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SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN DIEGO

BRITTNEY JONES, an individual, in her
representative capacity on behalf of the State of
California and fellow Aggrieved Employees,

Plaintiffs,

vs.

ASD6 LLC, a California Limited Liability
Company; and Does 1 through 50, Inclusive,

Defendants.

Case No: 37-2021-00016864-CU-OE-CTL
Action Filed: July 9, 2021

**[PROPOSED] ORDER GRANTING
PLAINTFF’S MOTION TO APPROVE
PAGA SETTLEMENT**

Date: April 15, 2022
Time: 1:30 p.m.

Dept.: C-72
Judge: Hon. Timothy Taylor

1 Plaintiff Brittney Jones (“Plaintiff”) moves for approval of the settlement of Plaintiff’s
2 claims under the California Labor Code Private Attorneys General Act (“PAGA”), pursuant to
3 California Labor Code § 2699(1), against Defendant Jones ASD6, LLC (“Defendant”).

4 Plaintiff exhausted all administrative remedies required to bring the PAGA claims asserted
5 in this action and is authorized to act as private attorney generals with respect to the PAGA claims
6 being released under the terms of the Settlement Agreement and Limited Release (“Settlement
7 Agreement”). The California Labor Workforce Development Agency was provided with notice of
8 the settlement and the motion for approval of the settlement via its online process and no objection
9 has been received to the settlement or the motion from the Labor Workforce Development Agency.
10 The Parties seek approval of the settlement of Plaintiff’s PAGA claims and the Settlement Sum to
11 be paid as part of the settlement as set forth in the Settlement Agreement which was filed with the
12 Court. The settlement provides for a Settlement Sum in the total sum of \$135,000, which includes
13 the Net PAGA Payment, Plaintiff’s Counsel attorneys’ fees in the amount of \$45,000, Plaintiffs’
14 Counsel litigation expenses in the amount of up to \$10,000 and a Settlement Administrator Fee in
15 an amount not to exceed 6,000. The Net PAGA Payment is the amount remaining from the
16 Settlement Sum after the deduction of the Settlement Administration Fee, Plaintiff’s Counsel’s Fee
17 Amount and Plaintiffs’ Counsels’ Cost Amount. The Settlement Administrator will be ILYM. The
18 Court approved the Settlement Sum and the distributions of the Settlement Sum as set forth above.

19 The Court, having reviewed the evidence and papers submitted and argument of counsel,
20 pursuant to Labor Code section 2699(1)(2) hereby GRANTS the Parties’ motion and approves the
21 PAGA settlement as set forth in the Settlement Agreement and the Settlement Sum, which shall be
22 allocated and paid out as set forth in the Settlement Agreement.

23 The “Aggrieved Employees” are defined as “all individuals who worked for Defendant
24 ASD6, LLC as non-exempt employees in California during the PAGA Period.” The PAGA Period
25 is January 15, 2020 through October 31, 2021. Upon entry of Judgment and funding in full of the
26 Settlement by Defendants, the Released Parties shall be entitled to a release from the State of
27 California and Plaintiff as to the following claims: All claims for civil penalties under PAGA,
28 arising during the PAGA Period, based on the facts alleged in the operative complaint and Plaintiff’s

1 notice letter to the LWDA¹ and any resulting claim for attorneys' fees and costs under PAGA, which
2 occurred during the PAGA Period. ("Released Claims")

3 Judgment is hereby entered on the claims asserted under PAGA in this action. After entry
4 of this Order and Judgment, the Court shall retain jurisdiction to construe, interpret, implement, and
5 enforce the Settlement Agreement, to hear and resolve any contested challenge to a claim for
6 settlement benefits, and to supervise and adjudicate any dispute arising from or in connection with
7 the distribution of settlement benefits.

8 **IT IS SO ORDERED AND ADJUDGED. LET JUDGMENT BE FORTHWITH**
9 **ENTERED ACCORDINGLY.**

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11 DATED: _____, 2022

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14 _____
15 THE HONORABLE TIMOTHY TAYLOR
16 JUDGE OF THE SUPERIOR COURT
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¹ A copy of Plaintiff's notice to the LWDA is attached as an exhibit to the Zakay Dec.