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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE**

OSTON JEMBA MADENGUE, HECTOR
REYES, individually, and on behalf of other
members of the general public similarly
situated and on behalf of other aggrieved
employees pursuant to the California Private
Attorneys General Act;

Plaintiffs,

vs.

GOORIN BROS., INC., a California
corporation; and DOES 1 through 100,
inclusive,

Defendants.

Case No.: 19STCV23129

Honorable Maren E. Nelson
Department SSC17

CLASS ACTION

**[PROPOSED] FINAL APPROVAL
ORDER AND JUDGMENT**

Date: July 15, 2022
Time: 9:00 a.m.
Department: SSC17

Complaint Filed: July 3, 2019
FAC Filed: October 24, 2019
SAC Filed: June 22, 2021

Trial Date: None Set

1 This matter has come before the Honorable Maren E. Nelson in Department 17 of the
2 above-entitled Court, located at 312 North Spring Street, Los Angeles, CA 90012, on Plaintiffs
3 Oston Jemba Madengue, and Hector Reyes’s (together, “Plaintiffs”) Motion for Final Approval of
4 Class Action Settlement, Attorneys’ Fees and Costs, and Enhancement Payments (“Motion for
5 Final Approval”). Lawyers *for* Justice, PC appeared on behalf of Plaintiffs, and Pacific
6 Employment Law appeared on behalf of Defendant Goorin Bros., Inc. (“Defendant”).

7 On January 31, 2022, the Court entered the Order Granting Motion for Preliminary
8 Approval of Class Action Settlement on Conditions (“Preliminary Approval Order”), thereby
9 preliminarily approving the settlement of the above-entitled action (“Action”) in accordance with
10 the Second Amended Stipulation of Class and PAGA Settlement and (“Settlement,” “Agreement,”
11 or “Settlement Agreement”), which, together with the exhibits annexed thereto, set forth the terms
12 and conditions for settlement of the Action.

13 Having reviewed the Settlement Agreement and duly considered the parties’ papers and
14 oral argument, and good cause appearing,

15 **THE COURT HEREBY ORDERS, ADJUDGES, AND DECREES AS FOLLOWS:**

16 1. All terms used herein shall have the same meaning as defined in the Settlement
17 Agreement and the Preliminary Approval Order.

18 2. This Court has jurisdiction over the claims of the Class Members asserted in this
19 proceeding and over all parties to the Action.

20 3. The Court finds that the applicable requirements of California Code of Civil
21 Procedure section 382 and California Rule of Court 3.769, *et seq.* have been satisfied with respect
22 to the Class and the Settlement. The Court hereby makes final its earlier provisional certification
23 of the Class for settlement purposes, as set forth in the Preliminary Approval Order. The Class is
24 hereby defined to include:

25 All current and former non-exempt employees employed by Defendant at any
26 time during the period from July 3, 2015 through February 1, 2021 (“Class” or
27 “Class Members”).

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1 4. The Notice of Class Action Settlement (“Class Notice”) that was provided to the
2 Class Members, fully and accurately informed the Class Members of all material elements of the
3 Settlement and of their opportunity to participate in, object to or comment thereon, or to seek
4 exclusion from, the Settlement; was the best notice practicable under the circumstances; was valid,
5 due, and sufficient notice to all Class Members; and complied fully with the laws of the State of
6 California, the United States Constitution, due process and other applicable law. The Class Notice
7 fairly and adequately described the Settlement and provided the Class Members with adequate
8 instructions and a variety of means to obtain additional information.

9 5. Pursuant to California law, the Court hereby grants final approval of the Settlement
10 and finds that it is reasonable and adequate, and in the best interests of the Class as a whole. More
11 specifically, the Court finds that the Settlement was reached following meaningful discovery and
12 investigation conducted by Lawyers *for* Justice, PC (“Class Counsel” or “Plaintiffs’ Counsel”);
13 that the Settlement is the result of serious, informed, adversarial, and arms-length negotiations
14 between the parties; and that the terms of the Settlement are in all respects fair, adequate, and
15 reasonable. In so finding, the Court has considered all of the evidence presented, including
16 evidence regarding the strength of Plaintiffs’ claims; the risk, expense, and complexity of the
17 claims presented; the likely duration of further litigation; the amount offered in the Settlement; the
18 extent of investigation and discovery completed; and the experience and views of Class Counsel.
19 The Court has further considered the absence of objections to and requests for exclusion from the
20 Class Settlement submitted by Class Members. Accordingly, the Court hereby directs that the
21 Settlement be affected in accordance with the Settlement Agreement and the following terms and
22 conditions.

