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11 Attorneys for Defendant

12 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
13 FOR THE COUNTY OF SAN BERNARDINO  
14

15 CARLOS JULIAN MARTINEZ as a proxy of  
the State of California on behalf of aggrieved  
16 employees,

17 Plaintiffs,

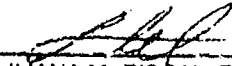
18 v.

19 DPI SPECIALTY FOODS, INC.,

20 Defendants.  
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**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SAN BERNARDINO  
SAN BERNARDINO DISTRICT

NOV 14 2022<sup>e</sup>

BY   
LILIANA MARICCAL, DEPUTY

Case No: CIVSB2206492

[Assigned for All Purposes to the Hon.  
Winston Keh]

~~PROPOSED~~ ORDER APPROVING  
STIPULATION OF PAGA SETTLEMENT  
AND ENTERING FINAL JUDGMENT

~~PROPOSED~~ ORDER APPROVING PAGA SETTLEMENT AND ENTERING FINAL JUDGMENT

1 The Court has received and considered the application of Plaintiff Carlos Julian Martinez  
2 as aggrieved employee acting as private attorneys general under the Labor Code Private  
3 Attorneys General Act of 2004, § 2698, *et seq.* ("PAGA") for approval of the Private Attorney  
4 General Act Settlement Agreement ("Settlement Agreement" or "Settlement") entered into  
5 between Plaintiff on behalf of the state of California as a private attorney general pursuant to  
6 PAGA and Defendant DPI Specialty Foods, Inc. ("Defendant"). The Court and hereby Approves  
7 the Representative PAGA Settlement.

8 **NOW THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED:**

9 The Court hereby enters FINAL JUDGMENT in favor of Plaintiff and the Aggrieved  
10 Employees in the amount of \$95,000.00 (the "Settlement Payment") for Plaintiff's claims for  
11 PAGA penalties under Labor Code § 2699 for violations of Labor Code §§ 201-204, 210, 226(a)-  
12 (f), 226.3, 226.7, 510, 512, 1174, 1182.12, 1194, 1194.2, 1197, 1197.1, 1198, 1198.5, 1199,  
13 1199.5, 2802, or 2810.5, Wage Order No. 16, and all causes of action for civil penalties as set  
14 forth in the Complaint and PAGA Notice, filed May 24, 2021, and as amended. The Judgment is  
15 awarded and allocated as follows:

- 16 (a) PAGA Counsel's attorney fee and costs request of \$30,000.00;  
17 (b) the remainder of the Settlement Payment after deducting the item (a)  
18 herein shall be designated as PAGA Penalties, which are estimated to be \$65,000 and  
19 will be allocated between the LWDA and the Aggrieved Employees pursuant to Labor  
20 Code section 2699(i) with 75% (\$48,750) paid to the LWDA and 25% (\$16,250) paid to  
21 the Aggrieved Employees on a pro rata basis as set forth in the Parties' Settlement  
22 Agreement.

23 The Defendant shall mail to each of the Aggrieved Employees the explanatory letter  
24 attached to the Settlement and hereby approved by the Court.

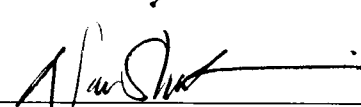
25 The San Bernardino County Superior Court shall retain jurisdiction to enforce this  
26 Agreement pursuant to California Code of Civil Procedure section 664.6. The Court shall retain  
27 continuing jurisdiction over this Lawsuit and over all Parties and aggrieved employees, to the  
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1 fullest extent to enforce and effectuate the terms and intent of this Agreement.

2 This document shall constitute a Judgment and is intended to be a final disposition of the  
3 above captioned action in its entirety, and is intended to be immediately appealable.

4 **IT IS SO ORDERED.**

5  
6 DATED: 11/14/22

  
Hon. Winston Keh  
JUDGE OF THE SUPERIOR COURT

WINSTON KEH