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

JAMES PACKES, in a Representative capacity
only, and on behalf of other members of the
public similarly situated,

Plaintiff,

vs.

SCHOOL OF ROCK, LLC., a Delaware
Corporation and DOES 1-10, inclusive,

Defendants.

Case No. 30-2021-01217507-CU-OE-CXC

**[AMENDED PROPOSED] ORDER: (1)
GRANTING FINAL APPROVAL OF
CLASS ACTION SETTLEMENT AND (2)
ENTERING JUDGMENT**

[Assigned for all purposes to
The Honorable Randall J. Sherman,
Dept. CX-105]

Date:	July 28, 2023
Time:	10:00 a.m.
Dept:	CX105
Judge:	Hon. Randall J. Sherman

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 Plaintiff JAMES PACKES' Unopposed Motion for Final Approval of (1) Class Action
3 Settlement; (2) Attorneys' Fees and Costs; and (3) Class Representative Enhancement, in the above-
4 captioned matter, came on for hearing before this Court on July 28, 2023 at 10:00 a.m. Sullivan &
5 Yaeckel Law Group, APC appeared on behalf of Plaintiffs and the Class; Daugherty Lordan LLP
6 appeared on behalf of Defendant. On good cause shown, and pursuant to the authority of California
7 statutory and case law, this Court finds that the settlement between Plaintiffs and Defendants was
8 made in good faith and is fair, reasonable and adequate. The Court grants the motion and enters
9 judgment consistent with the following:
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11 **IT IS HEREBY ORDERED THAT:**

- 12
- 13 1. Plaintiffs' Motion for Final Approval of (1) Class Action Settlement; (2) Attorneys' Fees and
14 Costs; and (3) Class Representative Enhancement Award, is hereby granted.
 - 15 2. Pursuant to this Court's Preliminary Approval Order of January 6, 2023 the Notice of Class
16 Action Settlement (the "Class Notice") was sent to the Class, which was previously certified in
17 this Court's Preliminary Approval Order, in the manner specified by the parties Joint Stipulation
18 of Class & PAGA Action Settlement and Release ("Settlement Agreement."). (The Settlement
19 Agreement is on file with the Court's Register of Actions # 31 as **Exhibit 1.**) The Class Notice
20 informed the Class of the terms of the Settlement, their right to receive their proportional share
21 of the Settlement by not opting out, their right to request exclusion, and their right to object to
22 the Settlement. Adequate periods of time were provided by each of these procedures.
 - 23 3. Because Defendant exercised its open to "de-escalate" the Settlement (pursuant to paragraph 47
24 of the Settlement Agreement) the Final Settlement Class is defined as:
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1 “All current and former hourly non-exempt persons employed by Defendant School of Rock,
2 LLC and SOR Schools VI, LLC, in the State of California between April 1, 2018, though
3 November 19, 2021.”

- 4 4. Out of a total of 126 Class Members who were sent notice, One (1) has requested exclusion and
5 “Opted-Out” of the settlement. The one opt-out has been identified by the Settlement
6 Administrator as Thomas Harrison.
- 7 5. Zero (0) members of the Class objected to the Settlement.
- 8 6. The Court finds and determines that this notice procedure afforded adequate protections to Class
9 Members and fully and accurately informed the class of all material aspects of the settlement.
10 The Court finds and determines that the notice provided in this case was the best notice
11 practicable, which satisfied the requirements of law and due process.
- 12 7. The Court further finds and determines that the terms of the Settlement are fair, reasonable and
13 adequate to the Class and to each Class Member. The Class Members who have not expressly
14 sent a request for exclusion (“Opt-Out”), will be bound by the Settlement. All PAGA Members
15 will be bound by the Settlement. The Settlement is ordered finally approved, and that all terms
16 and provisions of the Settlement should be and hereby are ordered to be consummated.
- 17 8. The Court finds and determines that the Settlement sums to be paid to the Class Members as
18 provided for by the Settlement are fair and reasonable. The Court hereby gives final approval to
19 and orders the payment of those amounts be made to the Class Members in accordance with the
20 terms of the Settlement.
- 21 9. The Court finds the payment of \$18,000.00 (75% Share of \$24,000.00 allocation) to the Labor
22 and Workforce Development Agency (“LWDA”) in settlement of the LWDA’s share of the
23 penalties alleged by Plaintiff and compromised under the Settlement is fair and reasonable.
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1 10. The Court finds and determines that the Class Representative Enhancement Payment to Plaintiff,
2 James Packes, in the sum of \$5,000.00 in consideration for his service as the Class
3 Representative, is fair and reasonable. The Court hereby gives final approval to and orders that
4 the payment of the Enhancement be paid as provided by the Settlement Agreement.
5

6 11. The Court finds and determines that the total payment to the Claims Administrator, CAC Services
7 Group LLC, in the sum of \$3,000.0. for claims administration expenses in completing its duties
8 pursuant to the terms of the Settlement is fair and reasonable. The Court hereby gives final
9 approval to and orders that the payment of said amount be paid from the as provided for by the
10 Settlement Agreement.
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12 12. The Court finds and determines that the payment of \$80,000.00 as Class Counsel's Attorney's
13 Fees and request for \$8,652.22 for costs of litigation, is fair and reasonable. The Court hereby
14 gives final approval to and orders those amounts to be paid to the Sullivan & Yaeckel Law Group,
15 APC, out of the total settlement amount in accordance with the terms of the Settlement
16 Agreement.
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18 13. All "Released Claims" against Defendants by the "Class Members"(as these terms are defined
19 the parties' Settlement Agreement) that have been, or might have been, asserted by any Class
20 Member who did not timely submit a Request for Exclusion, in accordance with the terms of the
21 Settlement Agreement, are hereby released.

22 14. Accordingly, the Court enters this judgment consistent with the above and the parties' Settlement
23 Agreement.
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25 15. The Settlement Administrator will post a copy of this Order and Judgment on its website.

26 16. Pursuant to California Rules of Court, rule 3.769(h), this Court retains jurisdiction over the
27 parties to enforce this judgment.
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1 17. The parties are to return for a Final Report Hearing on _____ at 10:00 a.m.
2 in department CX-105. Papers are due 16 Court days prior to this hearing date.
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4 **IT IS SO ORDERED, ADJUDGED, AND DECREED.**
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7 DATED: _____

8 Hon. Randall J. Sherman
9 Orange County Superior Court Judge
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