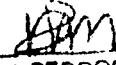


FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

SEP 06 2022


DEBRA PEDROSA DEPUTY

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO

URSULA RAMIREZ, an individual; on
behalf of herself and others similarly situated,

Plaintiffs,

vs.

BEAUTY 21 COSMETICS, INC. and DOES
1 through 50, inclusive,

Defendants.

Case No. CIVSB2101441

Assigned for All Purposes to:
Hon. DAVID COHN
Dept. S-26

**[PROPOSED] ORDER GRANTING FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: July 25, 2022
Time: 10:00 a.m.
Dept.: S26



ORDER

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1 Plaintiff Ursula Ramirez's ("Plaintiff") Motion for Final Approval of Class Action
2 Settlement ("Motion") came on for hearing before this Court on July 25, 2022 at 10:00 a.m.
3 pursuant to California Rule of Court 3.769.

4 The Court, having considered the Settlement, Plaintiff's unopposed Motion for Preliminary
5 Approval of Class Action Settlement filed and granted on March 24, 2022, supporting declarations
6 filed therewith, and the instant Motion for Final Approval, and good cause appearing thereto, grants
7 final approval of the Settlement and HEREBY ORDERS THE FOLLOWING:

8 1. Pursuant to the Order Granting Preliminary Approval, a Notice of Proposed Class
9 Action Settlement was sent to each Class Member by first-class mail. These papers informed the
10 Settlement Class of the terms of the Settlement, their right to receive an Individual Settlement
11 Payment, their right (a) to comment on or object to the Settlement, (b) to request exclusion from
12 the Settlement and pursue their own remedies, and (c) of their right to appear in person at the final
13 approval hearing and to be heard regarding approval of the Settlement. Adequate periods of time
14 were provided for each of these procedures. No member of the Class filed written objections to the
15 proposed Settlement as part of this notice process or stated an intention to appear at the final
16 approval hearing, nor did any file a dispute or opt-out.

17 2. The Court finds that the notice procedure afforded adequate protections to Class
18 Members and provides the basis for the Court to make an informed decision regarding approval of
19 the Settlement based on the responses of the Class. The Court finds and determines that the notice
20 provided in this case was the best notice practicable, which satisfied the requirements of law and
21 due process.

22 3. With respect to the Class and for purposes of approving this Settlement only, this
23 Court finds and concludes that: (a) the members of the Settlement Class are ascertainable and so
24 numerous that joinder of all members is impracticable; (b) there are questions of law or fact
25 common to the Settlement Class, and there is a well-defined community of interest among members
26 of the Settlement Class with respect to the subject matter of the Action; (c) the claims of Class
27 Representative Jose Ramos are typical of the claims of the members of the Settlement Class; (d)
28 the Class Representative has fairly and adequately protected the interests of the members of the

1 Settlement Class; (e) a class action is superior to other available methods for an efficient
2 adjudication of this controversy; and (f) the counsel of record for the Class Representative, i.e.,
3 Class Counsel, are qualified to serve as counsel for Plaintiff in his individual and representative
4 capacities for the Class.

5 4. The Court has certified a Settlement Class, which is defined as the "Class" pursuant
6 the terms of the Settlement at section I.B, which includes "all persons currently or formerly
7 employed as non-exempt hourly rate employees in California by Defendant at any time during the
8 Class Period." The Class Period means January 25, 2017 to May 4, 2021. The Court deems these
9 definitions sufficient for purposes of California Rule of Court 3.765(a).

10 5. The Court hereby confirms Jose Garay, APLC, as Class Counsel.

11 6. The Court hereby confirms Plaintiff Ursula Ramirez as the Class Representative.

12 7. The Court finds that the terms set forth in the Settlement are fair, reasonable, and
13 adequate and directs the Parties to effectuate the Settlement according to its terms having found
14 that the Settlement was reached as a result of informed and non-collusive arms'-length negotiations
15 facilitated by a neutral mediator. The Court further finds that the Parties conducted extensive
16 investigation, research, and discovery and that their attorneys were able to reasonably evaluate their
17 respective positions. The Court also finds that the Settlement will enable the Parties to avoid
18 additional and potentially substantial litigation costs, as well as delay and risks if the Parties were
19 to continue to litigate the case.

20 8. The Court further finds and determines that the terms of the Settlement are fair,
21 reasonable and adequate to the Settlement Class and to each Settlement Class Member and that the
22 Settlement is ordered finally approved, and that all terms and provisions of the Settlement should
23 be and hereby are ordered to be consummated.

24 9. The Court finds and determines that the individual settlement payments to be paid
25 to Participating Class Members as provided for by the Settlement are fair and reasonable. The Court
26 hereby gives final approval to and orders the payment of those amounts be made to Participating
27 Class Members in accordance with the Settlement.

28 10. The Court finds and determines that payment to the California Labor and Workforce

1 Development Agency of \$3,750 as its share of the settlement of civil penalties in this case is fair,
2 reasonable, and appropriate. The Court hereby gives final approval to and orders that the payment
3 of that amount be paid in accordance with the Settlement.

4 11. The Court finds and determines that the expenses in administering the Settlement
5 incurred by Phoenix Settlement Administrators ("Settlement Administrator"), in the amount of
6 \$7,000, are fair and reasonable. The Court hereby gives final approval to and orders payment of
7 that amount in accordance with the Settlement.

8 12. The Court finds and determines the Class Representative Enhancement Award in
9 the sum of \$10,000 to Plaintiff Ursula Ramirez is fair and reasonable. The Court hereby orders the
10 Settlement Administrator to make this payment to the Plaintiff/Class Representative in accordance
11 with the terms of the Settlement.

12 13. Pursuant to the terms of the Settlement, and the authorities, evidence, and argument
13 submitted by Class Counsel, the Court hereby awards Class Counsel attorneys' fees in the sum of
14 \$133,333.34 and litigation costs of \$14,399.84 to JOSE GARAY, APLC. The Court finds such
15 amounts to be fair and reasonable, in light of the common fund created for the benefit of the Class.
16 The Court hereby orders the Settlement Administrator to make these payments in accordance with
17 the terms of the Settlement.

18 14. Without affecting the finality of this order or the entry of judgment in any way, the
19 Court retains jurisdiction of all matters relating to the interpretation, administration,
20 implementation, effectuation, and enforcement of this order and the Settlement.

21 15. Nothing in this order shall preclude any action to enforce the Parties' obligations
22 under the Settlement or under this order, including the requirement that Defendant make payments
23 to the Participating Class Members in accordance with the Settlement.

24 16. Upon completion of administration of the Settlement, the Settlement Administrator
25 will provide written certification of such completion to the Court and counsel for the Parties which
26 shall be filed with the Court five (5) court days before the non-appearance compliance hearing set
27 for [or 9/4/2023], in Department S26.

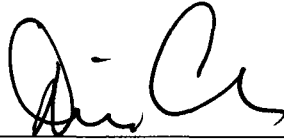
28 17. The Court hereby enters final judgment in accordance with the terms of the

1 Settlement, the Order Granting Preliminary Approval of Class Action Settlement filed on January
2 25, 2021, and this Order.

3 18. The Parties will bear their own costs and attorneys' fees except as otherwise
4 provided by this Court's Order awarding Class Counsel's award for attorneys' fees and litigation
5 costs.

6 **IT IS SO ORDERED.**

7
8 Dated: 9/6, 2022



Hon. David Cohn
Judge of the Superior Court