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Attorneys for Plaintiffs and all aggrieved employees

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA CLARA

WILLIAM GIRARD, an individual, on behalf
of himself and others similarly situated,

PLAINTIFF,

v.

OFFICE DEPOT, INC.; and DOES 1 thru 50,
inclusive,

DEFENDANTS.

Case No. 19CV351584

[Case Assigned for All Purposes to Hon.
Socrates Manoukian in Dept. 20]

**[PROPOSED] ORDER GRANTING
APPROVAL OF THE REPRESENTATIVE
ACTION SETTLEMENT**

Date: TBD

Time: TBD

Dept.: 20

Complaint Filed: July 18, 2019

FAC Filed: January 6, 2022

Trial Date: None Set

ORDER

Having considered Plaintiffs' Motion for Approval of PAGA Settlement, and all legal authorities and documents submitted in support thereof, IT IS HEREBY ORDERED that the settlement is approved subject to the following findings and orders:

1. The Court finds the PAGA Settlement Agreement ("Agreement") to be fair, reasonable, and adequate. The terms of the Agreement are hereby approved.¹

2. The releases and waivers set forth in the Agreement are approved. By this Order, each Aggrieved Employee shall have fully, finally, and forever released, relinquished, and discharged all Released Claims as defined in the Agreement.

3. The proposed Notice of Settlement complies with due process and is approved.

4. The Court approves the Gross Settlement Amount of \$830,000.00.

5. The Court approves the PAGA Penalties in the amount of \$486,154.31.

6. The Court approves 75% of the PAGA Penalty allocation Amount be allocated to the LWDA in the amount of \$364,615.74 and 25% to the Aggrieved Employees in the amount of \$121,538.58.

7. The Court approves PAGA Counsel's request for attorneys' fees in the amount of \$276,666.66.

8. The Court approves PAGA Counsel's request for reimbursement of litigation costs in the amount of \$42,179.02.

9. The Court approves Service Enhancements of \$5,000.00 to each named Plaintiff.

10. The Court approves ILYM Group, Inc. as the Court-appointed Settlement Administrator. ILYM Group, Inc. shall be paid pursuant to the Agreement for the services it provides in administering the Settlement, and the Court approves the settlement administration costs of \$15,000.00.

11. The Parties are ordered to carry out the terms of the Agreement.

12. Pursuant to C.C.P. §664.6, the Court shall have and retain continuing jurisdiction

¹ Unless otherwise defined herein, all capitalized terms shall have the meaning assigned to them in the Settlement.

over this action and the Parties and the Aggrieved Employees, including after the entry of this Order, to the fullest extent necessary to interpret, enforce and effectuate the terms and intent of the Agreement and this Order.

IT IS SO ORDERED.

DATED: _____

JUDGE OF THE SUPERIOR COURT

(PROOF OF SERVICE)
[CCP 1013(a)(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 years and not a party to the within action. My business address is 16133 Ventura Boulevard, Suite 1200, Encino, California 91436.

On January 31, 2023, I served all interested parties in this action the following documents described as: **[PROPOSED] ORDER GRANTING APPROVAL OF THE REPRESENTATIVE ACTION SETTLEMENT** by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

MORGAN, LEWIS & BOCKIUS LLP

Barbara J. Miller
Kevin J. Bohm
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Costa Mesa, CA 92626-7653
barbara.miller@morganlewis.com
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MORGAN, LEWIS & BOCKIUS LLP

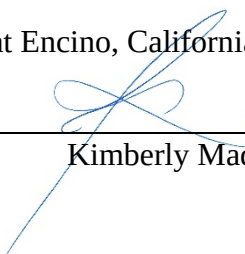
Sheryl K. Horwitz
300 South Grand Avenue Twenty-Second Floor
Los Angeles, CA 90071-3132
sheryl.horwtiz@morganlewis.com

[XX] BY ELECTRONIC SERVICE: I caused a true and correct copy thereof to be electronically filed using the Labor and Workforce Development Agency Electronic Filing ("EF") System (<https://dir.tfaforms.net/315>) and service was completed by electronic means by transmittal of the documents referenced herein on the EF System.

[XX] (BY ELECTRONIC MAIL TRANSMISSION): I caused the document to be send to the persons at the e-mail address(es) listed on the attached service list. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful. A pdf copy of which was sent via email to the above email address(es).

[XX] (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on January 31, 2023, at Encino, California.



Kimberly Madrid