

Envelope: 13216757

FILED  
October 19, 2023  
Clerk of the Court  
Superior Court of CA  
County of Santa Clara

21CV384796

By: rwalker

**SUPERIOR COURT OF THE STATE OF CALIFORNIA**

**COUNTY OF SANTA CLARA**

THOMAS HEFNER, as an individual on behalf  
of himself and all similarly situated,

Plaintiff,

v.

SOLARAY, LLC, a California limited liability  
company; SOLARAY SUNGLASSES, LLC, a  
Delaware limited liability company; and DOES  
1 through 50, inclusive,

Defendants.

Case No.: 21CV384796

[Assigned for all purposes to the Honorable Sunil  
R. Kulkarni, Department 1]

**CLASS AND REPRESENTATIVE ACTION**

**[PROPOSED] AMENDED FINAL  
JUDGMENT**

1 Plaintiff Thomas Hefner's ("Plaintiff") unopposed Motion for Final Approval of Class and PAGA  
2 Action Settlement came before this Court for hearing on January 12, 2023 at 1:30 p.m., in Department 1,  
3 at which time the Court granted final approval.

4 Plaintiff submitted the Declaration of Kevin Lee Regarding Settlement Notice Administration  
5 ("Declaration of Kevin Lee"), dated October 3, 2023, providing the Court with a final report on the  
6 settlement administration process.

7 The Court, having granted final approval of the Settlement Agreement, and having received and  
8 reviewed the Declaration of Kevin Lee, HEREBY ORDERS THAT FINAL JUDGMENT BE ENTERED  
9 AS FOLLOWS:

10 1. The Settlement Agreement shall be enforced according to its terms.

11 2. The Court has certified a Settlement Class, as that term is defined in and by the terms of  
12 the Settlement Agreement, consisting of all non-exempt Route Sales Representatives, Route Service  
13 Representatives, and Route Relief Representatives who are employed or have been employed by  
14 Defendant Solaray, LLC and who worked in California at any time from July 27, 2017, through and  
15 including August 8, 2022.

16 3. The Court finds there are a total of 67 participating Settlement Class Members.

17 4. A total of \$56,250 was paid to the California Labor and Workforce Development Agency  
18 as its share of the settlement of civil penalties.

19 5. A total of \$5,995 was paid to Phoenix Settlement Administrators for its fees and expenses  
20 in administering the Settlement.

21 6. A total of \$7,500 was paid to Plaintiff for his Enhancement Payment.

22 7. A total of \$250,000 was paid to Class Counsel for attorneys' fees and \$14,370.22 was paid  
23 to Class Counsel for litigation costs.

24 8. The total settlement amount paid to the Settlement Class Members was \$415,884.78.

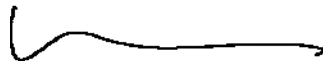
25 9. All settlement checks were valid for 180 days from the date of issuance. The check cashing  
26 period ended on September 13, 2023. As of September 13, 2023, there were three outstanding settlement  
27 checks totaling \$6,552.72 that were not cashed, which have been cancelled. This amount constitutes  
28 unpaid cash residue or unclaimed or abandoned Settlement Class Member funds. The Court now orders,

1 pursuant to the terms of the Settlement Agreement and Code of Civil Procedure section 384, that the  
2 unpaid cash residue or unclaimed or abandoned Settlement Class Member funds, plus any accrued interest  
3 that has not otherwise been distributed pursuant to Order of the Court, be transmitted to the State  
4 Controller's Office – Unclaimed Property Fund, as soon as permitted by the State Controller.

5 10. The Court hereby enters final judgment. Without affecting the finality of this order or the  
6 entry of judgment in any way, the Court retains jurisdiction of all matters relating to the interpretation,  
7 administration, implementation, effectuation, and enforcement of this order and the Settlement.

8 **IT IS SO ORDERED AND JUDGMENT IS HEREBY ENTERED.**

9  
10 Dated: 10/19/2023

  
\_\_\_\_\_  
Hon. Sunil R. Kulkarni  
Santa Clara County Superior Court