

CIV-130

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: Mark Yablonovich (SBN 186670) ; Monica Balderrama (SBN 196424) FIRM NAME: Law Offices of Mark Yablonovich STREET ADDRESS: 9465 Wilshire Boulevard, Suite 300 CITY: Beverly Hills STATE: CA ZIP CODE: 90212 TELEPHONE NO.: (310) 286-0246 FAX NO.: (310) 407-5391 EMAIL ADDRESS: Mark@Yablonovichlaw.com; Monica@Yablonovichlaw.com ATTORNEY FOR (name): Plaintiff Jill Gardner SUPERIOR COURT OF CALIFORNIA, COUNTY OF Orange STREET ADDRESS: 751 W. Santa Ana Blvd. MAILING ADDRESS: CITY AND ZIP CODE: Santa Ana, 92701 BRANCH NAME: Civil Complex Center		FOR COURT USE ONLY
PLAINTIFF/PETITIONER: Jill Gardner DEFENDANT/RESPONDENT: Vacation Resorts International, et al.		
NOTICE OF ENTRY OF JUDGMENT OR ORDER (Check one): ☒ UNLIMITED CASE (Amount demanded exceeded \$35,000) ☐ LIMITED CASE (Amount demanded was \$35,000 or less)		CASE NUMBER: 30-2021-01229216-CU-OE-CXC

TO ALL PARTIES :

- 1. A judgment, decree, or order was entered in this action on (date): March 6, 2025
- 2. A copy of the judgment, decree, or order is attached to this notice.

Date: March 7, 2025

Mark Yablonovich
(TYPE OR PRINT NAME OF ☒ ATTORNEY ☐ PARTY WITHOUT ATTORNEY)  (SIGNATURE)

PLAINTIFF/PETITIONER: Jill Gardner
 DEFENDANT/RESPONDENT: Vacation Resorts International, et al.

CASE NUMBER:
 30-2021-01229216-CU-OE-CXC

**PROOF OF SERVICE BY FIRST-CLASS MAIL
 NOTICE OF ENTRY OF JUDGMENT OR ORDER**

(NOTE: You cannot serve the Notice of Entry of Judgment or Order if you are a party in the action. The person who served the notice must complete this proof of service.)

1. I am at least 18 years old and **not a party to this action**. I am a resident of or employed in the county where the mailing took place, and my residence or business address is (*specify*):
 9465 Wilshire Boulevard, Suite 300
 Beverly Hills, CA 90212

2. I served a copy of the *Notice of Entry of Judgment or Order* by enclosing it in a sealed envelope with postage fully prepaid and (*check one*):
 - a. ☒ deposited the sealed envelope with the United States Postal Service.
 - b. ☐ placed the sealed envelope for collection and processing for mailing, following this business's usual practices, with which I am readily familiar. On the same day correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service.

3. The *Notice of Entry of Judgment or Order* was mailed:
 - a. on (*date*): March 7, 2025
 - b. from (*city and state*): Los Angeles, CA

4. The envelope was addressed and mailed as follows:

a. Name of person served: Mark Kemple, Ryan Bykerk and Jonathan Schaub Street address: 1840 Century Park East, Suite 1900 City: Los Angeles State and zip code: California 90067 b. Name of person served: Todd Scherwin, Shaun Voigt, and Lilit Vardanian Street address: 444 South Flower Street, Suite 1500 City: Los Angeles State and zip code: CA 90071	c. Name of person served: Street address: City: State and zip code: d. Name of person served: Street address: City: State and zip code:
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☐ Names and addresses of additional persons served are attached. (*You may use form POS-030(P).*)

5. Number of pages attached: 3

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

Date: March 7, 2025

Aarika Davis

(TYPE OR PRINT NAME OF DECLARANT)



(SIGNATURE OF DECLARANT)

31610815

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER

MAR 06 2025

DAVID H. YAMASAKI, Clerk of the Court

BY: _____, DEPUTY

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

JILL GARDNER, as an aggrieved employee
pursuant to the Private Attorneys General Act
("PAGA"),

Plaintiff,

v.

