

1
2 **SUPERIOR COURT OF STATE OF CALIFORNIA**
3 **FOR THE COUNTY OF ORANGE-CIVIL COMPLEX CENTER**
4

5 LOURDES VASQUEZ, as an individual and
6 on behalf of other similarly situated
7 employees,

8 Plaintiff,

9 vs.

10 KRC SANTA MARGARITA, LLC., a
11 California corporation, KISCO SENIOR
12 LIVING, LLC, a California corporation, and
13 DOES 1-50, inclusive,

14 Defendants.
15
16
17
18
19
20
21
22
23
24
25
26
27
28

) CASE NO: 30-2021-01238849-CU-OE-
) CXC

) Assigned For All Purposes To:
) Hon. Melissa McCormick
) Dept. CX104

) **[PROPOSED] ORDER APPROVING**
) **PLAINTIFF'S MOTION FOR ORDER**
) **APPROVING SETTLEMENT UNDER**
) **CALIFORNIA LABOR CODE SECTION**
) **2699 ET SEQ. AND JUDGMENT**
) **THEREON**

) **Hearing Date:** March 27, 2025

) **Hearing Time:** 2:00 p.m.

) **Department:** CX104

) Case filed: December 30, 2021

) Trial date: TBD
)

**[PROPOSED] ORDER APPROVING PLAINTIFF'S MOTION FOR ORDER
APPROVING SETTLEMENT UNDER CALIFORNIA LABOR CODE SECTION 2699
ET SEQ. AND JUDGMENT THEREON**

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 **HAVING CONSIDERED THE PLAINTIFF’S UNOPPOSED MOTION FOR**
3 **ORDER APPROVING SETTLEMENT UNDER CALIFORNIA LABOR CODE**
4 **SECTION 2699 ET SEQ. (“MOTION”), AND GOOD CAUSE APPEARING, the Court**
5 **finds as follows:**

6 1. The Court has approved the settlement as fair, reasonable and adequate. The
7 Plaintiff’s Unopposed Motion re Approval of Settlement of PAGA Claims is GRANTED and the
8 settlement approved.

9 2. The Court approves the following distributions:

- 10 i. Attorney’s fees in the amount of \$61,500;
11 ii. Litigation costs in the amount of \$9,769.01;
12 iii. Administration costs in the amount of \$4,950; and
13 iv. Taking the above distributions into account, from the Gross Settlement
14 Amount of \$205,000, \$128,780.99 remains to be distributed as provided under
15 PAGA. This amount shall be allocated 75% to the LWDA and 25% to the
16 aggrieved employees.
17

18 3. The administrator is to file a declaration no later than 16 court days before the final
19 accounting hearing date to confirm that the distribution of funds to aggrieved employees is
20 complete.

21 4. The PAGA Settlement Agreement is attached hereto as Exhibit 1. The Amendment to
22 PAGA Settlement Agreement is attached hereto as Exhibit 2. The Notice Re Court Approved
23 PAGA Settlement is attached hereto as Exhibit 3.

24 5. The Settlement Administrator is Phoenix Settlement Administrators.

25 6. The Court will retain jurisdiction to enforce the settlement pursuant to Civil
26 Procedure Code section 664.6.
27

28 **[PROPOSED] ORDER APPROVING PLAINTIFF’S MOTION FOR ORDER
APPROVING SETTLEMENT UNDER CALIFORNIA LABOR CODE SECTION 2699
ET SEQ. AND JUDGMENT THEREON**

1 7. Phoenix Settlement Administrators shall post this Order and Judgment on its
2 dedicated website for this action.

3 8. The Final Accounting hearing shall occur on May 21, 2026 at 9:00 a.m. Plaintiff's
4 counsel shall submit a final administrator's report at least 9 court days before the hearing,
5 addressing the status of the settlement administration, including the actual amounts paid to the
6 aggrieved employees and the other amounts distributed under the settlement, including any
7 uncashed checks.

8 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED,** that this Court Approval
9 Order and Judgment shall be entered for the Plaintiff and Defendant incorporating the terms and
10 conditions as set forth in the Court's Order issued on _____.

11 **IT IS SO ORDERED.**

12 DATED: _____
13

14 _____
15 Honorable Melissa McCormick
16 Orange County Superior Court Judge
17
18
19
20
21
22
23
24
25
26
27

28 **[PROPOSED] ORDER APPROVING PLAINTIFF'S MOTION FOR ORDER
APPROVING SETTLEMENT UNDER CALIFORNIA LABOR CODE SECTION 2699
ET SEQ. AND JUDGMENT THEREON**