

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

Norman B. Blumenthal (State Bar #068687)

Kyle R. Nordrehaug (State Bar #205975)

Aparajit Bhowmik (State Bar #248066)

Jeffrey S. Herman (State Bar #280058)

2255 Calle Clara

La Jolla, CA 92037

Telephone: (858)551-1223

Facsimile: (858) 551-1232

Website: www.bamlawca.com

Attorneys for Plaintiff

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

MELISSA DUFFELL, on behalf of the State
of California, as a private attorney general,

Plaintiff,

v.

WAG HOTELS, INC., a Corporation; and
DOES 1 through 50, Inclusive,

Defendants.

Case No. 34-2021-00304566

NOTICE OF ENTRY OF JUDGMENT

Hearing Date: August 12, 2022

Hearing Time: 9:00 a.m.

Reservation No. 2656546

Judge: Hon. Lauri A. Damrell

Dept.: 28

Action Filed: July 19, 2021

Trial Date: Not Set

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

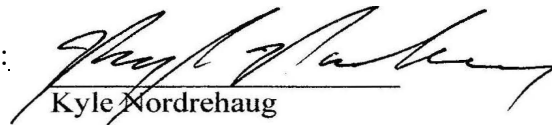
2 YOU ARE HEREBY NOTIFIED THAT on August 12, 2022, the Court entered the Order
3 Approving PAGA Settlement and Judgment in the above entitled action. A true and correct copy
4 of the Order Approving PAGA Settlement and Judgment is attached hereto as Exhibit #1.

5 Respectfully submitted,

6
7 Dated: August 17, 2022

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

9 By:

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Kyle Nordrehaug

11 Attorneys for Plaintiffs
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1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA, COUNTY OF SAN DIEGO

3 I, Kyle Nordrehaug am a citizen of the United States and a resident of the State of
4 California. I am employed in the County of San Diego, State of California. I am over the age of
5 18 and not a party to the within action. My business address is 2255 Calle Clara, La Jolla,
6 California 92037. On August 17, 2022, I served the document(s) described as:

7 **1. NOTICE OF ENTRY OF JUDGMENT**

8
9 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):

10 LEWIS BRISBOIS BISGAARD & SMITH LLP

11 John L. Barber

12 Thalia S. Rofos

13 Armine Antonyan

14 Erica Stanford

650 Town Center Drive, Suite 1400,

Costa Mesa, CA 92626

Email(s):

15 Thalia.Rofos@lewisbrisbois.com

16 John.barber@lewisbrisbois.com

17 Erica.stanford@lewisbrisbois.com

Armine.Antonyan@lewisbrisbois.com

18 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
19 accordance with the procedure imposed by the LWDA.

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

21
22 Executed on August 17, 2022, at San Diego, California.

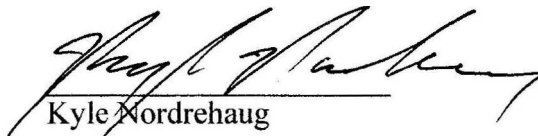
23
24 
25 Kyle Nordrehaug
26
27
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EXHIBIT #1

1 **BLUMENTHAL NORDREHAUG BHOWMIK**
2 **DE BLOUW LLP**

3 Norman B. Blumenthal (SBN #068687)

4 Kyle R. Nordrehaug (SBN #205975)

5 Aparajit Bhowmik (SBN #248066)

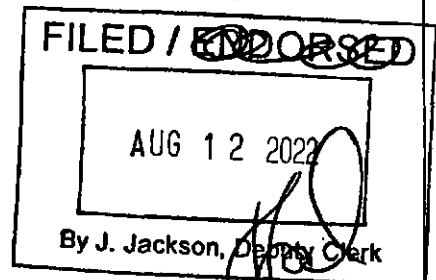
6 2255 Calle Clara

7 La Jolla, CA 92037

8 Telephone: (858) 551-1223

9 Facsimile: (858) 551-1232

10 Attorneys for Plaintiff



11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

12 **IN AND FOR THE COUNTY OF SACRAMENTO**

13 MELISSA DUFFELL, on behalf of the
14 State of California, as a private attorney
15 general,

16 Plaintiff,

17 v.

