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Attorneys for Plaintiff

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF LOS ANGELES**

ZEBULON NEFF, on behalf of the State of
California, as a private attorney general,

Plaintiff,

v.

OAKHURST INDUSTRIES, INC., a
California Corporation; and Does 1 through
50, Inclusive,

Defendants.

Case No. 21STCV21110

NOTICE OF ENTRY OF JUDGMENT

Hearing Date: October 24, 2022

Hearing Time: 9:30 a.m.

Reservation ID: 605525466076

Judge: Hon. Monica Bachner

Dept.: 71

Action Filed: June 4, 2021

Trial Date: Not Set

1 **TO ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:**

2 YOU ARE HEREBY NOTIFIED THAT on November 16, 2022, the Court entered the
3 Order Approving PAGA Settlement and Judgment in the above entitled action. A true and
4 correct copy of the Order Approving PAGA Settlement and Judgment is attached hereto as
5 Exhibit #1.

6 Respectfully submitted,

7
8 Dated: November 16, 2022

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

10 By: /s/ Kyle Nordrehaug
11 Kyle R. Nordrehaug

12 Attorneys for Plaintiff
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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SAN DIEGO

I, Kyle Nordrehaug am a citizen of the United States and a resident of the State of California. I am employed in the County of San Diego, State of California. I am over the age of 18 and not a party to the within action. My business address is 2255 Calle Clara, La Jolla, California 92037. On November 16, 2022, I served the document(s) described as:

1. NOTICE OF ENTRY OF JUDGMENT

X (BY ELECTRONIC SERVICE): I provided the documents referenced above electronically via electronic mail (e-mail) to counsel for Defendant at the following e-mail address(es):

Alan S. Levins, Esq.
Robert Geiger, Esq.
LITTLER MENDELSON P.C.
333 Bush Street, 34th Floor
San Francisco, CA 94104

Attorneys for Defendant
Oakhurst Industries, Inc.

Emails: alevins@littler.com; RGeiger@littler.com
T: 415.433.1940; F: 415.399.8490

X (ONLINE TO THE LWDA): I caused the above-described document to be delivered to the Labor Workforce Development Agency via online process at the PAGA Filing website in accordance with the procedure imposed by the LWDA.

X (State): I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on November 16, 2022, at San Diego, California.

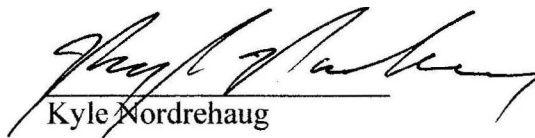

Kyle Nordrehaug

EXHIBIT #1

11/16/2022

Sherri R. Carter, Executive Officer / Clerk of Court

By: A. Barton Deputy

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Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

ZEBULON NEFF, on behalf of the State
of California, as a private attorney
general,

Plaintiff,

vs.

OAKHURST INDUSTRIES, INC., a
California Corporation; and Does 1
through 50, Inclusive,

Defendants.

Case No.: 21STCV21110

**~~[REVISED PROPOSED]~~ ORDER
APPROVING PAGA SETTLEMENT AND
JUDGMENT**

Hearing Date: November 7, 2022

Hearing Time: 8:30 a.m.

Reservation ID: 605525466076

Judge: Hon. Monica Bachner

Dept.: 71

Action Filed: June 4, 2021

Trial Date: Not Set

Plaintiff Zebulon Neff ("Plaintiff") moves for approval of the settlement of Plaintiff's claims under the California Labor Code Private Attorneys General Act ("PAGA"), pursuant to California Labor Code § 2699(l), against Defendant Oakhurst Industries, Inc. ("Defendant").

1 Plaintiff exhausted all administrative remedies required to bring the PAGA claims
2 asserted in this action and is authorized to act as private attorney general with respect to the
3 PAGA claims being released under the terms of the PAGA Settlement Agreement
4 (“Settlement Agreement”). The California Labor Workforce Development Agency was
5 provided with notice of the Settlement and the motion for approval of the PAGA settlement
6 via its online process and no objection has been received to the settlement or the motion from
7 the Labor Workforce Development Agency.

8 The Parties seek approval of the settlement of Plaintiff’s PAGA claims and the PAGA
9 Payment to be paid as part of the settlement as set forth in the Settlement Agreement which
10 was filed with the Court. The settlement provides for a Gross PAGA Settlement Amount in
11 the total sum of \$380,000, which includes the PAGA Payment, the Settlement
12 Administration Costs (not to exceed \$6,000), PAGA Counsel’s Attorneys’ Fees in the
13 amount of \$126,666 (one-third of the Gross Settlement Amount), and PAGA Counsel’s
14 Attorneys’ Expenses in the amount of \$12,392.14. The PAGA Payment, which is the
15 amount remaining of the Gross PAGA Settlement Amount after deduction of Settlement
16 Administration Costs, Attorneys’ Fees and Attorneys’ Expenses, shall be allocated to Labor
17 Code 2699 penalties, including other civil penalties specified in the Labor Code, of which
18 75% of the payment will be paid to the LWDA and 25% will be paid to the Aggrieved
19 Employees.

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

25 The “Aggrieved Employees” are defined as all individuals who were employed by
26 Defendant in California and classified as non-exempt employees during the PAGA Period.
27 The PAGA Period is the time period from June 4, 2020 to April 26, 2022. The Aggrieved
28

1 Employees are estimated to consist of 638 individuals.

2 Upon the Effective Date of this Order and Judgment and full funding, Defendant and
3 the Released Parties shall be entitled to a release of the Released PAGA Claims. The
4 “Released PAGA Claims” are all PAGA claims for civil penalties under California Labor
5 Code §§ 2698 *et seq.*, predicated on the California Labor Code claims that are asserted in the
6 LWDA Notice and operative complaint which are for civil penalties pursuant to Labor Code
7 section 2699, *et seq.* for violations of Labor Code sections §§ 201, 202, 203, 204, 226(a),
8 226.7, 226.8, 510, 512, 558, 1194, 1197, 1198, 2802 and applicable Industrial Welfare
9 Commission Wage Orders. The Released PAGA Claims does not include underlying wage
10 and hour claims, claims for wrongful termination, discrimination, unemployment insurance,
11 disability, and workers’ compensation, and claims outside of the PAGA Period. In no event
12 shall the release of the Released PAGA Claims in the Settlement Agreement release any
13 individual claims of any individuals.

14 After entry of this Order and Judgment, the Court shall, pursuant to Code of Civil
15 Procedure §664.6, retain jurisdiction pursuant to California Code of Civil Procedure § 664.6
16 to construe, interpret, implement, and enforce the Settlement Agreement, to hear and resolve
17 any contested challenge to a claim for settlement benefits, and to supervise and adjudicate
18 any dispute arising from or in connection with the distribution of settlement benefits.

19
20 **IT IS SO ORDERED AND ADJUDGED. LET JUDGMENT BE FORTHWITH**
21 **ENTERED ACCORDINGLY.**

22
23 DATED: 11/16/2022



THE HONORABLE MONICA BACHNER
JUDGE OF THE SUPERIOR COURT