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Attorneys for Plaintiff Ryan Gentile, individually and on behalf of
all others similarly situated.

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ORANGE

RYAN GENTILE, individually and on behalf of
all others similarly situated,

Plaintiff,

vs.

HOMESIDE FINANCIAL, LLC; and DOES 1
through 20, inclusive,

Defendants.

Case No. 30-2021-01217575-CU-OE-CXC

*Assigned for all purposes to
Hon. Melissa R. McCormick, Dept. CX104*

**NOTICE OF RULING GRANTING
MOTION FOR FINAL APPROVAL OF
CLASS ACTION SETTLEMENT**

1 **TO ALL PARTIES HEREIN, THEIR ATTORNEYS OF RECORD, AND THE**
2 **LABOR & WORKFORCE DEVELOPMENT AGENCY:**

3 **PLEASE TAKE NOTICE** that on August 15, 2024, the Court granted Plaintiff's Motion
4 for Final Approval of Class Acton and PAGA Settlement. A true and correct copy of the Court's
5 Minute Order is attached hereto as **Exhibit A**. A true and correct copy of the Court's Judgment is
6 attached hereto as **Exhibit B**.

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9 Dated: September 6, 2024

AEGIS LAW FIRM, PC

10 By: /s/ Jessica L. Campbell
11 Jessica L. Campbell
12 Attorneys for Plaintiff Ryan Gentile
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EXHIBIT A

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF ORANGE
CIVIL COMPLEX CENTER**

MINUTE ORDER

DATE: 08/15/2024 TIME: 02:00:00 PM DEPT: CX104

JUDICIAL OFFICER PRESIDING: Melissa R. McCormick

CLERK: V. Harting

REPORTER/ERM: None

BAILIFF/COURT ATTENDANT: I. Olivares

CASE NO: **30-2021-01217575-CU-OE-CXC** CASE INIT.DATE: 08/24/2021

CASE TITLE: **Gentile vs. Homeside Financial, LLC**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Other employment

EVENT ID/DOCUMENT ID: 74264135

EVENT TYPE: Motion for Final Approval

MOVING PARTY: Ryan Gentile

CAUSAL DOCUMENT/DATE FILED: Motion - Other For Final Approval, 11/16/2023

APPEARANCES

Julia Toscano, from AEGIS LAW FIRM, present for Plaintiff(s) remotely.

Catherine Brackett, from Ogletree Deakins Nash Smoak Stewart, present for Appellant, Defendant (s) remotely.

Related Cases:

2021-01217575 – *Gentile vs. Homeside Financial, LLC*

2021-01230333 – *Gentile vs. Homeside Financial, LLC*

Hearing held, all participants appearing remotely.

Tentative Ruling posted on the Internet.

All parties submit on the Court's tentative ruling.

The Court confirms the tentative ruling as follows:

Plaintiff's Motion for Final Approval of Class Action and PAGA Settlement

The court has reviewed and considered the papers, including the supplemental papers, filed in support of plaintiff's motion for final approval of a \$376,000 class action and PAGA settlement. The court grants the motion as follows:

\$5,000.00 for enhancement award to plaintiff;

\$125,333.33 for attorneys' fees;

\$14,551.94 for litigation costs;

\$6,250.00 for settlement administration costs; and

\$25,000.00 total PAGA penalties (\$18,500.00 to the LWDA)

The final accounting hearing is scheduled for August 14, 2025 at 9:00 a.m. in Department CX104.

Plaintiff is ordered to give notice, including to the LWDA, and to file a proof of service.

EXHIBIT B

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

RYAN GENTILE, individually and on
behalf of all others similarly situated,

Plaintiff,

vs.

HOMESIDE FINANCIAL, LLC,

Defendant.

Case No. 30-2021-01217575-CU-OE-CXC

*Assigned for all purposes to
Hon. Melissa R. McCormick, Dept. CX104*

**ORDER AND JUDGMENT GRANTING
FINAL APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT**

1 This matter came on for hearing on August 15, 2024 at 2:00 p.m., in Department
2 CX104 of the above-captioned Court on the Motion for Final Approval of Class Action and
3 PAGA Settlement pursuant to California Rule of Court 3.769, this Court's Order Granting
4 Preliminary Approval filed August 17, 2023 and the Joint Stipulation of Settlement
5 ("Settlement Agreement"), a copy of which was filed in conjunction with the Plaintiff's Motion
6 for Preliminary Approval of Class Action and PAGA Settlement. ROA 133.

7 Having received and considered the Settlement Agreement, the supporting papers filed
8 by the Parties, and the evidence and argument received by the Court in conjunction with the
9 unopposed Motion for Preliminary Approval of Class Action and PAGA Settlement granted
10 August 17, 2023, and the instant unopposed Motion for Final Approval, the Court grants final
11 approval of the Settlement and HEREBY ORDERS AND MAKES THE FOLLOWING
12 DETERMINATIONS:

13 1. Pursuant to the Order Granting Preliminary Approval, a Notice Packet was sent
14 to each Settlement Class Member by first-class mail. These papers informed the Settlement
15 Class of the terms of the Settlement, their right to receive an Individual Settlement Payment,
16 their right (a) to comment on or object to the Settlement, (b) to request exclusion from the
17 Settlement and pursue their own remedies, and (c) of their right to appear in person or by
18 counsel at the final approval hearing and to be heard regarding approval of the Settlement.
19 Adequate periods of time were provided by each of these procedures. No member of the Class
20 filed written objection to the proposed Settlement as part of this notice process or stated an
21 intention to appear at the final approval hearing.