VACATION RESORTS INTERNATIONAL, a
California Corporation; SAN CLEMENTE INN
VACATION PLAN OWNERS
ASSOCIATION, a California Corporation; and
DOES 1 through 50, inclusive,

Defendants.

CASE NO. 30-2021-01229216-CU-OE-CXC

[Assigned for all purposes to Hon. Lon F. Hurwitz,
Dept. CX-103]

**[AMENDED PROPOSED] JUDGMENT AS TO
DEFENDANT SAN CLEMENTE INN VACATION
PLAN OWNERS ASSOCIATION ONLY**

Date: February 21, 2025
Time: 1:30 p.m.
Dept.: CX-103

Complaint Filed: November 1, 2021
FAC Filed: January 18, 2022

1 **JUDGMENT**

2 Pursuant to the Order Approving the Individual Settlement between Plaintiff Jill Gardner ("Plaintiff") and
3 Defendant San Clemente Inn Vacation Plan Owners Association ("Defendant") (together the "Parties"), it is
4 **ORDERED, ADJUDGED, AND DECREED** as follows:

5 1. Judgment in this matter as to Defendant is entered in accordance with, and incorporates by
6 reference, the findings of, the Court's Order approving of the Confidential Settlement and Release Agreement
7 ("Settlement Agreement" or "Settlement") between Plaintiff and Defendant. The Settlement Agreement is
8 attached as Exhibit 1 to the Declaration of Mark Yablonovich. (*See* ROA # 178.) Unless otherwise provided for,
9 all capitalized terms used shall have the same meaning as defined in the Settlement Agreement.

10 2. As provided by the Order, Plaintiff is barred from pursuing, or seeking to reopen, any of the
11 claims released in the Settlement Agreement as against the Released Parties, which includes San Clemente Inn
12 Vacation Plan Owners Association.¹ The Labor and Workforce Development Agency ("LWDA") is barred from
13 pursuing, or seeking to reopen, Plaintiff's individual Labor Code Private Attorneys General Act of 2004
14 ("PAGA") claims released in the Settlement Agreement as against the Released Parties, which includes
15 Defendant San Clemente Inn Vacation Plan Owners Association.

16 3. As provided by the Order and subject to the applicable laws and statute of limitations, the LWDA
17 is not barred from pursuing non-individual PAGA claims as those claims have been dismissed without prejudice
18 and employees other than Plaintiff, are not barred from pursuing PAGA claims as those claims have been
19 dismissed without prejudice.

20 4. Pursuant to California Code of Civil Procedure section 579, this Court only renders judgment as
21 to Defendant San Clemente Inn Vacation Plan Owners Association and the Released Parties. Defendant Vacation
22 Resorts International is not a part of the Settlement Agreement.

23 5. Without affecting the finality of the Judgment, the Court shall retain exclusive and continuing
24 jurisdiction over the above-captioned action and the Parties for purposes of enforcing the terms of this Judgment
25 pursuant to California Code of Civil Procedure Section 664.6.

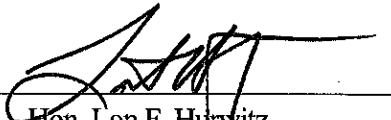
26
27 ¹ Defendant Vacation Resorts International is not part of the Settlement Agreement and no claims against
28 Defendant Vacation Resorts International are released or otherwise impacted by way of this Judgment or the
Parties' Settlement.

1 6. Except as provided for in the Settlement Agreement, the Parties shall bear their own costs, and
2 have no further liability for expenses, interest, attorneys' fees, or for any other charge, expense, or liability.

3 7. This document shall constitute a judgment.

4 **IT IS SO ORDERED, ADJUDGED, AND DECREED.**

5
6 Dated: **MAR 06 2025**


Hon. Lon F. Hurwitz
Judge of the Superior Court