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9 Attorneys for Plaintiffs

11 IN THE SUPERIOR COURT OF CALIFORNIA

12 IN AND FOR THE COUNTY OF ALAMEDA

13 THE CALIFORNIA LABOR AND)
14 WORKFORCE DEVELOPMENT)
15 AGENCY, a California governmental)
agency, *ex rel.* DARRELL HONRINE;)
16 and DARRELL HONRINE,)
17 individually,)

18 Plaintiffs,)

19 v.)

20 COAST COUNTIES TRUCK &)
21 EQUIPMENT COMPANY, a)
California corporation; and DOES 1-15,)
22 inclusive,)

23 Defendants.)
24)

Case No.: RG21088933

**[PROPOSED] ORDER GRANTING MOTION
FOR APPROVAL OF PRIVATE
ATTORNEYS GENERAL ACT (PAGA)
SETTLEMENT AND ENTERING FINAL
JUDGMENT**

DATE: FEBRUARY 27, 2024

TIME: 2:30 PM

DEPT. 517

HON. SOMNATH RAJ CHATTERJEE

RESERVATION ID: 257764486866

Pursuant to the Motion for Approval of Private Attorney General Act (PAGA) Settlement submitted by Plaintiff Darrell Honrine, (“Motion”) having considered the Motion, the Declaration of Counsel, and all legal authorities submitted in support, the fully-executed Private Attorneys General Act Settlement Agreement and Release of Claims, 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 by Coast Counties Truck & Equipment Company (“Defendant”) of \$1,200,000 (the “Total Settlement Amount”);

b) The Court approves the PAGA Fund of \$753,272, from which

i) \$564,954 (75%) shall be paid to the California Labor and Workforce Development Agency (“LWDA”), and

ii) \$188,318 (25%) shall be paid to all PAGA members which will be divided by the total number of pay periods and then will be multiplied by the number of pay periods each Aggrieved Employee worked during the PAGA Period to determine the amount he or she will receive;

c) The Court approves and awards PAGA Counsel, Aiman-Smith & Marcy, attorneys’ fees of \$400,000 and litigation costs of \$40,228;

d) The Court approves and awards to Plaintiff Darrell Honrine (“Plaintiff”), \$500 as a service award, for his initiation, risks and burdens which resulted in monetary payments to the LWDA and to all PAGA Members;

e) The Court finds the payment of \$6,000 to Atticus Administration, LLC, the Settlement Administrator, is fair and reasonable, and orders the Administrator to make this payment to itself in accordance with the Settlement Agreement;

f) If any PAGA Members fail to cash their settlement payment checks within 180 days after they are mailed by the Administrator, pursuant to Code of Civil Procedure section 384, any unpaid, unclaimed, or abandoned class member funds, plus any interest that has accrued thereon, shall be donated to Legal Aid at Work, which is a nonprofit organization that provides “civil legal services to the indigent” and is a proper recipient of *cy pres* funds;

g) Pursuant to Labor Code § 2699(1)(3), a copy of this Order shall be submitted to

1 the LWDA within 10 days after entry of this Order;

2 h) Judgment is hereby entered in favor of Plaintiffs, and all issues raised in this
3 action are hereby disposed of; and

4 i) Pursuant to California Code of Civil Procedure § 664.6, the Court shall retain
5 continuing jurisdiction over this action and the Parties, including after entry of this Order, to
6 the fullest extent necessary to interpret, enforce and effectuate the terms and intent of the
7 Agreement and this Order.

8 **IT IS SO ORDERED.**

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10 Dated: _____

11 The Hon. Somnath Raj Chatterjee
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