18 WAG HOTELS, INC., a Corporation; and
19 DOES 1 through 50, Inclusive,

20 Defendants.

Case No.: 34-2021-00304566

~~PROPOSED~~ ORDER APPROVING PAGA
SETTLEMENT AND JUDGMENT

Hearing Date: August 12, 2022

Hearing Time: 9:00 a.m.

Judge: Hon. Lauri A. Damrell

Dept.: 28

Action Filed: July 19, 2021

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ORDER APPROVING PAGA SETTLEMENT AND JUDGMENT

Case No. 34-2021-00304566



1 Plaintiff Melissa Duffell ("Plaintiff") moves for approval of the settlement of Plaintiff's
2 claims under the California Labor Code Private Attorneys General Act ("PAGA"), pursuant to
3 California Labor Code § 2699(l), against Defendant Wag Hotels, Inc. ("Defendant").

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

10 The Parties seek approval of the settlement of Plaintiff's PAGA claims and the PAGA
11 Payment to be paid as part of the settlement as set forth in the Settlement Agreement which was filed
12 with the Court. The settlement provides for a Gross PAGA Settlement Amount in the total sum of
13 \$730,000, which includes the PAGA Payment, the Settlement Administration Costs (not to exceed
14 \$15,000), PAGA Counsel's Attorneys' Fees in the amount of \$243,333 (one-third of the Gross
15 Settlement Amount), and PAGA Counsel's Attorneys' Expenses in the amount of \$13,369.95. The
16 PAGA Payment, which is the amount remaining of the Gross PAGA Settlement Amount after
17 deduction of Settlement Administration Costs, Attorneys' Fees and Attorneys' Expenses, shall be
18 allocated to Labor Code 2699 penalties, including other civil penalties specified in the Labor Code,
19 of which 75% of the payment will be paid to the LWDA and 25% will be paid to the Aggrieved
20 Employees.

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

25 The "Aggrieved Employees" are defined as all individuals who were employed by Defendant
26 in California and classified as non-exempt employees during the PAGA Period. The PAGA Period is
27 the time period from July 19, 2020 to July 6, 2022.

1 Upon the Effective Date of this Order and Judgment, Defendant and the Released Parties
2 shall be entitled to a release of the Released PAGA Claims. The "Released PAGA Claims" are all
3 PAGA claims for civil penalties under California Labor Code §§ 2698 *et seq.*, predicated on the
4 California Labor Code claims that are asserted in the LWDA Notice and operative complaint which
5 includes PAGA claims for civil penalties pursuant to Labor Code section 2699, *et seq.* for violations
6 of Labor Code sections §§ 201, 202, 203, 204, 226(a), 226.7, 226.8, 510, 512, 558, 1194, 1197,
7 1198, 2802 and applicable Industrial Welfare Commission Wage Orders. The Released PAGA
8 Claims expressly excludes underlying wage and hour claims, claims for wrongful termination,
9 discrimination, unemployment insurance, disability, and workers' compensation, and claims outside
10 of the PAGA Period. In no event shall the release of the Released PAGA Claims in the Settlement
11 Agreement release any individual claims of any individuals other than Plaintiff.

12 This claim asserted under PAGA in this action is dismissed with prejudice. The individual
13 claims of the Plaintiff are dismissed with prejudice. After entry of this Order and Judgment, the
14 Court shall, pursuant to Code of Civil Procedure §664.6, retain jurisdiction pursuant to California
15 Code of Civil Procedure § 664.6 to construe, interpret, implement, and enforce the Settlement
16 Agreement, to hear and resolve any contested challenge to a claim for settlement benefits, and to
17 supervise and adjudicate any dispute arising from or in connection with the distribution of settlement
18 benefits.

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

21
22 DATED: 8/12/22



HON. LAURI A. DAMRELL
JUDGE OF THE SUPERIOR COURT

LAURI A. DAMRELL

RECEIVED
IN DROP BOX

2022 JUL 19 PM 4:00

DOWNTOWN COURTHOUSE
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SACRAMENTO

LIBRARY DEPARTMENT