

Kevin Mahoney, Esq. (SBN: 235367)

kmahoney@mahoney-law.net

Katherine J. Odenbreit, Esq. (SBN: 184619)

kodenbreit@mahoney-law.net

MAHONEY LAW GROUP, APC

249 E. Ocean Boulevard, Suite 814

Long Beach, California 90802

(562) 590-5550 Telephone

(562) 590-8400 Facsimile

Attorneys for Plaintiff GERTRUDES CENTENO on behalf of himself and all others similarly situated,

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
THE COUNTY OF LOS ANGELES-CENTRAL DISTRICT
SPRING STREET COURTHOUSE**

GERTRUDES CENTENO, on behalf of
himself and all others similarly situated,

Plaintiff,

v.

REDHEAD KITCHEN, LLC dba PASTA
SISTERS, and DOES 1 through 50, inclusive,

Defendants.

Case No.: 18STCV01494

CLASS ACTION

**[PROPOSED] ORDER APPROVING PAGA
SETTLEMENT AND ENTERING FINAL
JUDGMENT**

Assigned for all purposes to:
Hon. Maren Nelson, Dept.: 17

Date: April 27, 2021
Time: 10:00 a.m.
Dept.: 17

Complaint Filed: January 4, 2019
Trial Date: Not Yet Set

1 On April 27, 2021, a hearing was held on Plaintiff GERTRUDES CENTENO's motion
2 for approval of PAGA settlement. Katherine J. Odenbreit and Kate Blanco appeared for Plaintiff.
3 Illana Kaufman appeared for Defendant REDHEAD KITCHEN, LLC dba PASTA SISTERS.
4 The Court having considered all papers filed and proceedings herein and otherwise being fully
5 informed and having made this Judgment which constitutes a final adjudication of this matter and
6 good cause appearing rules as follows:

7 **IT IS HEREBY ORDERED:**

- 8 1. All terms used for purposes of this Order and Judgment, not otherwise defined, shall
9 have the same meaning as given in the PAGA Settlement Agreement ("Settlement")
10 executed between the parties on February 8, 2021.
- 11 2. Pursuant to the California Private Attorneys General Act ("PAGA"), California Labor
12 Code section 2699, subdivision (l)(2)(4), the Labor Workforce and Development
13 Agency ("LWDA") has been given notice of the Settlement. Pursuant to PAGA, on
14 the date the Plaintiff filed this motion seeking approval of the Settlement with the
15 Court, Plaintiff submitted to the LWDA a notice of this hearing and all papers filed
16 with the Court including a copy of the Settlement. The Court finds and determines that
17 Plaintiff's notice of the Settlement complied with the statutory requirements of PAGA.
- 18 3. The Court approves the Settlement as to the following group of individuals,
19 collectively referred to as the "PAGA Settlement Group Members":
20 "The one hundred sixty-one (161) current and former employees who worked for Defendant
21 at any time from October 19, 2017 to February 8, 2021."
- 22 4. The Court has jurisdiction over the subject matter of this litigation, over all PAGA
23 Settlement Group Members and over those persons and entities undertaking
24 affirmative obligations under the Settlement.
- 25 5. The Court finds that the Settlement is, in all respects, fair, reasonable and obtains a
26 result consistent with the purpose of PAGA. Accordingly, the Court approves the
27 Settlement.

