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*Attorneys for Plaintiffs, Putative Class,
and Aggrieved Employees*

FILED
Superior Court of California
County of Alameda
11/25/2025
Clad Flake, Executive Officer / Clerk of the Court
By: [Signature] Deputy
P. Greene

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ALAMEDA

ERIC MCELROY AND DAVID DIAZ, on
behalf of the State of California and Aggrieved
Employees,

Plaintiffs,

v.

GEORGIA-PACIFIC CORRUGATED LLC,

Defendant.

Case No. 23CV034158

CLASS AND PAGA ACTION

**~~[REVISED PROPOSED]~~ ORDER OF
FINAL APPROVAL AND JUDGMENT**

Date: August 21, 2025

Time: 10:00am

Dept: 23

Judge: Hon. Michael Markman

Complaint Filed: May 19, 2023

Trial Date: Not Yet Set

Reservation No. 594146538314

1 The Motion for Final Approval of Class and PAGA Action Settlement came before the Court
2 on August 21, 2025 at 10:00am for a hearing and Final Approval Order and Judgment. Consistent
3 with the Court's Order Granting Preliminary Approval of Class and PAGA Action Settlement
4 ("Preliminary Approval Order") entered on December 12, 2024, and the parties' Class Action
5 Settlement Agreement and Release ("Settlement"), due and adequate notice having been given to
6 all Class Members, and the Court having considered all papers filed and proceedings had herein
7 and otherwise being fully informed and good cause appearing therefore, it is hereby **ORDERED,**
8 **ADJUDGED, AND DECREED AS FOLLOWS:**

9
10 1. All terms used herein shall have the same meanings as set forth in the Settlement filed July
11 22, 2024 as **Exhibit A** to the Declaration of Carolyn H. Cottrell in Support of Plaintiffs' Motion for
12 Preliminary Approval of Class and PAGA Action Settlement.

13 2. This Court has continuing jurisdiction over the subject matter of this Action and over all
14 parties to this Action, including all Participating Individuals and Aggrieved Employees, until the
15 Settlement is fully administered. (*See* Cal. R. Ct., rule 3.769(h)).

16
17 3. All Participating Individuals, Aggrieved Employees, Released Class Claims, and Released
18 PAGA Claims are covered by and included within the Settlement and this Final Approval Order
19 and Judgment.

20 4. The Court hereby finds that the Settlement is fair, reasonable, and adequate and that
21 Plaintiff has satisfied the standards and applicable requirements for final approval of this class and
22 PAGA action settlement under California law, including the provisions of California Code of Civil
23 Procedure § 382.

24
25 5. The Court finds that the Settlement has been reached as a result of intensive, serious and
26 non-collusive arm's-length negotiations. The Court further finds that the parties have conducted
27 extensive investigation and research, and counsel for the parties are able to reasonably evaluate

1 their respective positions. The Court also finds that Settlement will avoid additional substantial
2 costs, as well as avoid the delay and risks that would be presented by the further prosecution of the
3 Action. The Court has reviewed the benefits that are being granted as part of the Settlement and
4 recognizes the significant value to the Participating Settlement Class Members and Aggrieved
5 Employees.

6 6. The Court finds that the Class, as defined in the Settlement, is properly certified as a class
7 for settlement purposes only, and orders that it be certified for settlement purposes only.

8 7. Distribution of the Settlement Notice directed to the Settlement Class Members as set forth
9 in the Settlement has been completed in conformity with the Preliminary Approval Order, including
10 individual notice to all Settlement Class Members who could be identified through reasonable
11 effort, and constituted the best notice practicable under the circumstances. The Settlement Notice
12 provided due and adequate notice of the proceedings and of the matters set forth therein, including
13 the proposed Settlement, to all persons entitled to such notice, and the Settlement Notice and its
14 distribution fully satisfied the requirements of due process.

15 8. The Court finds that zero Settlement Class Members have objected to the Settlement, and
16 two Settlement Class Members have requested exclusion from the Settlement.

