

FILED
Clerk of the Superior Court

JUL 05 2022

By: R. Wills

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

JOSE JIMENEZ, in a Representative capacity
only, and on behalf of other members of the
general public similarly situated,

Plaintiff,

v.

FOUR CORNERS CONCRETE INC., a
California Corporation; and DOES 1-10,
inclusive

Defendants

CASE NO. 37-2021-00032412-CU-OE-CTL

**[PROPOSED] ORDER APPROVING PAGA
SETTLEMENT & ENTRY OF JUDGMENT**

Date: July 5, 2022

Time: 8:30 a.m.

Dept.: C-72

Judge: Hon. Timothy Taylor

1 TO ALL PARTIES HEREIN AND THEIR ATTORNEYS OF RECORD:

2 Plaintiff JOSE JIMENEZ, in a Representative capacity only, and on behalf of other members
3 of the public similarly situated, *Ex Parte* Application re Enforcement of Settlement was heard in
4 Department C-72 of the above-entitled Court on July 5, 2022, at 8:30 a.m.

5 Having read and considered the application filed by Plaintiff's Counsel, any opposition thereto,
6 and the arguments of the parties, the Court finds there are sufficient grounds to grant Plaintiff's
7 Application in this matter. Accordingly, good cause appearing therefore,

8 **IT IS ORDERED THAT:**

9 The Court has reviewed and approves the terms of the parties settlement pursuant to the Private
10 Attorneys General Act (PAGA);

11 1) The Court approves the parties proposed allocations set forth in the moving papers.
12 Specifically, the Court approves the Gross Settlement Amount of \$90,000.00 which is
13 broken down as follows:

- 14 - \$3,000.00 Settlement Administrator Fees;
15 - \$30,000.00 Attorneys' Fees
16 - \$1,500.00 Costs of Litigation
17 - \$55,500.00 Total PAGA Penalty. 75% shall be assigned and transmitted to
18 the LWDA as penalties. The remaining 25% shall be allocated
19 to the PAGA employees.

20 2) In all other respects, Judgment is entered in accordance with the terms of the parties'
21 PAGA Settlement Agreement, which was attached to the declaration of Eric K.
22 Yaeckel that was filed with the Court on July 1, 2022.

23 3) As noted in the Settlement Agreement, a judgment in this representative action brought
24 by an aggrieved employee under the Labor Code Private Attorneys General Act of 2004
25 is binding not only on the named plaintiff but also on government agencies and any
26 aggrieved employee not a party to this proceeding.

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4) The Court will retain jurisdiction over the parties to enforce the settlement until performance in full of the terms of the settlement pursuant to Code of Civil Procedure section 664.6.

IT IS SO ORDERED.

Dated: 7-5-2022

Timothy B. Taylor
HONORABLE TIMOTHY TAYLOR
JUDGE OF THE SUPERIOR COURT