

1 Kane Moon (SBN 249834)
 kane.moon@moonyanglaw.com
 2 H. Scott Leviant (SBN 200834)
 scott.leviant@moonyanglaw.com
 3 Lilit Tunyan (SBN 329351)
 lilit.tunyan@moonyanglaw.com
 4 **MOON & YANG, APC**
 1055 W. Seventh St., Suite 1880
 5 Los Angeles, California 90017
 Telephone: (213) 232-3128
 6 Facsimile: (213) 232-3125

7 Attorneys for Plaintiff

FILED
 Superior Court of California
 County of Los Angeles
01/07/2022

Sherri R. Carter, Executive Officer / Clerk of Court

By: C. Wilson Deputy

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 COUNTY OF LOS ANGELES

12 CHARNEKIA FINDLEY, individually, and on
 13 behalf of all others similarly situated,

14 *Plaintiff,*

15 vs.

16 UNIVERSITY OF SOUTHERN CALIFORNIA,
 17 a California corporation; USC VERDUGO
 18 HILLS HOSPITAL, a California corporation;
 USC VERDUGO HILLS HOSPITAL
 FOUNDATION, a California corporation; and
 DOES 1 through 10, inclusive,

19 *Defendants.*

Case No.: 20STCV47290

[Assigned to Hon. Barbara M. Scheper]

~~**[PROPOSED] FINAL JUDGMENT**~~

ORDER OF DISMISSAL WITH PREJUDICE

Reservation ID: **680846556621**

Date: January 3, 2022

Time: 8:30 a.m.

Courtroom: Dept. 30

Judge: Hon. Barbara M. Scheper

Action Filed: December 09, 2020

Trial Date: Not Set

1 **TO ALL PARTIES AND TO THEIR COUNSEL OF RECORD:**

2 Plaintiff CHARNEKIA FINDLEY and Defendant UNIVERSITY OF SOUTHERN
3 CALIFORNIA (“Defendant”) (Plaintiff FINDLEY, and Plaintiffs Emmanuela Stein and Jeremy Frahn
4 from the two other matters resolved by this settlement [*Emmanuela Stein v. USC, et al.*, LASC Case No.
5 20STCV47294, and *Jeremy Frahn v. USC*, LASC Case No. 21STCV02075] are referred to herein as
6 “Plaintiffs;” Plaintiffs and Defendant are the “Parties”), reached terms of a settlement under the Private
7 Attorneys General Act (“PAGA”), California Labor Code section 2698, *et seq.*

8 The Parties filed a Motion for approval of the settlement, memorialized in the PRIVATE
9 ATTORNEYS GENERAL ACT SETTLEMENT AGREEMENT AND RELEASE (the “Settlement”).
10 A true copy of the Settlement is attached to the Declaration of H. Scott Leviant filed in support of the
11 Motion for approval of the Settlement as Exhibit 1.

12 The Court granted the Parties’ Motion. The ORDER GRANTING PLAINTIFFS’
13 UNOPPOSED MOTION FOR AN ORDER APPROVING SETTLEMENT OF CLAIMS BROUGHT
14 PURSUANT TO THE PRIVATE ATTORNEY GENERAL’S ACT OF 2004 (“PAGA Settlement
15 Order”), is incorporated herein in its entirety.

16 The Court now enters ~~Judgment~~ ^{Order of Dismissal} following the entry of the PAGA Settlement Order. The
17 ~~Order Judgment~~ set forth herein is intended to be a final disposition of the Action in its entirety and is intended
18 to be immediately appealable. All capitalized terms used for purposes of this ~~Judgment~~ ^{Order}, not otherwise
19 defined herein, have the same meaning as given in the Settlement Agreement executed by the parties.

20
21 **ORDER OF DISMISSAL**
JUDGMENT

22 In accordance with and for the reasons stated in the PAGA Settlement Order, ~~Judgment~~ ^{Dismissal} shall be
23 entered whereby the Plaintiffs, the State of California, and the Aggrieved Employees, shall take nothing
24 from Defendant, except as expressly set forth in the Settlement, which was previously filed as Exhibit 1
25 to the Declarations of H. Scott Leviant and Joseph M. Szilagyi in support of Plaintiffs’ Motion, and as
26 approved and awarded by the Court.

27 The Aggrieved Employees are:

28 All current and former non-exempt employees who are or were employed by USC

1 within the State of California between October 5, 2019 and the sooner of date the Court
2 enters an order and judgment approving this settlement or February 28, 2022.

3 Pursuant to PAGA, California Labor Code § 2699(1)(2), the Labor and Workforce Development
4 Agency (the "LWDA") has been given timely notice of the Settlement and is therefore bound by this
5 Judgment.

