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

TERESA BOND, JESSE ZAMARRIPA,
individually, and on behalf of other members
of the general public similarly situated;
REYNEIRO LARIOS, individually, and on
behalf of other aggrieved employees pursuant
to the California Private Attorneys General
Act,

Plaintiffs,

vs.

HANGER, INC., an unknown business
entity; HANGER ORTHOPEDIC GROUP,
INC., an unknown business entity; HANGER
PROSTHETICS & ORTHOTICS, INC., a
Delaware corporation; HANGER
PROSTHETICS & ORTHOTICS WEST,
INC., a California corporation; HANGER
FABRICATION NETWORK, LLC, an
unknown business entity; and DOES 2
through 100, inclusive,

Defendants.

Case No.: 34-2021-00303204-CU-OE-GDS

Honorable Lauri A. Damrell
Department 22

CLASS ACTION

**[PROPOSED] FINAL APPROVAL
ORDER AND JUDGEMENT**

Date: April 19, 2024
Time: 9:00 a.m.
Department: 22

Complaint Filed: June 23, 2020
FAC Filed: December 27, 2022
Trial Date: None Set

1 This matter has come before the Honorable Lauri A. Damrell in Department 22 of the
2 above-entitled Court, located at 720 Ninth Street, Sacramento, California 95814, on Plaintiffs’
3 Teresa Bond, Jesse Zamarripa, and Reyneiro Larios (collectively, “Plaintiffs”) Motion for Final
4 Approval of Class Action Settlement, Attorneys’ Fees and Costs, and Incentive Awards (“Motion
5 for Final Approval”). Lawyers for Justice, PC appeared on behalf of Plaintiffs, and Littler
6 Mendelson, P.C. appeared on behalf of Defendants Hanger, Inc., Hanger Orthopedic Group, Inc.,
7 Hanger Prosthetics & Orthotics, Inc., Hanger Prosthetics & Orthotics West, Inc., and Hanger
8 Fabrication Network, LLC (collectively, “Defendants”).

9 On October 23, 2023, the Court entered the Order Granting Preliminary Approval of Class
10 Action Settlement (“Preliminary Approval Order”), thereby preliminarily approving the settlement
11 of the following actions: *Teresa Bond. v. Hanger Prosthetics & Orthotics, Inc.*, Superior Court of
12 California for the County of Riverside, Case No. RIC2002278 (“*Bond* Action”) and *Reyneiro*
13 *Larios, et al. v. Hanger, Inc., et al.*, Superior Court of California for the County of Sacramento,
14 Case No. 34-2021-00303204-CU-OE-GDS (“*Larios* Action”) (together, the “Actions”) in
15 accordance with the Joint Stipulation of Class Action and PAGA Settlement and Release
16 (“Agreement”), which, together with the exhibits annexed thereto, set forth the terms and
17 conditions for settlement of the Actions.

18 Having reviewed the Settlement Agreement and duly considered the parties’ papers and
19 oral argument, and good cause appearing,

20 **THE COURT HEREBY ORDERS, ADJUDGES, AND DECREES AS FOLLOWS:**

21 1. All terms used herein shall have the same meaning as defined in the Settlement
22 Agreement and the Preliminary Approval Order.

23 2. This Court has jurisdiction over the claims of the Class Members asserted in this
24 proceeding and over all parties to the Actions.

25 3. The Court finds that the applicable requirements of California Code of Civil
26 Procedure section 382 and California Rule of Court 3.769, *et seq.* have been satisfied with respect
27 to the Class and the Settlement. The Court hereby makes final its earlier provisional certification
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1 of the Class for settlement purposes, as set forth in the Preliminary Approval Order. The Class is
2 hereby defined to include:

3 All current and former hourly, non-exempt employees of Defendants in
4 California at any time during the period from June 23, 2016 through
September 8, 2022 (“Class” or “Class Members”).

5 4. The Court Approved Notice of Class Action Settlement (“Class Notice”) that was
6 provided to the Class Members and PAGA Group Members, fully and accurately informed the
7 Class Members of all material elements of the Settlement and of their opportunity to participate
8 in, object to or comment thereon, or to seek exclusion from, the Class Settlement; was the best
9 notice practicable under the circumstances; was valid, due, and sufficient notice to all Class
10 Members; and complied fully with the laws of the State of California, the United States
11 Constitution, due process and other applicable law. The Class Notice fairly and adequately
12 described the Settlement and provided the Class Members with adequate instructions and a variety
13 of means to obtain additional information.

14 5. Pursuant to California law, the Court hereby grants final approval of the Settlement
15 and finds that it is reasonable and adequate, and in the best interests of the Class as a whole. More
16 specifically, the Court finds that the Settlement was reached following meaningful discovery and
17 investigation conducted by Lawyers *for* Justice, PC (“Class Counsel”); that the Settlement is the
18 result of serious, informed, adversarial, and arms-length negotiations between the parties; and that
19 the terms of the Settlement are in all respects fair, adequate, and reasonable. In so finding, the
20 Court has considered all of the evidence presented, including evidence regarding the strength of
21 Plaintiffs’ claims; the risk, expense, and complexity of the claims presented; the likely duration of
22 further litigation; the amount offered in the Settlement; the extent of investigation and discovery
23 completed; and the experience and views of Class Counsel. The Court has further considered the
24 absence of Notices of Objection to the Class Settlement. Accordingly, the Court hereby directs
25 that the Settlement be affected in accordance with the Settlement Agreement and the following
26 terms and conditions.

