA payment, in accordance with the terms of the Settlement  
2 Agreement.

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

6 16. Upon completion of the settlement administration process, the Settlement  
7 Administrator will provide written declaration of the completion and final accounting to counsel  
8 for the Parties. A final accounting hearing is set for May 17, 2024. Plaintiff's Counsel shall file  
9 the declaration and final accounting with the Court on or before May 3, 2024. Plaintiff also will  
10 file a Notice of Satisfaction of Judgment upon payment of the entire Gross Settlement Amount by  
11 Defendant and distribution of the Gross Settlement Amount by the Settlement Administrator in  
12 accordance with this Settlement Agreement.

13 17. The Court dismisses the PAGA claims and the Action with prejudice.

14 18. Without affecting the finality of this Final Order and Judgment, the Court retains  
15 exclusive and continuing jurisdiction over this Action for purposes of supervising, administering,  
16 implementing, and enforcement of this Judgment and the Settlement Agreement.

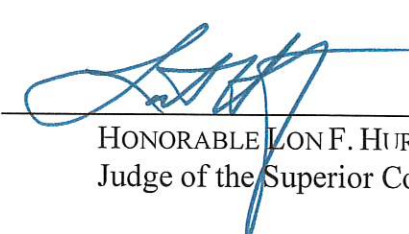
17 19. Nothing in this Final Order and Judgment, or the Settlement Agreement, shall be  
18 construed as an admission or concession by any party. The Settlement and this resulting Final  
19 Order and Judgment, and entry of Judgment, simply represent a compromise of disputed  
20 allegations.

21 20. The Court enters the Final Order and Judgment in accordance with the terms of the  
22 Settlement Agreement and this Judgment.

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

25 **IT IS SO ORDERED:**

26 DATED: SEP 28 2023

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28 HONORABLE LON F. HURWITZ  
Judge of the Superior Court

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**PROOF OF SERVICE**  
**STATE OF CALIFORNIA**  
**COUNTY OF ORANGE**

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is 2 Venture Plaza, Ste. 240, Irvine, California 92618. My email is [ygarcia@jacksonapc.com](mailto:ygarcia@jacksonapc.com)

On October 06, 2023, referring to the foregoing document described as:

**NOTICE OF FINAL ORDER AND  
JUDGMENT**

Was served on the interested parties in this action:

|                                                                                                                                                                                                                                                                                                                                           |                                                   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|
| <b>RUTAN &amp; TUCKER, LLP</b><br>Brian C. Sinclair, Esq.<br><a href="mailto:bsinclair@rutan.com">bsinclair@rutan.com</a><br>Kimberly Nayagam<br><a href="mailto:knayagam@rutan.com">knayagam@rutan.com</a><br>18575 Jamboree Road, 9 <sup>th</sup> Floor<br>Irvine, California 92612<br>Telephone: (714) 641-5100<br>Fax: (714) 546-9035 | Attorneys for Defendant STATEK CORPORATION        |
| California Department of Industrial Relations Electronic Filing Portal <a href="https://www.dir.ca.gov/Private-Attorneys-General-Act/Private-Attorneys-General-Act.html">https://www.dir.ca.gov/Private-Attorneys-General-Act/Private-Attorneys-General-Act.html</a>                                                                      | California Labor and Workforce Development Agency |

(XX ) **[BY EMAIL OR ELECTRONIC TRANSMISSION]** –I caused all of the pages of the above-entitled document created as a portable document file format and attached to a properly addressed electronic mail message to be sent to the interested parties in this action on the date specified below. The email address I used is noted above.

Executed on October 06, 2023, at Irvine, California.

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

/S/ YULISA GARCIA