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Superior Court of California,  
County of San Diego

**FILED**  
Clerk of the Superior Court

**MAY 05 2023**

By: V. Secaur

**04/13/2023** at 05:58:45 PM

Clerk of the Superior Court  
By Malka Manneh, Deputy Clerk

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO**

DAVID GRIFFIN, individually, and on behalf of  
all others similarly situated,

Plaintiff,

vs.

LPL FINANCIAL LLC, a limited liability  
company, and DOES 1 through 10, inclusive

Defendants

Case No. 37-2021-00005786-CU-OE-CTL

Assigned to the Hon. Timothy B. Taylor

~~[PROPOSED]~~ ORDER GRANTING JOINT  
MOTION FOR APPROVAL OF PAGA  
SETTLEMENT

Date: May 5, 2023  
Time: 1:30 p.m.  
Dep't: 72

Complaint Filed: February 8, 2021  
FAC Filed: April 26, 2021  
Trial Date: None set

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD

2 The Court, having considered the Joint Motion For Approval Of PAGA Settlement (the  
3 "Motion") filed by all of the parties, all pleadings and papers on file in this action, and after hearing  
4 oral argument by counsel, hereby GRANTS the Motion on the grounds that the parties' settlement is  
5 fair, reasonable, and adequate when considering the interests of the State of California, Plaintiff, and  
6 the other aggrieved employees.

7 GOOD CAUSE BEING FOUND, THE COURT ORDERS AS FOLLOWS:

- 8 1. Unless stated otherwise, capitalized terms used herein shall have the same meaning set forth in  
9 the parties' underlying Settlement Agreement.
- 10 2. The Court approves the parties' settlement of claims Plaintiff brings under the Private Attorneys  
11 General Act of 2004 ("PAGA") and for unfair business practices under Cal. Bus. & Prof. Code §  
12 17200 *et seq.*
- 13 3. The Court approves a Gross Settlement Amount of \$350,000 in exchange for a dismissal, with  
14 prejudice, of all remaining claims set forth in Plaintiff's First Amended Complaint ("FAC").
- 15 4. The Settlement Group encompassed by this Order is all hourly, non-exempt employees  
employed by LPL Financial LLC in California, at any time between February 5, 2020 and the  
date of entry of this Order approving the Settlement (the "PAGA Period").

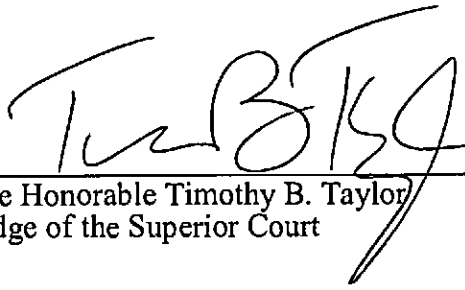
16 By operation of this Approval Order and the Judgment, Plaintiff—on behalf of himself, every  
17 member of the Settlement Group (including each of their and Plaintiff's respective executors,  
18 administrators, representatives, agents, heirs, successors, assigns, trustees, spouses, or  
19 guardians), and the LWDA—fully release LPL and each of the Released Parties during the  
20 PAGA Period from any claims, rights, demands, charges, complaints, causes of action, penalties,  
21 interest, attorneys' fees, costs, obligations, or liability of any and every kind under the California  
22 Private Attorneys General Act of 2004, including, but not limited to, any claims that were  
23 alleged or could have been alleged based on the facts asserted in the Lawsuit. This release by  
24 Plaintiff, the LWDA, and the members of the Settlement Group includes, but is not limited to,  
25 claims based on alleged violations of California Labor Code §§ 201-203, 204, 210, 218, 218.6,  
26 221-224, 226, 226.3, 226.7, 227.3, 233, 246, 246.5, 248.2, 248.5, 432, 510, 512, 558, 558.1,  
27 1174, 1182.12, 1194, 1194.2, 1197, 1197.1, 1198, 1198.5, 2699, 2699.3, 2699.5, 2800, 2802,  
28 2804, the applicable California Industrial Welfare Commission Wage Order 4-2001, and Cal.  
Bus. & Prof. Code § 17200 *et seq.*, which may have arisen during the PAGA Period.

- 24 5. The Court appoints ILYM Group, Inc. ("ILYM") as the Settlement Administrator.
- 25 6. The Court approves an award of up to \$10,450 (of the Gross Settlement Amount) in anticipated  
26 Settlement Administration Costs to ILYM.
- 27 7. The Court awards Plaintiff's Counsel's Attorneys' Fees of \$116,666.67 (1/3 of the Gross  
28 Settlement Amount) and Costs of \$11,955.06. Under no circumstance shall LPL be required to  
increase the Gross Settlement Amount and Plaintiff shall not be able to void the Settlement.

- 1 8. The Court approves an Individual Settlement Sum to Plaintiff of \$10,000 from the Gross  
2 Settlement Amount in exchange for him executing a general release.
- 3 9. The Court approves \$200,928.27 (the remainder of the Gross Settlement Amount) as payment of  
4 civil penalties under PAGA, to be allocated as follows: \$150,696.20 (75% of the PAGA  
5 penalties payment) to the California Labor and Workforce Development Agency ("LWDA") for  
6 its share of PAGA civil penalties, and \$50,232.07 (25% of the PAGA penalties payment) to the  
7 Settlement Group. The \$50,232.07 allocated as PAGA penalties for the Settlement Group is  
8 called the Total PAGA Payment To All Aggrieved Employees.
- 9 10. The Total PAGA Payment To All Aggrieved Employees will be divided and distributed as  
10 follows: each member of the Settlement Group shall be assigned a percentage share of the  
11 \$50,232.07 allocated to the Total PAGA Payment To All Aggrieved Employees. The percentage  
12 share shall be based upon the total number of Pay Periods the specific member of the Settlement  
13 Group was employed during the PAGA Period in comparison to the total number of Pay Periods  
14 all members of the Settlement Group were employed during the PAGA Period.
- 15 11. The Total PAGA Payment To All Aggrieved Employees will be distributed to all members of the  
16 Settlement Group and there will be no reversion of unclaimed funds to LPL.
- 17 12. LPL shall provide ILYM with contact information for and the number of Pay Periods worked by  
18 each member of the Settlement Group within 20 calendar days after the Court issues final  
19 approval of the Settlement (the "Effective Date"). The Gross Settlement Amount shall be funded  
20 to ILYM within 30 days of the Effective Date. Within 45 days of the Effective Date, ILYM shall  
21 make all settlement payments to each member of the Settlement Group, the LWDA, and  
22 Plaintiff's Counsel.

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**IT IS SO ORDERED**

DATED: 5/5/23

By: 

The Honorable Timothy B. Taylor  
Judge of the Superior Court