23 6. A full opportunity has been afforded to the Class Members to participate in the
24 Final Approval Hearing, and all Class Members and other persons wishing to be heard have been
25 heard. The Class Members also have had a full and fair opportunity to exclude themselves from
26 the Class Settlement. Accordingly, the Court determines that all Class Members who did not
27 timely and validly opt out of the Class Settlement (“Settlement Class Member”) are bound by the
28 Class Settlement and by this order and judgment (“Final Approval Order and Judgment”), and the

1 State of California and all Class Members employed by Defendant at any time during the time
2 period from July 3, 2018 through February 1, 2021 (“PAGA Employees”) are bound by the PAGA
3 Settlement and are bound by this Final Approval Order and Judgment.

4 7. The Court finds that the settlement of the Released PAGA Claims for the total
5 amount of Forty Thousand Dollars and Zero Cents (\$40,000.00), which is designated and allocated
6 as penalties under the California Private Attorneys General Act of 2004 (“PAGA Amount”), is
7 fair, reasonable, and appropriate, and hereby approved. The Settlement Administrator shall
8 distribute the PAGA Amount as follows: the amount of \$30,000.00 to the California Labor and
9 Workforce Development Agency and the amount of \$10,000.00 to PAGA Employees, in
10 accordance with the terms and methodology set forth in the Settlement Agreement.

11 8. The Court finds that payment of Settlement Administration Costs in the amount of
12 \$6,663.00 is appropriate for the services performed and costs incurred and to be incurred for the
13 notice and settlement administration process. It is hereby ordered that the Settlement
14 Administrator, Simpluris, Inc., shall issue payment to itself in the amount of \$6,663.00, in
15 accordance with the terms and methodology set forth in Settlement Agreement.

16 9. The Court finds that the Enhancement Payments sought are fair and reasonable for
17 the work performed by Plaintiffs on behalf of the Class, State of California, and PAGA Employees.
18 It is hereby ordered that the Settlement Administrator issue payment of Enhancement Payments
19 to Plaintiffs Oston Jemba Madengue and Hector Reyes in the amount of \$7,000.00 each, in
20 accordance with the terms and methodology set forth in the Settlement Agreement.

21 10. The Court finds that the request for attorneys’ fees in the amount of \$196,512.75 to
22 Class Counsel falls within the range of reasonableness, and the results achieved justify the award
23 sought. The requested attorneys’ fees to Class Counsel are fair, reasonable, and appropriate, and
24 are hereby approved. It is hereby ordered that the Settlement Administrator issue payment in the
25 amount of \$196,512.75 to Class Counsel for attorneys’ fees, in accordance with the terms and
26 methodology set forth in the Settlement Agreement.

27 11. The Court finds that reimbursement of litigation costs and expenses in the amount
28 of \$22,623.41 to Class Counsel is reasonable, and hereby approved. It is hereby ordered that the

1 Settlement Administrator issue payment in the amount of \$22,623.41 to Class Counsel for
2 reimbursement of litigation costs and expenses, in accordance with the terms and methodology set
3 forth in the Settlement Agreement.

4 12. The Court hereby enters Judgment by which Settlement Class Members shall be
5 conclusively determined to have given a release of any and all Released Class Claims against the
6 Released Parties, and all PAGA Employees and the State of California shall be conclusively
7 determined to have given a release of any and all Released PAGA Claims against the Released
8 Parties, as set forth in the Settlement Agreement and Class Notice.

9 13. It is hereby ordered that Defendant shall deposit the Gross Settlement Amount,
10 together with an amount sufficient to pay employer's share of taxes, into an account established
11 by the Settlement Administrator within thirty (30) calendar days after the Effective Date, in
12 accordance with the terms and methodology set forth in the Settlement Agreement.

13 14. It is hereby ordered that the Settlement Administrator shall distribute Individual
14 Settlement Payments to the Settlement Class Members and Individual PAGA Payments to PAGA
15 Employees within seven (7) calendar days after the Gross Settlement Amount has been deposited
16 by Defendant, according to the methodology and terms set forth in the Settlement Agreement.

17 15. After entry of this Final Approval Order and Judgment, pursuant to California Rules
18 of Court, Rule 3.769(h), the Court shall retain jurisdiction to construe, interpret, implement, and
19 enforce the Settlement Agreement and this Final Approval Order and Judgment, to hear and
20 resolve any contested challenge to a claim for settlement benefits, and to supervise and adjudicate
21 any dispute arising from or in connection with the distribution of settlement benefits.

22 16. Notice of entry of this Final Approval Order and Judgment shall be given to the
23 Settlement Class Members and PAGA Employees by posting a copy of the Final Approval Order
24 and Judgment on the Settlement Administrator's website for a period of at least sixty (60) calendar
25 days after the date of entry of this Final Approval Order and Judgment. Individualized notice is
26 not required.

27 Dated: _____

28 HONORABLE MAREN E. NELSON
JUDGE OF THE SUPERIOR COURT