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Attorneys for Plaintiff

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

LETICIA BAEZ DE GUZMAN, on behalf of the
State of California and other aggrieved persons,

Plaintiff,

v.

AGROMILLORA CALIFORNIA, a California
corporation; and DOES 1 through 10, inclusive,

Defendants.

Case No.: 21CV02371

PAGA REPRESENTATIVE ACTION

*[Assigned for all purposes to: Hon. Tamara L.
Mosbarger, Dept. 1]*

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S MOTION FOR
APPROVAL OF PAGA SETTLEMENT**

*[Filed concurrently with: Plaintiff's Notice of
Motion and Motion for Approval of PAGA
Settlement; Declaration of Justin F. Marquez;
and Declaration of Plaintiff Leticia Baez de
Guzman]*

APPROVAL HEARING:

Date: September 25, 2024

Time: 9:00 a.m.

Dept.: 1

Complaint Filed: September 21, 2021

Trial date: Not Set

[PROPOSED] ORDER

This matter came on for hearing on August 31, 2024 at 9:00 a.m. in Department 1 of the above-entitled Court, the Honorable Tamara L. Mosbarger presiding. Based on the pleadings on record, all papers submitted in connection with Plaintiff's Notice of Motion and Motion to Approve PAGA Settlement (the "Motion"), and for good cause appearing, Plaintiff's Motion is GRANTED.

The Court approves the PAGA Settlement Agreement ("Settlement") entered into by Plaintiff Leticia Baez de Guzman ("Plaintiff") and Defendant Agromillora California ("Defendant" and together with Plaintiff, the "Parties"), and hereby ORDERS as follows:

1. Defendant shall pay the Gross Settlement Amount of \$155,000.00 according to the terms of the Settlement.

2. The Net Settlement Amount means the Gross Settlement Amount minus the following: (a) \$51,666.67 allocated to Attorneys' Fees; (b) \$10,000.00 allocated to litigation costs; (c) \$5,000.00 allocated to Settlement Administrator Costs; and (d) \$5,000.00 allocated to Plaintiff as a PAGA Representative Award.

(a) The Court approves payment to Plaintiff's counsel, Wilshire Law Firm, of Attorneys' Fees in the amount of Fifty-One Thousand Six Hundred Sixty-Six Dollars and Sixty-Seven Cents (\$51,666.67), to be paid from the Gross Settlement Amount.

(b) The Court approves payment to Plaintiff's counsel, Wilshire Law Firm, of litigation costs in the amount of Ten Thousand Dollars and Zero Cents (\$10,000.00), to be paid from the Gross Settlement Amount.

(c) The Court approves payment to the Settlement Administrator, Phoenix Class Action Administration Solutions, for its reasonable costs and fees to administer the Settlement, not to exceed Five Thousand Dollars and Zero Cents (\$5,000.00), to be paid from the Gross Settlement Amount.

(d) The Court approves Five Thousand Dollars and Zero Cents (\$5,000.00) to be paid to Plaintiff as a PAGA Representative Award for her efforts as a

named plaintiff and representative for other PAGA Employees and the State of California, to be paid from the Gross Settlement Amount.

3. Of the Net Settlement Amount, 75% is allocated to the California Labor and Workforce Development Agency (“LWDA”); and 25% is allocated to the Individual PAGA Payments.

4. The “PAGA Period” is defined as the period from January 20, 2020 to May 15, 2023.

5. The “Aggrieved Employees” are defined as a person employed by Defendant in California and classified as an hourly-paid or non-exempt employee who worked for Defendant during the PAGA Period. The Aggrieved Employees are bound by the release outlined in Paragraph 5.2 of the Settlement Agreement.

6. “Effective Date” means the date by when both of the following have occurred: (a) the Court enters a Judgment the Approval Order; and (b) the Judgment is final. The Judgment is final on: (1) the day the Court enters Judgment assuming no appeal is filed; or (2) if a timely appeal is filed, the date of final resolution of that appeal.

7. The Court directs Defendant to fully fund the Gross Settlement Amount by transmitting the funds to the Settlement Administrator within 14 days of the Effective Date.

8. The amount of each Aggrieved Employee’s Individual PAGA Payment will be calculated as follows: (a) the Settlement Administrator will divide the amount of the Aggrieved Employees’ share of PAGA Penalties by the total number of PAGA Period Pay Periods worked by all Aggrieved Employees during the PAGA Period; and (b) the Settlement Administrator will multiply the result in (a) by each Aggrieved Employee’s PAGA Period Pay Periods.

9. The Court directs the Parties and the Settlement Administrator to carry out the terms of the Settlement.

10. Under California Code of Civil Procedure section 664.6, the Court retains jurisdiction over the Parties to enforce the Settlement until performance in full of the Settlement’s terms.

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1 11. Plaintiff's counsel shall submit a copy of this Order to the LWDA within seven (7)
2 days of the entry of the Order.

3 12. The above-referenced action and all claims asserted by Plaintiff individually and in
4 a representative capacity are hereby dismissed with prejudice.

5 13. Plaintiff shall give notice.

6
7 DATE:

Honorable Tamara L. Mosbarger
Butte County Superior Court Judge

PROOF OF SERVICE

Baez de Guzman v. Agromillora California, et al.
21CV02371

STATE OF CALIFORNIA)
) ss
COUNTY OF LOS ANGELES)

I, Sandy S. Sespene, state that I am employed in the aforesaid County, State of California; I am over the age of eighteen years and not a party to the within action; my business address is 3055 Wilshire Blvd., 12th Floor, Los Angeles, California 90010. My electronic service address is sandy.sespene@wilshirelawfirm.com.

On September 3, 2024, I served the foregoing **[PROPOSED] ORDER GRANTING PLAINTIFF'S MOTION FOR APPROVAL OF PAGA SETTLEMENT**, on the interested parties by placing a true copy thereof, enclosed in a sealed envelope by following one of the methods of service as follows:

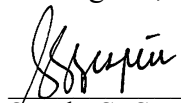
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Attorneys for Defendant Agromillora California

(X) **BY E-MAIL:** I hereby certify that this document was served from Los Angeles, California, by e-mail delivery on the parties listed herein at their most recent known email address or e-mail of record in this action.

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

Executed on September 3, 2024, at Los Angeles, California.



Sandy S. Sespene