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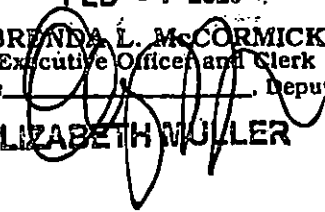
VENTURA SUPERIOR COURT

01/5/23

HAINES LAW GROUP, APC
Paul K. Haines (SBN 248226)
phaines@haineslawgroup.com
Fletcher W. Schmidt (SBN 286462)
fschmidt@haineslawgroup.com
Andrew J. Rowbotham (SBN 301367)
arowbotham@haineslawgroup.com
2155 Campus Drive, Suite 180
El Segundo, California 90245
Tel: (424) 292-2350
Fax: (424) 292-2355
Attorneys for Plaintiff

VENTURA
SUPERIOR COURT
FILED

FEB 07 2023

BRENDA L. MCCORMICK
Executive Officer and Clerk
By:  Deputy
ELIZABETH MULLER

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF VENTURA

RICARDO TREJO, as an individual and on
behalf of all others similarly situated,

Plaintiff,

vs.

TOTAL DISTRIBUTION SERVICE, INC.,
a California limited liability company; and
DOES 1 through 100,

Defendants.

Case No. 56-2021-00553039-CU-OE-VTA

[Assigned for all purposes to the Hon. Jeffrey
Bennett, Dept. 21]

**[PROPOSED] AMENDED JUDGMENT
AND ORDER GRANTING PLAINTIFF'S
MOTION FOR SETTLEMENT
APPROVAL OF CLAIMS BROUGHT
UNDER THE PRIVATE ATTORNEYS
GENERAL ACT, REASONABLE
ATTORNEYS' FEES AND COSTS, AND
ENHANCEMENT AWARD**

Date: January 17, 2023
Time: 8:20 a.m.
Dept.: 21

Action Filed: April 9, 2021
Trial Date: None Set

מורכב. שם השתתפו גם אנשי צבא ופוליטיקאים, ובהם גם ראש הממשלה, משה דיין, שביצע את ההוצאה להורג.

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VERIFIED CORRECTLY SUBMITTED BY 10/26/2023 AT 1:02:13 PM

1 6. The Court hereby appoints Simpluris as the Settlement Administrator.

2 7. Within ten (10) business days of the date this Order is signed, Defendant shall
3 provide the Settlement Administrator with a list of the aggrieved employees' full name, last
4 known address, social security number, dates of employment, and the numbers of pay periods he
5 or she worked.

6 8. The Settlement Administrator is directed to mail the Individual Settlement
7 Payments, as defined in the Settlement Agreement, and the Notice of PAGA Settlement and
8 Release of Claims to the Aggrieved Employees within the time limits specified in the Settlement
9 Agreement.

10 9. The Court finds that attorneys' fees in the total amount of \$43,333.33 and
11 reimbursement of litigation costs of \$31,588.34 are fair, reasonable, and adequate, and orders that
12 the Settlement Administrator distribute these payments to Haines Law Group, APC as provided
13 for in the Settlement Agreement.

14 10. The Court awards \$5,000.00 for Plaintiff's Enhancement Award.

15 11. The Court orders that the Settlement Administrator shall be paid \$3,000.00 for all
16 of its work done and to be done until the completion of this matter and finds that sum appropriate.

17 12. The Court finds that the payment to the State of California Labor and Workforce
18 Development Agency ("LWDA") in the amount of \$35,308.75 (representing 75% of the PAGA
19 civil penalties under Labor Code § 2699(i)) as provided for by the Settlement, is fair, adequate,
20 and reasonable, and orders that payment be made to the LWDA in accordance with the terms of
21 the Settlement Agreement.

22 13. The court approves the limited scope of the PAGA Released Claims contained in
23 the Settlement Agreement. Following entry of this Final Judgment and Order, all Aggrieved
24 Employees will release Defendant, its parents, subsidiaries, affiliates, insurers, related entities and
25 divisions, and its and their respective: (i) predecessors, successors, and assigns, and (ii) current
26 and former agents, heirs, executors, administrators, principals, officers, directors, shareholders,
27 employees, founders, members, assigns, insurers, attorneys, and all others claiming through or by
28 any of them (collectively, the "Released Parties") from all claims, demands, liabilities, damages,

1 attorney's fees, costs, and penalties against the Released Parties, that could have been recovered
2 under the PAGA based on the facts asserted in the matter titled *Ricardo Trejo v. Total Distribution*
3 *Service, Inc.*, Ventura County Superior Court, Case No. 56-2021-00553039-CU-OE-VTA (the
4 "Action") or any other claims under PAGA that could have been asserted in the Action based on
5 the facts alleged, including but not limited to claims under PAGA arising from alleged unpaid
6 wages, minimum wages, regular wages, overtime and double time wages; meal period violations;
7 untimely payment of wages; wage statement violations; separation pay violations; and failure to
8 maintain accurate records during the PAGA Period (the "PAGA Released Claims").

9 14. Upon entry of this Final Judgment and Order, Plaintiff and the Aggrieved
10 Employees shall release any and all PAGA Released Claims against Defendant, and will be
11 forever barred from pursuing any and all of the PAGA Released Claims that arose during the
12 PAGA Period against the Released Parties. Without affecting the finality of this Final Judgment
13 and Order in any way, the Court retains jurisdiction under California Code of Civil Procedure
14 § 664.6 to enforce the terms of the Settlement Agreement.

15 15. The Parties are ordered to file a final distribution report including the total amount
16 that was paid to Aggrieved Employees and the number and amount of any uncashed checks no
17 later than January 9, 2023. The Court sets a final distribution hearing for January 17, 2023 at 8:20
18 a.m.

19 16. On June 16, 2022, the Settlement Administrator mailed checks from the Qualified
20 Settlement Fund to the Aggrieved Employees, Class Counsel, the LWDA, and the Settlement
21 Administrator. The deadline for the Aggrieved Employees to cash their checks was December 13,
22 2022. On January 5, 2023, a supplemental accounting declaration from the Settlement
23 Administrator was filed with this Court attesting that 7 checks totaling \$371.92 remain uncashed
24 after the check cashing deadline.

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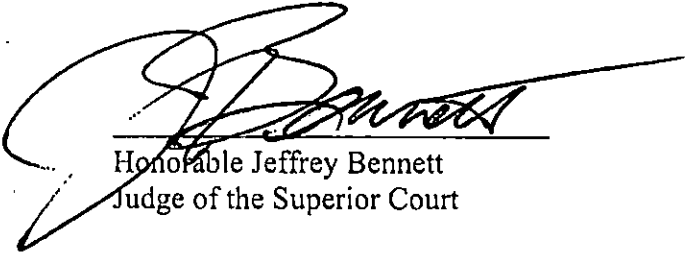
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1 17. Per California Code of Civil Procedure § 384(b), the Court now directs the
2 Settlement Administrator to distribute the \$371.92 in uncashed funds to the cy pres recipient,
3 Court Appointed Special Advocates ("CASA") of Ventura County, in accordance with the terms
4 of the Settlement Agreement

5 IT IS SO ORDERED.

6
7 Dated 1-17, 2023


Honorable Jeffrey Bennett
Judge of the Superior Court