17 9. The Court hereby approves the Settlement and directs the parties to effectuate the
18 Settlement according to its terms.

19 10. Upon final approval of the Settlement and payment of the amounts set forth therein, each
20 and every Released Claim of each and every respective Participating Individual is and shall be
21 deemed to be conclusively released as against the Released Parties.

22 11. The Court finds and orders that the Settlement is and constitutes a fair, reasonable and
23 adequate compromise of the Released Claims against Defendant and the Released Parties.
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1 12. The Court finds and orders that the Settlement is and constitutes a fair, reasonable and
2 adequate compromise of the Released PAGA Claims against Defendant and the Released Parties.

3 13. The parties entered into the Settlement to resolve the dispute that has arisen between them
4 and to avoid the burden, expense and risk of continued litigation. In entering into the Settlement,
5 Defendant does not admit, and specifically denies, it has violated any state, federal, or local law;
6 violated any regulations or guidelines promulgated pursuant to any statute or any other applicable
7 laws, regulations or legal requirements; or engaged in any other unlawful conduct with respect to
8 its employees. Neither this Final Approval Order and Judgment, the Settlement, nor any document
9 referred to herein, nor any action taken to carry out the Settlement, shall be construed as an
10 admission by Defendant to any such violations or failure to comply with any applicable law.
11

12 14. The Court hereby finds the Individual Settlement Payments provided for under the
13 Settlement and the Settlement Notice to be fair and reasonable in light of all the circumstances. The
14 Court, therefore, orders the calculations and the payments to be made and administered in
15 accordance with the terms of the Settlement and the Settlement Notice.
16

17 15. The Court hereby approves and orders payment in the amount of \$50,000.00 from the
18 Maximum Settlement Amount for the PAGA Payment, \$37,500.00 of which is payable to the
19 California Labor and Workforce Development Agency (“LWDA”), and \$12,500.00 of which will
20 be distributed to the Aggrieved Employees, as set forth in the Settlement.

21 16. The Court hereby confirms Plaintiffs Eric McElroy and David Diaz as Class
22 Representatives and Schneider Wallace Cottrell Kim LLP (“SWCK”) as Class Counsel in the
23 Action.
24

25 17. The Court hereby approves and orders a Class Representative Service Award to Plaintiff
26 Eric McElroy in the amount of \$8,000.00 and Plaintiff David Diaz in the amount of \$8,000.00 from
27 the Maximum Settlement Amount for their efforts on behalf of the Class Members.
28

1 18. Pursuant to the terms of the Settlement and the authorities, evidence and argument
2 submitted by Class Counsel, the Court hereby awards Class Counsel attorneys' fees in the amount
3 of \$325,050.00, and litigation expenses in the amount of \$23,341.00, from the Maximum
4 Settlement Amount as final payment for and complete satisfaction of any and all attorneys' fees
5 and costs incurred by and/or owed to Class Counsel. 10% of the attorney's fee award must be kept
6 in the Settlement Administrator's trust fund until the completion of the distribution process and
7 Court approval of a final accounting.

8
9 19. The Court also hereby approves and orders payment from the Maximum Settlement
10 Amount for actual claims administration expenses incurred by the Settlement Administrator,
11 Phoenix Class Action Administration Solutions, in the amount of \$23,000.00.

12 20. The Court orders that the deadline for making the Court-approved individual settlement
13 awards, payment to the LWDA, attorneys' fees and costs payment, service award, and Settlement
14 Administrator Costs payment is as set forth in the implementation schedule set forth below.

15
16 21. The Court hereby enters judgment in the entire Action as of the filing date of this Final
17 Approval Order and Judgment, pursuant to the terms set forth in the Settlement. Without affecting
18 the finality of this Final Approval Order and Judgment in any way, the Court hereby retains
19 continuing jurisdiction over the interpretation, implementation and enforcement of the Settlement
20 and all orders entered in connection therewith pursuant to California Code of Civil Procedure §
21 664.6.

