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Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN BERNARDINO

GUADALUPE GUARISTA, individually, on
behalf of all others similarly situated, and on
behalf of the State of California and other
aggrieved persons; and TENISHA KATHERINE
HOWARD and JENNIFER LOPEZ-
TRIGUEROS, individually, and on behalf of all
others similarly situated,

Plaintiffs,

v.

UROLOGIC INSTITUTE OF THE HIGH
DESERT, INC., a corporation, and DOES 1
through 10, inclusive,

Defendants.

Case No.: CIVSB2125029

[Consolidated with Case No. CIVSB213340]

CLASS & REPRESENTATIVE ACTION

[Assigned to: Hon. Christian Towns, Dept.
S-26]

**[PROPOSED] JUDGMENT AND ORDER
GRANTING PLAINTIFFS' MOTION FOR
FINAL APPROVAL OF CLASS ACTION
SETTLEMENT**

FINAL APPROVAL HEARING

Date: June 2, 2025

Time: 8:30 a.m.

Dept.: S-26

Complaint filed: August 27, 2021

FAC filed: August 27, 2024

Trial date: Not set

1 On December 19, 2024, this Court granted Plaintiffs’ Motion for Preliminary Approval
2 of Class Action Settlement. Plaintiffs Guadalupe Guarista, Tenisha Katherine Howard, and
3 Jennifer Lopez-Trigueros (collectively, the “Plaintiffs”) now seek an order granting final
4 approval of the Class Action and PAGA Settlement Agreement and Class Notice (“Settlement”
5 or “Settlement Agreement”), attached to the Declaration of Arrash T. Fattahi in Support of
6 Plaintiffs’ Motion for Final Approval of Class Action Settlement as **Exhibit 1**.

7 Due and adequate notice having been given to the Class, and the Court having reviewed
8 and considered the Settlement, Plaintiffs’ Notice of Motion and Motion for Final Approval of
9 Class Action Settlement, the supporting declarations and exhibits thereto, all papers filed and
10 proceedings had herein, and the absence of any written objections received regarding the
11 proposed settlement, and having reviewed the record in this action, and good cause appearing
12 therefor,

13 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

14 1. The Court, for purposes of this Order, adopts all defined terms as set forth in the
15 Settlement filed in this case.

16 2. The Court has jurisdiction over all claims asserted in the Action, Plaintiffs, the
17 Settlement Class Members, and Defendant Urologic Institute of the High Desert, Inc.
18 (“Defendant,” and together with Plaintiffs, the “Parties”).

19 3. The Court finds on a final basis that the Settlement Agreement appears to be fair,
20 adequate, and reasonable and therefore meets the requirements for final approval. The Court
21 grants final approval of the Settlement and the Settlement Class based upon the terms set forth
22 in the Settlement Agreement between Plaintiffs and Defendant, attached to the Declaration of
23 Arrash T. Fattahi in Support of Plaintiffs’ Motion for Final Approval of Class Action Settlement
24 as **Exhibit 1**.

25 4. The Court finds that the Settlement appears to have been made and entered into in
26 good faith and hereby approves the settlement subject to the limitations on the requested fees and
27 enhancement as set forth below.

28 5. Plaintiffs and all Participating Class Members shall have, by operation of this Final

Order and Judgment, fully, finally, and forever released, relinquished, and discharged Defendant and the Released Parties from all Released Class Claims as defined and outlined in the Settlement.

6. Upon Defendant's full funding of the Gross Settlement Amount, all Participating Class Members waive, release, discharge, and promise never to assert in any forum or otherwise make a claim against any of the Released Parties for any of the Released Class Claims arising during the Class Period as defined and outlined in the Settlement.

7. The Parties shall bear their own respective attorneys' fees and costs, except as otherwise provided for in the Settlement and approved by the Court.

8. Solely for purposes of effectuating the settlement, the Court finally certified the following Class: all current and former hourly-paid employees of Defendant within the State of California at any time during the Class Period.

9. The Class Period means the period from August 27, 2017 through October 27, 2022.

10. No Class Members have objected to the terms of the Settlement.

11. No Class Members have requested to be excluded from the Settlement.

12. The Notice provided to the Class conforms with the requirements of California Rules of Court, Rules 3.766 and 3.769, and constitutes the best notice practicable under the circumstances, by providing individual notice to all Class Members who could be identified through reasonable effort, and by providing due and adequate notice of the proceedings and of the matters set forth therein to the Class Members. The Notice fully satisfies the requirements of due process.

13. The Court finds the Gross Settlement Amount, the Net Settlement Amount, and the methodology used to calculate and pay each Participating Class Member's Individual Settlement Payments are fair and reasonable and authorizes the Settlement Administrator to pay the Individual Settlement Payments to the Participating Class Members in accordance with the terms of the Settlement.

14. Defendant shall pay a total of \$200,000.00, plus all employer-side taxes, as defined in the Settlement to resolve this litigation.

1 15. From the Gross Settlement Amount, \$5,000.00 shall be paid to Plaintiff Guadalupe
2 Guarista, \$1,000.00 shall be paid to Plaintiff Tenisha Katherine Howard, and \$1,000.00 shall be
3 paid to Plaintiff Jennifer Lopez-Trigueros, for services rendered as the class representatives and
4 their agreement to generally release all claims.

5 16. From the Gross Settlement Amount, \$6,550.00 shall be paid to the Settlement
6 Administrator, ILYM Group, Inc.

7 17. The Court hereby confirms Arrash T. Fattahi of Wilshire Law Firm, PLC as Class
8 Counsel.

9 18. From the Gross Settlement Amount, Class Counsel is awarded \$66,666.67 for their
10 reasonable attorneys' fees and \$20,000.00 for their reasonable costs incurred in the Action. The
11 fees and costs shall be distributed to Class Counsel as set forth in the Settlement. The Court finds
12 that the fees are reasonable in light of the benefit provided to the Class.

13 19. Without affecting the finality of this Order in any way, this Court retains continuing
14 jurisdiction over the implementation, interpretation, and enforcement of the Settlement with
15 respect to all Parties to this action, and their counsel of record.

16 20. Plaintiffs' Motion for Final Approval of Class Action Settlement is hereby granted
17 and the Court directs that judgment shall be entered in accordance with the terms of this Order.

18 **IT IS SO ORDERED.**

19
20 DATE:

Hon. Christian Towns
Judge of the San Bernardino Superior Court

PROOF OF SERVICE

Guarista, et al. v. Urologic Institute of The High Desert, Inc., et al.
CIVSB2125029

STATE OF CALIFORNIA)
) ss
COUNTY OF LOS ANGELES)

I, Ashley Narinyans, 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 ashley.narinyans@wilshirelawfirm.com.

On **May 22, 2025**, I served the foregoing **[PROPOSED] JUDGMENT AND ORDER GRANTING PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS ACTION 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:

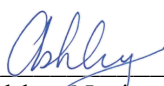
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Attorneys for Defendant

- (X) **BY UPLOAD:** I hereby certify that the documents were uploaded by my office to the State of California Labor & Workforce Development Agency Online Filing Site.
- (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 penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on **May 22, 2025** at Los Angeles, California.



Ashley Narinyans