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Filed
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9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 FOR THE COUNTY OF SAN JOAQUIN

11 SEREENA VILLA, as an aggrieved employee
12 pursuant to the Private Attorneys General Act
("PAGA"), on behalf of the State of California
and other aggrieved employees,

13 Plaintiff,

14 vs.

15 NATION'S FOOD SERVICE, INC., a
16 California corporation; NATION'S GIANT
HAMBURGERS NO. 2 A CALIFORNIA
17 LIMITED PARTNERSHIP, a California limited
partnership; NATION'S GIANT
18 HAMBURGERS, NO. 5, A CALIFORNIA
LIMITED PARTNERSHIP, a California limited
19 partnership; NATION'S GIANT
HAMBURGERS NO. 6, A CALIFORNIA
20 LIMITED PARTNERSHIP, a California limited
partnership; NATION'S GIANT
21 HAMBURGERS NO. 7, A CALIFORNIA
LIMITED PARTNERSHIP, a California limited
22 partnership; NATION'S GIANT
HAMBURGERS NO. 9/NO.8, A
23 CALIFORNIA LIMITED PARTNERSHIP, a
California limited partnership; NATION'S
24 GIANT HAMBURGERS NO. 11, A
CALIFORNIA LIMITED PARTNERSHIP, a
25 California limited partnership; NATION'S
GIANT HAMBURGERS, NO. 14, A
26 CALIFORNIA LIMITED PARTNERSHIP, a
California limited partnership; NATION'S
27 GIANT HAMBURGERS NO. 15, A
CALIFORNIA LIMITED PARTNERSHIP, a
28 California limited partnership; NATION'S

Case No. STK-CV-UOE-2021-0006075

Assigned to the Hon. Barbara A. Kronlund
Department 10D

**[PROPOSED] ORDER APPROVING THE
PARTIES' PAGA SETTLEMENT
AGREEMENT AND ENTERING
JUDGMENT**

8/10/22
RJ

GIANT HAMBURGERS NO. 19, A
CALIFORNIA LIMITED PARTNERSHIP, a
California limited partnership; NATION'S
GIANT HAMBURGERS NO. 20 A
CALIFORNIA LIMITED PARTNERSHIP, a
California limited partnership; NATION'S
GIANT HAMBURGERS, NO. 21/NO. 26, A
CALIFORNIA LIMITED PARTNERSHIP, a
California limited partnership; NATION'S
GIANT HAMBURGERS NO. 22, A
CALIFORNIA LIMITED PARTNERSHIP, a
California limited partnership; NATION'S
GIANT HAMBURGERS NO. 23, A
CALIFORNIA LIMITED PARTNERSHIP, a
California limited partnership; NATION'S
GIANT HAMBURGERS, NO. 25, A
CALIFORNIA LIMITED PARTNERSHIP, a
California limited partnership; NATION'S
GIANT HAMBURGERS NO. 27, A
CALIFORNIA LIMITED PARTNERSHIP, a
California limited partnership; NATION'S
GIANT HAMBURGERS NO. 28, A
CALIFORNIA LIMITED PARTNERSHIP, a
California limited partnership; NATION'S
GIANT HAMBURGERS NO. 29, A
CALIFORNIA LIMITED PARTNERSHIP, a
California limited partnership; NATION'S
GIANT HAMBURGERS NO. 30, A
CALIFORNIA LIMITED PARTNERSHIP, a
California limited partnership; NATION'S
GIANT HAMBURGERS NO. 31, A
CALIFORNIA LIMITED PARTNERSHIP, a
California limited partnership; and DOES 1
through 10, inclusive,

Defendants.

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1 8. The Court approves a Service Award of \$10,000.00 to Sereena Villa.

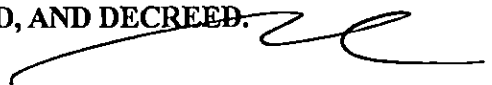
2 9. The Court appoints CPT Group, Inc. to serve as the Settlement Administrator and
3 approves costs of administration estimated at \$10,500.00.