22 2. The Court finds and determines that this notice procedure afforded adequate
23 protections to Settlement Class Members and provides the basis for the Court to make an
24 informed decision regarding approval of the Settlement based on the responses of the
25 Settlement Class. The Court finds and determines that the notice provided in this case was the
26 best notice practicable, which satisfied the requirements of law and due process.

27 3. With respect to the Settlement Class and for purposes of approving this
28 Settlement only, this Court finds and concludes that: (a) the members of the Settlement Class

1 are ascertainable and so numerous that joinder of all members is impracticable; (b) there are
2 questions of law or fact common to the Settlement Class, and there is a well-defined community
3 of interest among members of the Settlement Class with respect to the subject matter of the
4 Action; (c) the claims of Class Representative Roberto Carranza is typical of the claims of the
5 members of the Settlement Class; (d) the Class Representative has fairly and adequately
6 protected the interests of the members of the Settlement Class; (e) a class action is superior to
7 other available methods for an efficient adjudication of this controversy; and (f) the counsel of
8 record for the Class Representative, i.e., Class Counsel, are qualified to serve as counsel for
9 Plaintiff in their individual and representative capacities for the Class.

10 4. The Court has certified a Settlement Class, as that term is defined in and by the
11 terms of the Settlement Agreement as all current and former non-exempt employees of
12 Defendant Homeside Financial, LLC and all current and former Senior Loan Officers – Outside
13 Sales and Loan Officers – Outside Sales who worked in California from February 27, 2017
14 through October 14, 2022.

15 5. The Court hereby confirms Aegis Law Firm, PC as Class Counsel.

16 6. The Court hereby confirms Plaintiff Ryan Gentile as the Class Representative in
17 this Action.

18 7. The Court finds and determines that the terms set forth in the Settlement
19 Agreement are fair, reasonable, and adequate and directs the Parties to effectuate the Settlement
20 according to its terms, having found that the Settlement was reached as a result of informed and
21 non-collusive arm's-length negotiations facilitated by a neutral mediator. The Court also finds
22 that the Settlement will enable the Parties to avoid additional and potentially substantial
23 litigation costs, as well as delay and risks if the Parties were to continue to litigate the case.

24 8. The Court further finds and determines that the terms of the Settlement are fair,
25 reasonable, and adequate to the Settlement Class and to each Settlement Class Member and that
26 the Settlement is ordered finally approved, and that all terms and provisions of the Settlement
27 should be and hereby are ordered to be consummated.

28 9. The Court hereby approves the Gross Settlement Amount of \$376,000.00

1 10. The Court orders payment to the California Labor and Workforce Development
2 Agency of \$18,750.00 as set forth in the Settlement Agreement as its share of the settlement of
3 civil penalties in this case is fair, reasonable, and appropriate. The Court hereby gives final
4 approval to and orders that the payment of that amount be paid in accordance with the
5 Settlement Agreement.

6 11. The Court finds and determines that the fees and expenses in administrating the
7 Settlement incurred by Phoenix Class Action Settlement Administrators, in the amount of
8 \$6,250.00, are reasonable. The Court hereby gives final approval to and orders that the
9 payment of that amount in accordance with the Settlement.

10 12. The Court finds and determines the Class Representative Enhancement Award
11 of \$5,000.00 for Plaintiff Ryan Gentile is reasonable. The Court hereby orders the
12 Administrator to make this payment to the Plaintiff/Class Representative in accordance with
13 the terms of the Settlement Agreement.

14 13. Pursuant to the terms of the Settlement, and the authorities, evidence and
15 argument submitted by Class Counsel, the Court hereby awards Class Counsel attorneys' fees
16 in the sum of \$125,333.33 and actual litigation costs of \$14,551.94. The Court finds such
17 amounts to be reasonable. The Court hereby orders the Settlement Administrator to make
18 these payments in accordance with the terms of the Settlement Agreement.

19 14. Without affecting the finality of this order and judgment or the entry of
20 judgment in any way, the Court retains jurisdiction of all matters relating to the interpretation,
21 administration, implementation, effectuation, and enforcement of this order and judgment and
22 the Settlement pursuant to Civil Procedure Code section 664.6.

23 15. Neither Defendant nor any related persons or entities shall have any further
24 liability for costs, expenses, interest, attorneys' fees, or for any other charge, expense, or
25 liability, except as provided for by the Settlement Agreement.

26 16. Neither the making of the Settlement Agreement nor the entry into the
27 Settlement Agreement constitutes an admission by Defendants, nor is this order and judgment a
28 finding of the validity of any claims in this case or of any other wrongdoing. Further, the

1 Settlement Agreement is not a concession, and shall not be used as an admission of any
2 wrongdoing, fault, or omission of any entity or persons; nor may any action taken to carry out
3 the terms of the Settlement Agreement be construed as an admission or concession by or against
4 Defendants or any related person or entity.

5 17. Nothing in this order and judgment shall preclude any action to enforce the
6 Parties' obligations under the Settlement or under this order and judgment, including the
7 requirement that Defendants make payment to the participating Settlement Class Members in
8 accordance with the Settlement.

9 18. Upon completion of administration of the Settlement, the Settlement
10 Administrator will provide written certification of such completion to the Court and counsel
11 for the Parties which shall be filed with the Court five (5) court days before the final
12 accounting hearing set for August 14, 2025 at 9:00 a.m. in Dept. CX104.

13 19. The Court hereby enters final judgment in accordance with the terms of the
14 Settlement Agreement, the Order and Judgment Granting Preliminary Approval of Class
15 Action and PAGA Settlement filed on August 17, 2023, and this Order and Judgment.

16 20. The Court hereby orders the Settlement Administrator to post this order and
17 judgment on its website for 180 days.

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

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20 DATED: August 15, 2024



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22 Melissa R. McCormick
23 JUDGE OF THE SUPERIOR COURT
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