

FILED
Superior Court of California
County of Los Angeles

02/28/2023

David W. Slayton, Executive Officer / Clerk of Court

By: C. Crow Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES – STANLEY MOSK COURTHOUSE

DANIEL DOMINGUEZ GUZMAN, an
individual,

Plaintiff,

vs.

NATIONAL FREIGHT LOGISTICS LLC, a
California limited liability company; STEVE
FREGOSO, an individual; and DOES 1 through
50, inclusive,

Defendants.

CASE NO. 21STCV27337

*Assigned for all purposes to the
Honorable Upinder S. Kalra, Dept. 51*

**~~[PROPOSED]~~ ORDER APPROVING
PRIVATE ATTORNEYS GENERAL ACT
SETTLEMENT AND JUDGMENT**

[Notice of Unopposed Motion and Motion for
Approval of PAGA Settlement; Declarations of
Rana Nader, ILYM Group, Inc., and Plaintiff
Daniel Dominguez Guzman Filed Concurrently]

Hearing (Reservation ID: 652308481293)

Date: February 28, 2023
Time: 9:00 a.m.
Dept.: 51

Complaint Filed: July 26, 2021
Trial Date: March 21, 2023

~~PROPOSED~~ ORDER

The Court has reviewed and considered the Unopposed Motion for Approval of Private Attorneys General Act Representative Action Settlement (“Motion”) filed by Plaintiff Daniel Dominguez Guzman (“Plaintiff”), on behalf of himself and all other aggrieved employees. Pursuant to Labor Code Section 2699, subdivision (l)(2), based on Plaintiff’s Motion, all filings related to the Unopposed Motion, all other papers filed in this action, arguments of counsel, and good cause appearing therefor,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

The Court hereby GRANTS the unopposed Motion and approves the settlement of claims under the California Private Attorneys General Act of 2004, California Labor Code § 2698 et seq. (“PAGA”) reached by Plaintiff and Defendants National Freight Logistics LLC and Steve Fregoso, (collectively, “Defendants” and together with Plaintiff, the “Parties”). The Court hereby enters final judgment in accordance with the terms of the Parties’ PAGA Settlement Agreement in the gross settlement amount of \$254,125.00 Of this amount, \$83,861.25 is awarded as attorneys’ fees paid to Plaintiff’s counsel; \$5,119.35 is awarded as litigation costs paid to Plaintiff’s counsel; \$10,000.00 is awarded to Plaintiff as a service award and general release payment; and \$5,500.00 is awarded as administrative costs paid to the settlement administrator, ILYM Group, Inc. The net remainder (\$149,644.40) will be paid 75% to the LWDA (\$112,233.30) and 25% to the PAGA aggrieved employees (\$37,411.10) in accordance with Labor Code § 2699, subdivision (i).

This Judgment incorporates by reference the terms in the Settlement Agreement and all terms defined therein shall have the same meaning as set forth in the Settlement Agreement.

This Judgment intended to be a final disposition in its entirety of the above captioned action. Without affecting the finality of this judgment in any way, the Court retains jurisdiction of all matters relating to the interpretation, administration, implementation, effectuation, and enforcement of the Settlement pursuant to Code of Civil Procedure Section 664.6.

///

///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

All future hearing dates are vacated.

DATED: 02/28/2023, 2023



A handwritten signature in black ink, appearing to read "Upinder S. Kalra".

Upinder S. Kalra / Judge

HONORABLE UPINDER S. KALRA
LOS ANGELES COUNTY SUPERIOR COURT JUDGE

PROOF OF SERVICE

At the time of service, I was over 18 years of age and not a party to this action. My business address is 10880 Wilshire Boulevard, Suite 1101 Los Angeles, California 90024.

On December 27, 2022, I served the following document(s): [PROPOSED] ORDER APPROVING PRIVATE ATTORNEYS GENERAL ACT SETTLEMENT AND JUDGMENT on the following person(s):

Defendants National Freight Logistics LLC and Steve Fregoso

Hannah Sweiss, Esq.

Vana Ebrahimi, Esq.

Anh Tran

Fisher & Phillips LLP

21600 W Oxnard St | Suite 650| Woodland Hills, CA 91367

Email: hsweiss@fisherphillips.com

E-Mail: vebrahimi@fisherphillips.com

Email: atran@fisherphillips.com

Email: apreciado@fisherphillips.com

Email: nmartinez@fisherphillips.com

Email: saphillips@fisherphillips.com

The documents were served by the following means:

☒ **BY ELECTRONIC TRANSMISSION.** Based on an agreement of the parties to accept service by electronic transmission, I electronically served the document(s) to the person(s) at the electronic service address(es) listed above.

☐ **BY OVERNIGHT DELIVERY.** I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses in the attached Proof of Service List. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

☐ **BY FAX TRANSMISSION.** Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax number(s) listed above. No error was reported by the fax machine that I used.

☐ **BY MESSENGER SERVICE.** I served the documents by placing them in an envelope or package addressed to the persons at the addresses listed in the attached Proof of Service List and providing them to a professional messenger service for service.

☐ **BY UNITED STATES MAIL.** I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses in the attached Proof of Service List:

☐ deposited the sealed envelope with the United States Postal Service, with the postage fully prepared.

☐ placed the envelope for collection and mailing, following our ordinary business

1 practices. I am readily familiar with this business's practice for collecting and processing
2 correspondence for mailing. On the same day that correspondence is placed for collection and
3 mailing, it is deposited in the ordinary course of business with the United States Postal Service,
4 in a sealed envelope with postage fully prepaid.

5 I am a resident of and employed in the county where the mailing occurred. The envelope or
6 package was placed in the mail at Los Angeles, California.

7 ☐ **BY PERSONAL SERVICE.** I personally delivered the documents to the persons at the
8 addresses listed in the attached Proof of Service List. (1) For a party represented by an attorney,
9 delivery was made (a) to the attorney personally; or (b) by leaving the documents at the attorney's
10 office, in an envelope or package clearly labeled to identify the attorney being served, with a
11 receptionist or an individual in charge of the office; or (c) if there was no person in the office with
12 whom the notice or papers could be left, by leaving them in a conspicuous place in the office between
13 the hours of nine in the morning and five in the evening. (2) For a party, delivery was made to the
14 party or by leaving the documents at the party's residence with some person not younger than 18
15 years of age between the hours of eight in the morning and six in the evening.

16 I declare under penalty of perjury under the laws of the State of California, that the foregoing
17 is true and correct.

18 Executed on December 27, 2022 at Los Angeles, California.

19 

20 _____
21 Rana Nader
22
23
24
25
26
27
28