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1 6. A full opportunity has been afforded to the Class Members to participate in the
2 Final Approval Hearing, and all Class Members and other persons wishing to be heard have been
3 heard. The Class Members also have had a full and fair opportunity to exclude themselves from
4 the Class Settlement. Accordingly, the Court determines that all Class Members other than those
5 members of the Settlement Class who do not submit a timely and valid Request for Exclusion
6 (“Settlement Class Members”) are bound by the Class Settlement and by this order and judgment
7 (“Final Approval Order and Judgment”), and the State of California and all current and former
8 hourly, non-exempt employees of Defendants in California at any time during the period from
9 April 5, 2020 through September 8, 2022 (“PAGA Period”) (“PAGA Group Members”) are bound
10 by the PAGA Settlement and this Final Approval Order and Judgment.

11 7. The Court finds that allocation of \$450,000.00 toward penalties under the
12 California Private Attorneys General Act of 2004 (“PAGA Allocation”), is fair, reasonable, and
13 appropriate, and hereby approved. The Settlement Administrator shall distribute the PAGA
14 Allocation as follows: the amount of \$337,500.00 to the California Labor and Workforce
15 Development Agency (“LWDA Payment”), and the amount of \$112,500.00 to be distributed to
16 the PAGA Group Members on a *pro rata* basis (i.e., Individual PAGA Payments), in accordance
17 with the terms and methodology set forth in the Agreement.

18 8. The Court finds that payment of Administration Fees in the amount of \$9,995.00 is
19 appropriate for the services performed and costs incurred and to be incurred for the notice and
20 settlement administration process. It is hereby ordered that the Settlement Administrator,
21 Simpluris, Inc., shall issue payment to itself in the amount of \$9,995.00, in accordance with the
22 terms and methodology set forth in the Agreement.

23 9. The Court finds that the Incentive Awards sought are fair and reasonable for the
24 work performed by Plaintiffs on behalf of the Class, the State of California, and PAGA Group
25 Members. It is hereby ordered that the Settlement Administrator issue payment in the amount of
26 \$10,000.00 each to Plaintiffs Teresa Bond, Jesse Zamarripa, and Reyneiro Larios for their
27 Incentive Awards, according to the terms and methodology set forth in the Agreement.

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1 10. The Court finds that the request for attorneys' fees in the amount of \$750,000.00 to
2 Class Counsel falls within the range of reasonableness, and the results achieved justify the award
3 sought. The requested attorneys' fees to Class Counsel are fair, reasonable, and appropriate, and
4 are hereby approved. It is hereby ordered that the Settlement Administrator issue payment in the
5 amount of \$750,000.00 to Class Counsel for attorneys' fees, in accordance with the terms and
6 methodology set forth in the Agreement.

7 11. The Court finds that reimbursement of litigation costs and expenses in the amount
8 of \$24,994.34 to Class Counsel is reasonable, and hereby approved. It is hereby ordered that the
9 Settlement Administrator issue payment in the amount of \$24,994.34 to Class Counsel for
10 reimbursement of litigation costs and expenses, in accordance with the terms and methodology set
11 forth in the Agreement.

12 12. The Court hereby enters Judgment by which Settlement Class Members shall be
13 conclusively determined to have given a release of any and all Released Class Claims against the
14 Released Parties, and the State of California and all PAGA Group Members shall be conclusively
15 determined to have given a release of any and all Released PAGA Claims against the Released
16 Parties, as set forth in the Agreement and Class Notice.

17 13. It is hereby ordered that Defendant shall deposit the Gross Settlement Amount and
18 Employer Taxes into an account established by the Settlement Administrator within thirty (30)
19 calendar days of the Effective Date, in accordance with the terms and methodology set forth in the
20 Agreement.

21 14. It is hereby ordered that the distribution of Individual Settlement Payments to
22 Settlement Class Members, Individual PAGA Payments to PAGA Group Members, the Attorneys'
23 Fees and Costs to Class Counsel, the Incentive Awards to Plaintiffs, and Administration Fees to
24 the Settlement Administrator shall occur no later than seven (7) calendar days of the funding of
25 the Gross Settlement Amount by Defendants to the Settlement Administrator, in accordance with
26 the terms and methodology set forth in the Agreement.

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1 15. Individual Settlement Payments and Individual PAGA Payments checks shall be
2 valid and negotiable for one hundred eighty (180) calendar days after mailing by the Settlement
3 Administrator, and thereafter, shall be canceled. Subject to Court approval, funds (and any interest
4 accrued thereon) associated with such canceled checks shall be transmitted to the *cy pres*, Saint
5 John's Program for Real Change, in accordance with California Code of Civil Procedure section
6 384. Settlement Class Members whose Individual Settlement Payments checks are cancelled shall,
7 nevertheless, be bound to the Class Settlement. PAGA Group Members whose Individual PAGA
8 Payments checks are cancelled shall, nevertheless, be bound to the PAGA Settlement.

9 16. After entry of this Final Approval Order and Judgment, pursuant to California Rules
10 of Court, Rule 3.769(h), the Court shall retain jurisdiction to construe, interpret, implement, and
11 enforce the Settlement Agreement and this Final Approval Order and Judgment, to hear and
12 resolve any contested challenge to a claim for settlement benefits, and to supervise and adjudicate
13 any dispute arising from or in connection with the distribution of settlement benefits.

14 17. Notice of entry of this Final Approval Order and Judgment shall be given to the
15 Settlement Class Members and PAGA Group Members by posting a copy of the Final Approval
16 Order and Judgment on the Settlement Administrator's website for a period of at least sixty (60)
17 calendar days after the date of entry of this Final Approval Order and Judgment. Individualized
18 notice is not required.

19 18. A Final Compliance Hearing is set for _____ at _____
20 a.m/p.m. in Department 22. Class Counsel shall submit a final accounting report regarding the
21 status of the settlement administration at least five (5) court days prior to the Final Compliance
22 Hearing.

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24 Dated: _____

Honorable Lauri A. Damrell
Judge of the Superior Court