6 The Aggrieved Employees release the Representative PAGA Claims pursuant to the terms of the
7 Settlement.

8 Plaintiffs release the Representative PAGA Claims pursuant to the terms of the Settlement.

9 All payments due under the Settlement will be made pursuant to the Settlement, the PAGA
10 Settlement Order, and this ~~Judgment~~ ^{Order of Dismissal}.

11 Nothing in this ~~Judgment~~ ^{Order} or the Settlement will be construed as an admission or concession by
12 any party.

13 Based on the foregoing and in accordance with the Settlement, this action is dismissed with
14 prejudice, each side to bear its own costs and attorneys' fees, except as provided by the Settlement
15 Agreement.

16 Pursuant to this ~~Judgment~~ ^{Order}, the Court retains exclusion and continuing jurisdiction over this action
17 for purposes of supervising, administering, implementing, interpreting and enforcing this Judgment, as
18 well as the Settlement.

19
20 ~~JUDGMENT IS ENTERED ACCORDINGLY.~~

21
22 Dated: 01/07/2022



23 *Barbara M. Scheper*

Hon. Barbara M. Scheper
LOS ANGELES SUPERIOR COURT JUDGE
Barbara M. Scheper, Judge

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the State of California, County of Los Angeles. I am over the age of 18 and not a party to the within suit; my business address is 1055 W. 7th Street, Suite 1880, Los Angeles, CA 90017.

On the date indicated below, I served the document described as: **[PROPOSED] FINAL JUDGMENT** on the interested parties in this action by sending ☐ the original [or] ☒ a true copy thereof ☒ to interested parties as follows [or] ☐ as stated on the attached service list:

Sheppard, Mullin, Richter & Hampton LLP
Paul Berkowitz, Esq.
Michael Campbell, Esq.
Thomas Kaufman, Esq.
1901 Avenue of the Stars, Suite 1600
Los Angeles, CA 90067
Phone: (310) 228-3700
Fax: (310) 228-3701
E-mail: pberkowitz@sheppardmullin.com
mcampbell@sheppardmullin.com
tkaufman@sheppardmullin.com

Attorneys for Defendants

☒ **BY ELECTRONIC SERVICE:** Based on a court order or an agreement of the parties to accept electronic service, I caused the documents to be sent to the persons at the electronic service addresses listed above via third-party cloud service CASEANYWHERE. I did not receive an error message.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this **December 1, 2021** at Los Angeles, California.

H. Scott Leviant
Type or Print Name


Signature

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the State of California, County of Los Angeles. I am over the age of 18 and not a party to the within suit; my business address is 1055 W. 7th Street, Suite 1880, Los Angeles, CA 90017.

On the date indicated below, I served the document described as: **[PROPOSED] FINAL JUDGMENT** on the interested parties in this action by sending ☐ the original [or] ☒ a true copy thereof ☒ to interested parties as follows [or] ☐ as stated on the attached service list:

Kashif Haque
Joseph Szilagyi
Jessica Campbell
Aegis Law
9811 Irvine Center Dr., Suite 100
Irvine, CA 92618
Telephone: (949) 379-6250
E-mail: khaque@aegislawfirm.com
jszilagyi@aegislawfirm.com
jcampbell@aegislawfirm.com

*Counsel for Plaintiff Jeremy Frahn, in the matter of Jeremy
Frahn v. USC, LASC Case No. 21STCV02075*

☒ **BY E-MAIL:** I hereby certify that this document was served from Los Angeles, California, by e-mail delivery on the parties listed herein at their most recent known e-mail address or e-mail of record in this action.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this **December 1, 2021** at Los Angeles, California.

H. Scott Leviant
Type or Print Name


Signature



Make a Reservation

CHARNEKIA FINDLEY vs UNIVERSITY OF SOUTHERN CALIFORNIA, et al.

Case Number: 20STCV47290 Case Type: Civil Unlimited Category: Other Employment Complaint Case
Date Filed: 2020-12-09 Location: Stanley Mosk Courthouse - Department 30

Reservation

Case Name: CHARNEKIA FINDLEY vs UNIVERSITY OF SOUTHERN CALIFORNIA, et al.	Case Number: 20STCV47290
Type: Motion re: (PAGA Settlement Approval)	Status: RESERVED
Filing Party: Charnekia Findley (Plaintiff)	Location: Stanley Mosk Courthouse - Department 30
Date/Time: 01/03/2022 8:30 AM	Number of Motions: 1
Reservation ID: 680846556621	Confirmation Code: CR-JDTMMVWMBFFUI5YP6

Fees

Description	Fee	Qty	Amount
Motion re: (name extension)	60.00	1	60.00
Credit Card Percentage Fee (2.75%)	1.65	1	1.65
TOTAL			\$61.65

Payment

Amount: \$61.65	Type: Visa
Account Number: XXXX3909	Authorization: 00520G

Print Receipt

[+ Reserve Another Hearing](#)