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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

ROBERT SCHEFF, individually, and on
behalf of others similarly situated and other
aggrieved employees pursuant to the
California Private Attorneys General Act;

Plaintiffs,

v.

THE HARTFORD GOLD GROUP, LLC, a
California limited liability corporation; and
DOES 1 through 25, inclusive,

Defendants.

Case No. 20STCV47565

**[PROPOSED] ORDER AND JUDGMENT
GRANTING FINAL APPROVAL OF
SETTLEMENT**

Date: August 14, 2023

Time: 8:30 a.m.

Dept.: 39

Hon. Stephen I. Goorvitch

1 This matter came before the Honorable Stephen I. Goorvitch on Plaintiffs' Motion for
2 Final Approval of Class Action Settlement ("Final Approval Motion"), filed with the Court on
3 July 19, 2023. The Court has received, reviewed and considered the Joint Stipulation of Class
4 Action Settlement (the "Stipulation"), previously preliminarily approved by this Court.

5 On February 14, 2023, the Court entered its Order preliminarily approving the Settlement
6 (the "Preliminary Approval Order").

7 In connection with the Preliminary Approval Order, the Court directed that Class Members
8 be given notice of the Settlement, including the opportunity to object to and opt-out of the
9 Settlement, and to appear at the final fairness hearing, and the Court approved the form and
10 method of notice.

11 The Court has received and considered the Motion for Final Approval of Class Action
12 Settlement and the memorandum and declarations filed in support thereof, the Motion for an
13 Award of Attorneys' Fees and Expenses and the memorandum and declarations filed in support
14 thereof, and the Motion for Preliminary Approval of Class Action Settlement and the
15 memorandum and declarations filed in support thereof, as well as the report of the Administrator
16 of the Class Notice.

17 The Court having conducted a final hearing on the motion on August 14, 2023 (the "Final
18 Approval Hearing"), and having considered the arguments presented, all papers filed, and all
19 proceedings had therein,

20 NOW THEREFORE, the Court HEREBY ORDERS and finds as follows:

21 1. All defined terms contained herein shall have the same meanings as set forth in the
22 Stipulation.

23 2. The Court has jurisdiction over the subject matter of this action, all members of the
24 Class, the Plaintiff, and the Defendant, and each of them.

25 3. The Named Plaintiff and Defendant, through their counsel of record in the
26 Litigation, have reached an agreement to settle all claims in the Litigation on behalf of the Class as
27 a whole.
28

1 4. The Court hereby certifies the following class (referred to herein as the “Class”):
2 All persons who are or were employed by Defendant as nonexempt, hourly-
3 paid employees at any of Defendant’s locations within the State of
4 California within four years of the filing of this complaint until the date of
5 final court approval (the “Class Period”).

6 The Class shall exclude the following individuals who would otherwise be members of the
7 Class, but who filed a valid and timely Request for Exclusion with the Claims Administrator:

8 Aaron Boston, Daniel Boston, Felton Walker, John Innes, and John Sawyer.

9 5. The Court appoints and designates: (a) Plaintiff Robert Scheff as the Class
10 Representative and (b) Shenkman & Hughes PC and Clarkson Law Firm, PC as Class Counsel for
11 the Class. Class Counsel is authorized to act on behalf of the Class with respect to all acts or
12 consents required by, or which may be given, pursuant to the Stipulation, and such other acts
13 reasonably necessary to effectuate the Stipulation and its terms. Any Class Member may enter an
14 appearance through his or her own counsel at such Class Member’s own expense. Any Class
15 Member who does not enter an appearance, or appear on his or her own behalf, will be represented
16 by Class Counsel.

17 6. In accordance with the requirements of due process, the Class Members have been
18 given proper and adequate notice of the Settlement. Based upon the evidence submitted by the
19 Parties and the Court’s Preliminary Approval Order, this notice satisfied all due process
20 requirements and provided meaningful notice in a form that had a reasonable chance of reaching
21 nearly all of the Class Members.

22 7. The Settlement in this action warrants final approval because it is fair, adequate,
23 and reasonable to those it affects, and it resulted from vigorously contested litigation and good-
24 faith, arm’s length negotiations between the Parties. In making this determination, the Court has
25 considered and balanced several factors, including:

26 (a) The strength of Plaintiffs’ case;

27 (b) The risk, expense, complexity, and likely duration of further litigation;
28

- 1 (c) The risk of maintaining class action status throughout the course of the
2 litigation;
- 3 (d) The amount offered in settlement;
- 4 (e) The extent of discovery completed, and the stage of the proceedings;
- 5 (f) The experience and views of experienced counsel; and
- 6 (g) The reaction of the Class Members to the proposed settlement.

7 8. The Final Approval Motion is hereby GRANTED, and the Settlement is hereby
8 APPROVED as fair, reasonable, and adequate, and the terms of the Settlement are hereby
9 determined to be fair, reasonable, adequate, and for the exclusive benefit of the Class Members.
10 Class Counsel and Defendant's counsel are experienced in class action litigation and agree that the
11 settlement is fair, reasonable and adequate. The amount offered in settlement is significant, and,
12 consistent with the remarks of Defendant's counsel at the Preliminary Approval Hearing, Class
13 Members' release of Defendant and related persons and entities is limited to claims related to or
14 arising out of Defendant's alleged failure to provide Class Members with legally-compliant rest
15 breaks. The reaction of the Class Members to the settlement has also been positive, with only five
16 requests for exclusion out of 280 class members, and zero objections.

17 9. The Court hereby APPROVES a payment of \$10,000 to settle the Plaintiff's claims
18 for civil penalties under the Private Attorneys General Act (PAGA), consisting of seven thousand
19 five hundred dollars (\$7,500) Labor and Workforce Development Agency and two thousand five
20 hundred dollars (\$2,500) to the Aggrieved Employees, finding that such amount is fair, adequate
21 and reasonable under the circumstances and furthers PAGA's underlying purpose.

22 10. The Court also APPROVES payment of attorney's fees and expenses to Class
23 Counsel, and awards \$49,000 in fees, and \$9,552.45 in expenses, to Class Counsel, consistent with
24 the Settlement, in addition to any portion of Named Plaintiff's recovery on his individual claims to
25 which Class Counsel is otherwise entitled pursuant to a private agreement. The fees shall be paid
26 to Class Counsel at the same time as the corresponding payment is sent to Class Members.

11. The Court orders the Class Administrator to provide notice to the Class Members of Final Approval pursuant to California Rules of Court as specified in the Stipulation.

12. Without affecting the finality of this Order in any way, this Court retains jurisdiction over the settlement proceedings, pursuant to California Code of Civil Procedure §664.6, the California Rules of Court, and all other applicable laws, to ensure the effectuation thereof in accordance with the Settlement, including without limitation (a) implementation of the Settlement and (b) distribution of compensation to the Class Members, the service fees to Plaintiffs, and the award of attorney's fees and costs and other expenses to Class Counsel.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

1. The Court hereby GRANTS Plaintiffs' motion for final approval of class action and PAGA settlement.

2. The Court hereby GRANTS Plaintiffs' motion for approval of award of attorneys' fees and costs reimbursements.

3. The Court hereby ENTERS FINAL JUDGMENT in this case in accordance with the terms of the Settlement Agreement and this Order.

4. The clerk is directed to enter this judgment.

IT IS SO ORDERED.

DATED: 08/14/2023



A handwritten signature in black ink, reading "Stephen I. Goorvitch".

Stephen I. Goorvitch / Judge

HON. STEPHEN I. GOORVITCH
JUDGE OF THE SUPERIOR COURT