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3 UNITED STATES DISTRICT COURT
4 NORTHERN DISTRICT OF CALIFORNIA

5 ANIETTA C. PETITT

6 Plaintiffs,

7 v.

8 EXIGENCY HEALTHCARE SERVICES,
9 LLC, FELIXBERTO O. MATAMIS, and
KAREN P. PANILIO

10 Defendants.
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No. Case No.: 5:21-cv07639-VKD

**[PROPOSED] ORDER APPROVING
SETTLEMENT OF FLSA AND PAGA
CLAIMS**

Date: December 20, 2022

Time: 1:30 p.m.

Courtroom: 2-5th Floor

Judge: Honorable Virginia K. DeMarchi

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14 The Court finds that:

- 15 1. Based on the papers submitted, the Court's file and good cause shown, the Court hereby approves
- 16 the settlement.
- 17 2. Pursuant to the FLSA, 29 U.S.C. §§ 206, the Settlement Payment to each Plaintiff's individual
- 18 claims is a fair and reasonable resolution to a bona fide dispute.
- 19 3. Pursuant to PAGA, the Settlement is hereby approved pursuant to California *Labor Code*
- 20 §2699(e)(2). Further, under PAGA, Cal. *Lab. Code* §§ 2699(l)(2), (l)(4), the Court finds that the
- 21 Labor Workforce and Development Agency ("LWDA") has been given notice of the Settlement.
- 22 In particular, on the date the Parties filed the motion seeking approval of the Settlement with the
- 23 Court, Plaintiffs submitted to the LWDA a Notice of Settlement enclosing a copy of the Settlement
- 24 Agreement. Plaintiffs' Notice of Settlement to the LWDA complying with the requirements of
- 25 PAGA.
- 26 4. As such, the payments pursuant to the Settlement Agreement can and shall be made.
- 27 5. The Court hereby retains jurisdiction over the subject matter of this litigation and over those
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persons and entities undertaking affirmative obligations under the Settlement.

6. The Settlement Payment, and the methodology used to calculate each allocation of funds stated within the Settlement Agreement is approved under Cal. *Lab. Code* § 2699(1)(2).

ACCORDINGLY, IT IS HEREBY ORDERED:

1. That the Settlement Agreement be and is hereby approved pursuant to California *Labor Code* §2699(e)(2);
2. That the Settlement Agreement be and is hereby approved release of Plaintiffs' claims under 29 U.S.C. §§ 206, 207 and 126(b) of the Fair Labor Standards Act.
3. That the Settlement Agreement shall be implemented in accordance with its terms.
4. Defendants EXIGENCY HEALTHCARE SERVICES, LLC, FELIXBERTO O. MATAMIS, and KAREN P. PANILIO shall provide the names and last known addresses, phone numbers of all known PAGA Settlement Members to the Administrator pursuant to the terms of the Settlement Agreement.
5. The Court shall retain jurisdiction to enforce the Settlement Agreement pursuant to its terms.
6. This matter be, and hereby is, dismissed with prejudice.
7. Defendants EXIGENCY HEALTHCARE SERVICES, LLC, FELIXBERTO O. MATAMIS, and KAREN P. PANILIO are to bear their own costs and fees. Plaintiff ANIETA PETITT is to recover their costs and fees as specified in the Settlement Agreement as follows:
 - a. Attorneys fees in the amount of \$53,328.00.
 - b. Costs in the Amount of \$2,805.00.

Dated:

HONORABLE VIRGINIA K. DEMARCHI