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- 1 6. The Court approves the Notice to be sent to PAGA Settlement Group Members,
2 Exhibit B to the Declaration of Katherine J. Odenbreit and that such notice conforms
3 with the requirements of California Rules of Court 3.766, subdivision (d) and (e), to
4 be sent with the civil penalty payment to PAGA Settlement Group Members.
- 5 7. The PAGA Settlement Group Members release in exchange for payment of a portion
6 of the civil penalties as of the date payments are sent to PAGA Settlement Group
7 Members by the Settlement Administrator: PAGA Settlement Group Members
8 release Defendants and the Released Parties from any and all claims based on the
9 Private Attorneys General Act (2004), as pleaded in Plaintiff's Complaint or that could
10 have been pleaded on the facts as alleged in the Complaint and Plaintiff's notice letter
11 to LWDA, arising during the Covered Period, including but not limited to claims under
12 Labor Code sections 201, 202, 203, 204, 221-221.5, 226, 226.7, 510, 512, 558, 1174,
13 1194, 197, 1197.1, 2698, 2699.3, and 2699.5, the Industrial Welfare Commission
14 Wage Order 5, and any resulting claim for attorneys' fees and costs (the "Released
15 Claims").
- 16 8. The Court finds that the Total Settlement Amount and allocation to PAGA Settlement
17 Group Members is fair, reasonable and consistent with the purpose of PAGA.
- 18 9. The Court appoints Phoenix Class Action Administration Solutions ("Phoenix") as
19 administrator to facilitate the Settlement. Phoenix will be paid five thousand dollars
20 (\$5,000.00) from the Total Settlement Amount for its services.
- 21 10. The Court awards to Plaintiff Gertrudes Centeno a service payment of two thousand
22 dollars (\$2,000.00) from the Total Settlement Amount, for his service as a
23 Representative Plaintiff.
- 24 11. The Court awards to Plaintiff's Counsel, Mahoney Law Group, APC, attorneys' fees
25 in the amount of eighteen thousand three hundred thirty-three dollars and thirty-three
26 cents (\$18,333.33) and costs in the amount of three thousand, five hundred fifty dollars
27 (\$3,550.00) to be paid from the Total Settlement Amount.

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- 1 12. The Court orders Defendant to pay to Judicate West in Plaintiff's name the mediation
2 fee in the amount of two thousand, six hundred fifty dollars (\$2,650.00) no later than
3 ten (10) days from the date of this Order and Judgment.
- 4 13. The Administrator shall submit to the LWDA seventy five percent (75%) of the Net
5 Settlement Amount in accordance with the Settlement.
- 6 14. The Administrator shall distribute twenty-five percent (25%) of the Net Settlement
7 Amount to the PAGA Settlement Group Members as set forth in the Settlement.
- 8 15. The Court approves the allocation to PAGA Settlement Group Members as set forth
9 in the Settlement.
- 10 16. Checks for the Settlement Shares sent to PAGA Settlement Group Members shall be
11 valid for one hundred eighty days (180) after issuance. Funds remaining from any
12 Settlement Shares uncashed after one hundred eighty days (180) days will be
13 disbursed by Phoenix to the California State Controller's Office Unclaimed Property
14 Fund in the name of the individual PAGA Settlement Group Member for his or her
15 benefit.
- 16 17. The Court retains exclusive and continuing jurisdiction over this Action for purposes
17 of supervising, administering, implementing, interpreting and enforcing this Order and
18 Judgment as well as the Settlement.
- 19 18. Nothing in this Order or Judgment or the Settlement shall be construed as an admission
20 or concession by any party. The Settlement and this resulting Order and Judgment
21 simply comprise of disputed allegations.
- 22 19. On or before _____, 2021, the Parties are directed to file a joint status
23 report with a declaration from Phoenix regarding the status of distribution of
24 settlement proceeds.
- 25 20. A Non-Appearance Case Review hearing is scheduled for _____, 2021
26 at _____ a.m./p.m.

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Hon. Maren Nelson
Judge of the Superior Court

PROOF OF SERVICE
Code of Civ. Proc. § 1013a, subd. (3)

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 249 East Ocean Boulevard, Suite 814, Long Beach, California, 90802

On **March 23, 2021**, I served [X] true copies [] originals of the following document described as: **[PROPOSED] ORDER APPROVING PAGA SETTLEMENT AND ENTERING FINAL JUDGMENT**. The document was served on the interested parties in this action, addressed as follows:

Lee A. Miller, Esq. Ilana Kaufman, Esq. Miller Law Partners 21600 Oxnard Street, Suite 380 Woodland Hills, CA 91367	Attorney for Defendant: REDHEAD KITCHEN dba PASTA SISTERS Telephone: 818-279-6600 Facsimile: 818-279-6601 Email: IKaufman@millerlawpartners.com lmiller@millerlawpartners.com
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☒ **By electronic service:** Based on a court order, I caused the document(s) to be sent to the persons at the electronic service addresses listed above by transmission through CASE ANYWHERE.

☒ **(State):** I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on **March 23, 2021**, at Long Beach, California.



Gilbert Martinez