22
23 22. Unclaimed funds should not be distributed to the designated recipient until the court
24 approves the accounting. Plaintiff must file a final report and declaration regarding distribution at
25 least five (5) court days before the compliance hearing. Appearances may not be required if the
26 report and declaration establish that the distributions are complete.

23. The final compliance hearing regarding distribution and accounting is set for June 4, 2026, at 10:00 a.m. in Department 23.

24. The Court approves the following implementation schedule:

Event	Deadline
Final Approval Hearing	May 8, 2025
Effective Date of Settlement (Settlement, ¶ I.N.)	The date the Court enters judgment granting Final Approval.
Defendant shall deposit Maximum Settlement Amount in Settlement Administrator's designated account (Settlement, ¶ III.N.1.).	Within twenty-one days of the Effective Date.
Settlement Administrator's Payment to Named Plaintiff, Class Counsel, LWDA, and Participating Class Members (Settlement, ¶¶ III.N.3(b); III.N.4(d); III.N.5; III.N.2(d)).	No later than twenty-five calendar days after the Effective Date.
Settlement Administrator's Payment to Settlement Administrator (Settlement, ¶ III.N.6.).	No later than fourteen calendar days after Defendant deposits the Maximum Settlement Amount.
Check cashing deadline (Settlement, ¶ III.N.2(e)).	180 calendar days after the checks' issuance.
Settlement Administrator to distribute remaining funds from uncashed Individual Settlement Payment checks to <i>cy pres</i> beneficiary (Settlement, ¶ III.N.2(e)).	After 180 days after the checks' issuance.
Plaintiff must file a final report and declaration regarding distribution	May 28, 2026 [5 court days before final accounting hearing]
Final accounting hearing	June 4, 2026

IT IS SO ORDERED. LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: 11/25/2025


HON. MICHAEL MARKMAN
Superior Court Judge
Michael Markman / Judge

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PROOF OF SERVICE

I, Karina Garcia-Guillen, declare the following:

I am over the age of eighteen years and not a party to the within entitled action. I am employed at Schneider Wallace Cottrell Kim LLP located at 300 S. Grand Avenue, Suite 2700, Los Angeles, CA 90071

On September 10, 2025, served the following document(s) described as:

- **[REVISED PROPOSED] ORDER OF FINAL APPROVAL AND JUDGMENT**

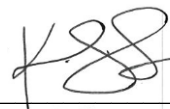
on the following interested party(s):

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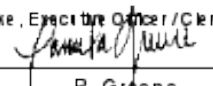
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☒ **BY ELECTRONIC SERVICE** by electronically mailing a true and correct copy in PDF format through Schneider Wallace Cottrell Kim LLP's electronic mail system to the email address(s) set forth above from my email: kgarciaguillen@schneiderwallace.com

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on September 10, 2025, at Los Angeles, CA.



Karina Garcia-Guillen

SUPERIOR COURT OF CALIFORNIA COUNTY OF ALAMEDA		Reserved for Clerk's File Stamp
COURTHOUSE ADDRESS: Rene C. Davidson Courthouse 1225 Fallon Street, Oakland, CA 94612		FILED Superior Court of California County of Alameda 11/25/2025 Chad Finke, Executive Officer / Clerk of the Court By:  Deputy P. Greene
PLAINTIFF/PETITIONER: Eric McElroy et al		
DEFENDANT/RESPONDENT: Georgia-Pacific Corrugated LLC		
CERTIFICATE OF ELECTRONIC SERVICE CODE OF CIVIL PROCEDURE 1010.6		CASE NUMBER: 23CV034158

I, the below named Executive Officer/Clerk of Court of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served one copy of the Order [REVISED PROPOSED] ORDER OF FINAL APPROVAL AND JUDGMENT entered herein upon each party or counsel of record in the above entitled action, by electronically serving the document(s) from my place of business, in accordance with standard court practices.

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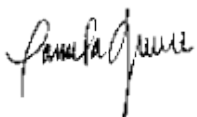
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Dated: 11/25/2025

Chad Finke, Executive Officer / Clerk of the Court

By:


P. Greene, Deputy Clerk