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PLAINTIFF/PETITIONER: Arzate	CASE NUMBER: CV-21-002057
DEFENDANT/RESPONDENT: Stephen H. Smith Farms, Inc., et al.	

**PROOF OF SERVICE BY FIRST-CLASS MAIL
NOTICE OF ENTRY OF JUDGMENT OR ORDER**

(NOTE: You cannot serve the Notice of Entry of Judgment or Order if you are a party in the action. The person who served the notice must complete this proof of service.)

1. I am at least 18 years old and **not a party to this action**. I am a resident of or employed in the county where the mailing took place, and my residence or business address is *(specify)*:

2. I served a copy of the *Notice of Entry of Judgment or Order* by enclosing it in a sealed envelope with postage fully prepaid and *(check one)*:
 - a. ☐ deposited the sealed envelope with the United States Postal Service.
 - b. ☐ placed the sealed envelope for collection and processing for mailing, following this business's usual practices, with which I am readily familiar. On the same day correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service.

3. The *Notice of Entry of Judgment or Order* was mailed:
 - a. on *(date)*:
 - b. from *(city and state)*:

4. The envelope was addressed and mailed as follows:

a. Name of person served: - Street address: - City: - State and zip code: b. Name of person served: - Street address: - City: - State and zip code:	c. Name of person served: - Street address: - City: - State and zip code: d. Name of person served: - Street address: - City: - State and zip code:
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☐ Names and addresses of additional persons served are attached. *(You may use form POS-030(P).)*
5. Number of pages attached ____.

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

Date:

 _____ (TYPE OR PRINT NAME OF DECLARANT)	_____ (SIGNATURE OF DECLARANT)
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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF STANISLAUS-MODESTO COURTHOUSE

BONIFACIO ARZATE, on behalf of himself
and all other aggrieved employees,

PLAINTIFF,

vs.

STEPHEN H. SMITH FARMS, INC., a
California corporation; STEPHEN H. SMITH,
an individual; and DOES 1 through 100,
inclusive,

DEFENDANTS.

CASE NO.: CV-21-002057

*Assigned for all purposes to the Honorable Sonny
S. Sandhu; Dept. 24*

~~[AMENDED PROPOSED]~~ ORDER GRANTING
UNOPPOSED MOTION FOR APPROVAL OF
PRIVATE ATTORNEYS GENERAL ACT
REPRESENTATIVE ACTION SETTLEMENT

Hearing

Date: April 19, 2022

Time: 8:30 a.m.

Dept.: 24

Action Filed: April 19, 2021

Trial Date: None Set.

[AMENDED PROPOSED] ORDER

The Court has reviewed and considered Plaintiff's Unopposed Motion for Approval of Private Attorneys General Act Representative Action Settlement ("Motion") filed by Plaintiff Bonifacio Arzate ("Plaintiff"), on behalf of himself and all other aggrieved employees. Pursuant to Labor Code Section 2699, subdivision (l)(2), based on the Plaintiff's Motion, all filings related to the Unopposed Motion, all other papers filed in this action, arguments of counsel, and good cause appearing therefor,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

The Court hereby grants the Motion and approves Plaintiff and Defendants Stephen H. Smith Farms, Inc. and Stephen H. Smith ("Defendants" and together with Plaintiff, the "Parties") settlement and hereby enters final judgment based on the terms set forth in the Parties' settlement in favor of Plaintiff and the PAGA Eligible Employees in the amount of \$300,000.00. Of this amount, \$85,000 is awarded as attorneys' fees paid to Plaintiff's counsel; \$10,140.86 is awarded as litigation costs paid to Plaintiff's counsel; \$7,500 is awarded to Plaintiff; and \$15,000 is awarded as Administrative Costs paid to the Settlement Administrator. The remainder will be paid 75% to the LWDA (\$136,769.65) and 25% to the PAGA aggrieved employees (\$45,589.89) in accordance with Labor Code Section 2699, subdivision (i).

This Judgment incorporates by reference the definitions and terms in the Private Attorneys General Act Settlement Agreement and Release (the "Settlement"), and all terms defined therein shall have the same meaning as set forth in the Settlement.

This Judgment intended to be a final disposition in its entirety of the above captioned action. Without affecting the finality of this judgment in any way, the Court retains jurisdiction of all matters relating to the interpretation, administration, implementation, effectuation, and enforcement of the Settlement pursuant to Code of Civil Procedure Section 664.6.

DATED: 4/22/2022, ~~2022~~



HONORABLE SONNY S. SANDHU
STANISLAUS COUNTY SUPERIOR COURT JUDGE

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PROOF OF SERVICE

At the time of service, I was over 18 years of age and not a party to this action. My business address is 10880 Wilshire Boulevard, Suite 1101, Los Angeles, California 90024.

On April 27, 2022, I served the following document(s): NOTICE OF ENTRY OF JUDGMENT OR ORDER on the following person or persons:

Defendants Stephen H. Smith Farms, Inc. and Stephen H. Smith

Ronald H. Barsamian, Esq.

Patrick S. Moody, Esq.

Faith L. Driscoll, Esq.

Barsamian & Moody

1141 W Shaw Ave Ste 104

Fresno, CA 93711-3713

Email: ronbarsamian@aol.com

Email: pmoody@theemployerslawfirm.com

Email: fdriscoll@TheEmployersLawFirm.com

The documents were served by the following means:

☒ **BY ELECTRONIC TRANSMISSION.** Based on an agreement of the parties to accept service by electronic transmission, I electronically served the document(s) to the person(s) at the electronic service address(es) listed above.

☐ **BY OVERNIGHT DELIVERY.** I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses in the attached Proof of Service List. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

☐ **BY FAX TRANSMISSION.** Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax number(s) listed above. No error was reported by the fax machine that I used.

☐ **BY MESSENGER SERVICE.** I served the documents by placing them in an envelope or package addressed to the persons at the addresses listed in the attached Proof of Service List and providing them to a professional messenger service for service.

☐ **BY UNITED STATES MAIL.** I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses in the attached Proof of Service List:

☐ deposited the sealed envelope with the United States Postal Service, with the postage fully prepared.

☐ placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service,

1 in a sealed envelope with postage fully prepaid.

2 I am a resident of and employed in the county where the mailing occurred. The envelope or
3 package was placed in the mail at Los Angeles, California.

4 ☐ **BY PERSONAL SERVICE.** I personally delivered the documents to the persons at the
5 addresses listed in the attached Proof of Service List. (1) For a party represented by an attorney,
6 delivery was made (a) to the attorney personally; or (b) by leaving the documents at the attorney's
7 office, in an envelope or package clearly labeled to identify the attorney being served, with a
8 receptionist or an individual in charge of the office; or (c) if there was no person in the office with
9 whom the notice or papers could be left, by leaving them in a conspicuous place in the office between
10 the hours of nine in the morning and five in the evening. (2) For a party, delivery was made to the
11 party or by leaving the documents at the party's residence with some person not younger than 18
12 years of age between the hours of eight in the morning and six in the evening.

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

15 Executed on April 27, 2022 at Los Angeles, California.

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Hengameh S. Safaei