4 10. This Judgment shall be binding on all Aggrieved Employees as defined in the
5 Settlement and the State of California, who are hereby barred by the doctrine of *res judicata* from re-
6 litigating the Settled Claims during the Settlement Period, comprising: All claims, rights, or causes of
7 action for PAGA civil penalties predicated on the claims, allegations, contentions, and representations
8 asserted in the Action, during the Settlement Period, against Defendants and the Released Parties,
9 including, but not limited to, claims seeking civil penalties under PAGA that are based on the alleged
10 violations by Defendants of the California Labor Code (including, but not limited to, California Labor
11 Code §§ 201, 202, 203, 204, 210, 221, 223, 224, 225.5, 226, 226.3, 226.7, 256, 510, 512, 516, 551, 552,
12 558, 1174, 1174.5, 1182.12, 1194, 1194.5, 1197, 1197.1, 1198, 2699, 2699.3, 2699.5, 2802, 6401, and
13 6403) and the corresponding sections of the IWC Orders that were alleged, or reasonably could have
14 been alleged, based on the facts in the Complaint and Notice to the LWDA. *See Arias v. Superior Court*,
15 46 Cal. 4th 969, 986 (2009) (holding that a judgment in a representative action brought by an aggrieved
16 employee under PAGA is binding not only on the named employee plaintiff but also on state labor law
17 enforcement agencies and any aggrieved employee not a party to the proceeding).

18 11. Without affecting the finality of the Order and Judgment, the Court shall retain exclusive
19 and continuing jurisdiction under California Code of Civil Procedure § 664.6, over the above-captioned
20 action and the parties for purposes of enforcing the terms of the Judgment and the Settlement.

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22 **IT IS SO ORDERED, ADJUDGED, AND DECREED.**

23 Date 8/12/22



Hon. Barbara Kronlund
San Joaquin County Superior Court Judge

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PROOF OF SERVICE

I am employed in the State of California, County of Los Angeles. I am over the age of 18 and not a party to the within suit; my business address is 1875 Century Park East, Suite 1000, Los Angeles, California 90067.

On August 10, 2022, I served the document(s) described as: **[PROPOSED] ORDER APPROVING THE PARTIES' PAGA SETTLEMENT AGREEMENT AND ENTERING JUDGMENT** on the interested parties in this action by sending [] the original [✓] a true copy thereof [✓] to interested parties as follows [or] [] as stated on the attached service list:

Jennifer Katz
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Jack Sholkoff
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Attorneys for:
NATION'S FOOD SERVICE, INC.;
NATION'S GIANT HAMBURGERS NO. 2;
NATION'S GIANT HAMBURGERS, NO. 5;
NATION'S GIANT HAMBURGERS NO. 6;
NATION'S GIANT HAMBURGERS NO. 7;
NATION'S GIANT HAMBURGERS NO.
9/NO.8;
NATION'S GIANT HAMBURGERS NO. 11;
NATION'S GIANT HAMBURGERS, NO. 14;
NATION'S GIANT HAMBURGERS NO.15;
NATION'S GIANT HAMBURGERS NO. 19;
NATION'S GIANT HAMBURGERS NO. 20;
NATION'S GIANT HAMBURGERS, NO.
21/NO. 26;
NATION'S GIANT HAMBURGERS NO. 22;
NATION'S GIANT HAMBURGERS NO. 23;
NATION'S GIANT HAMBURGERS, NO. 25;
NATION'S GIANT HAMBURGERS NO. 27;
NATION'S GIANT HAMBURGERS NO. 28;
NATION'S GIANT HAMBURGERS NO. 29;
NATION'S GIANT HAMBURGERS NO. 30;
and
NATION'S GIANT HAMBURGERS NO. 31

[] **BY MAIL (ENCLOSED IN A SEALED ENVELOPE):** I deposited the envelope(s) for mailing in the ordinary course of business at Los Angeles, California. I am "readily familiar" with this firm's practice of collection and processing correspondence for mailing. Under that practice, sealed envelopes are deposited with the U.S. Postal Service that same day in the ordinary course of business with postage thereon fully prepaid at Los Angeles, California.

[X] **BY E-MAIL:** I hereby certify that this document was served from Los Angeles, California, by e-mail delivery on the parties listed herein at their most recent known e-mail address or e-mail of record in this action.

[] **BY FAX:** I hereby certify that this document was served from Los Angeles, California, by facsimile delivery on the parties listed herein at their most recent fax number of record in this action.

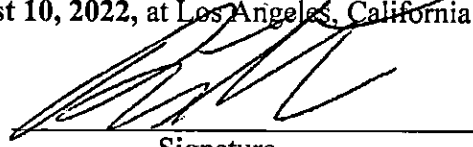
[] **BY PERSONAL SERVICE:** I caused delivery of the document(s), enclosed in a sealed

envelope, by hand via ProLegal Network to the offices of the addressee(s) named herein.

☐ **BY OVERNIGHT DELIVERY:** I am "readily familiar" with this firm's practice of collection and processing correspondence for overnight delivery. Under that practice, overnight packages are enclosed in a sealed envelope with a packing slip attached thereto fully prepaid. The packages are picked up by the carrier at our offices or delivered by our office to a designated collection site.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on August 10, 2022, at Los Angeles, California.

Riley McIntire
Type or Print Name


Signature