

Electronically Received 01/18/2024 04:47 PM

R. Rex Parris (SBN 96567)
Kitty K. Szeto (SBN 258136)
Ryan A. Crist (SBN 316653)
PARRIS LAW FIRM
43364 10th Street West
Lancaster, California 93534
Telephone (661) 949-2595
Facsimile (661) 949-7524

Edwin Aiwazian (SBN 232943)
LAWYERS for JUSTICE, PC
410 West Arden Avenue, Suite 203
Glendale, California 91203
Telephone: (818) 265-1020
Facsimile: (818) 265-1021

Attorneys for Plaintiffs, the Putative Class,
and the Aggrieved Employees

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SACRAMENTO**

COORDINATION PROCEEDING SPECIAL
TITLE [RULE 3.550]

**MERCY HOUSING WAGE AND HOUR
CASES**

Freeman et al. v. Mercy Services Corp.,
No. 34-2015-00184209-CU-OE
(Superior Court of California,
County of Sacramento)

*Sowary v. Mercy Housing Management Grp.,
Inc.*,
No. CGC18568984
(Superior Court of California,
County of San Francisco)

*Gamez v. Mercy Housing Management Group,
Inc., et al.*,
No. RG21100185 (Superior Court of
California, County of Alameda)

FILED
Superior Court of California
County of Sacramento
01/29/2024
T. Shaddix, Deputy

JUDICIAL COUNCIL COORDINATION
PROCEEDING No. **5015**

[Assigned for All Purposes to the Honorable
Jill H. Talley, Dept. 23]

CLASS ACTION

~~[PROPOSED]~~ **AMENDED ORDER GRANTING
FINAL APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT AND FINAL JUDGMENT**

Date: January 12, 2024
Time: 9:00 a.m.
Dept: 23

Complaint Filed: September 14, 2015
Trial Date: None Set

~~[PROPOSED]~~ **AMENDED ORDER GRANTING FINAL APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT AND FINAL
JUDGMENT**

1 Plaintiffs' unopposed motion for an order granting final approval of the proposed
2 settlement of the Mercy Housing Wage and Hour Cases came on for hearing before the above-
3 entitled court.

4 Having read the Joint Stipulation Regarding Class Action and PAGA Settlement and
5 Release ("Settlement Agreement") attached as Exhibit "A" to the Declaration of Kitty K. Szeto
6 and supporting documents, the unopposed motion for final approval, as well as the points and
7 authorities and declarations filed in support thereof,

8 **IT IS THEREFORE ORDERED THAT:**

9 1. This Order incorporates by reference the parties' Settlement Agreement and all
10 defined terms herein shall have the same meaning as set forth in the Settlement Agreement.

11 2. The Settlement Agreement, the proposed Settlement described therein, and the
12 Gross Settlement Amount of **\$3,000,000.00** is approved as fair, reasonable, and adequate.

13 3. The Parties shall effectuate the terms and provisions of the Settlement Agreement
14 consistent with the deadlines set forth by this Order and in the Settlement Agreement.

15 4. Pursuant to Paragraph 7.8 of the Settlement Agreement, Defendants Mercy
16 Housing Management Group, Inc. ("MHMG") and Mercy Housing, Inc. ("MHI") shall wire the
17 Gross Settlement Amount of \$3,000,000.00 within thirty (30) days of this Order to the Qualified
18 Settlement Fund established by the Settlement Administrator.

19 5. The Court hereby approves Class Counsel's request for attorneys' fees in the
20 amount of \$1,050,000 and costs in the amount of \$122,216.89.

21 6. The Court hereby approves an Enhancement Payment in the total amount of
22 \$45,000 to the Class Representatives and PAGA Representatives to be paid out by the Settlement
23 Administrator in the amounts consistent with Paragraph 5.4 of the Settlement Agreement.

24 7. The Court hereby approves Settlement Administrator Costs in the amount of
25 \$25,000.

26 8. Pursuant to California Labor Code section 2699(l)(2), the Court hereby approves
27 the \$100,000 PAGA Settlement Amount to be disbursed in the amounts consistent with
28 Paragraph 5.5 of the Settlement Agreement.

1 9. The Settlement Administrator shall distribute the Gross Settlement Amount
2 within fifteen (15) calendar days after receipt of the Gross Settlement Amount into the Qualified
3 Settlement Fund.

4 10. The Settlement Administrator shall transmit all uncashed funds within fourteen
5 (14) calendar days after the check cashing deadline to Episcopal Community Services,
6 California.

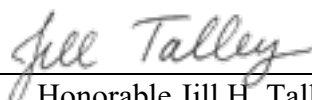
7 11. The Court hereby enters judgment in the Mercy Housing Wage and Hour Cases
8 on behalf of the 1,747 current and former non-exempt, hourly-paid employees of MHMG who
9 worked for MHMG in California at any time from September 14, 2011 through July 31, 2022
10 who did not opt out of the Settlement Agreement. This expressly excludes the two (2) Class
11 Members who opted out.

12 12. The Court hereby enters judgment in the Mercy Housing Wage and Hour Cases
13 on behalf of the 1,382 current and former non-exempt, hourly-paid employees of MHMG or
14 MHI who worked for MHMG or MHI in California at any time from June 4, 2017 through July
15 31, 2022.

16 13. The Court retains jurisdiction over the parties to enforce the Settlement
17 Agreement and this Order and Judgment pursuant to California Code of Civil Procedure section
18 664.6 and California Rules of Court, Rule 3.769(h).

19 **IT IS SO ORDERED.**

20 DATE: 01/29/2024



Honorable Jill H. Talley
Sacramento County Superior Court



1013A(3) CCP Revised 5/1/88

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 43364 10th Street West, Lancaster, California 93534.

On January 18, 2024, I served the foregoing document described as **[PROPOSED] AMENDED ORDER GRANTING FINAL APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT AND FINAL JUDGMENT** as follows:

Marc Jacuzzi, Esq.

mjacuzzi@sgijlaw.com

Sarah Lucas, Esq.

slucas@sgijlaw.com

SIMPSON, GARRITY, INNES & JACUZZI, P.C

2175 North California Blvd., Suite 710

Walnut Creek, California 94596

Counsel for Defendants

[X] **BY ELECTRONIC SERVICE as follows:** Based on an agreement of the parties to accept personal service by electronic transmission, I caused the documents to be sent to the persons at the electronic notification addresses listed above.

Executed on January 18, 2024, at Lancaster, California.

[X] I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Kitty K. Szeto