

Edwin Aiwazian (SBN 232943)
Arby Aiwazian (SBN 269827)
Joanna Ghosh (SBN 272479)
Yasmin Hosseini (SBN 326399)
LAWYERS for JUSTICE, PC
410 West Arden Avenue, Suite 203
Glendale, California 91203
Tel: (818) 265-1020 / Fax: (818) 265-1021

Attorneys for Plaintiff and the Class

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO**

CHRISTOPHER MEJIA, individually, and on
behalf of other members of the general public
similarly situated and on behalf of other
aggrieved employees pursuant to the California
Private Attorneys General Act;

Plaintiff,

vs.

TP-LINK USA CORPORATION DBA TP-
LINK NORTH AMERICA, INC., a California
corporation; and DOES 1 through 100,
inclusive,

Defendants.

Case No.: CIVDS1906246

Honorable David S. Cohn
Department S26

CLASS ACTION

**[PROPOSED] FINAL APPROVAL
ORDER AND JUDGMENT**

Date: December 6, 2022
Time: 10:00 a.m.
Department: S26

Complaint Filed: February 27, 2019
FAC Filed: July 6, 2022
Trial Date: None Set

1 This matter has come before the Honorable David Cohn in Department S26 of the above-
2 entitled Court, located at 247 W 3rd Street, San Bernardino, California 92415, on Plaintiff
3 Christopher Mejia's ("Plaintiff") Motion for Final Approval of Class Action Settlement,
4 Attorneys' Fees, Costs, and Enhancement Payment ("Motion for Final Approval"). Lawyers *for*
5 Justice, PC appeared on behalf of Plaintiff, and LTL Attorneys LLP appeared on behalf of
6 Defendant TP-Link Corporation dba TP-Link North America, Inc. ("Defendant").

7 On July 6, 2022, the Court entered the Order Granting Preliminary Approval of Class
8 Action Settlement ("Preliminary Approval Order"), thereby preliminarily approving the settlement
9 of the above-entitled action ("Litigation") in accordance with the Joint Stipulation of Class Action
10 and PAGA Settlement ("Settlement," "Agreement," or "Settlement Agreement"), which, together
11 with the exhibits annexed thereto, set forth the terms and conditions for settlement of the Litigation.

12 Having reviewed the Settlement Agreement and duly considered the parties' papers and
13 oral argument, and good cause appearing,

14 **THE COURT HEREBY ORDERS, ADJUDGES, AND DECREES AS FOLLOWS:**

15 1. All terms used herein shall have the same meaning as defined in the Settlement
16 Agreement and the Preliminary Approval Order.

17 2. This Court has jurisdiction over the claims of the Class Members asserted in this
18 proceeding and over all parties to the Litigation.

19 3. The Court finds that the applicable requirements of California Code of Civil
20 Procedure section 382 and California Rule of Court 3.769, *et seq.* have been satisfied with respect
21 to the Class and the Settlement. The Court hereby makes final its earlier provisional certification
22 of the Class for settlement purposes, as set forth in the Preliminary Approval Order. The Class is
23 hereby defined to include:

24 All current and former hourly-paid and/or non-exempt employees who worked for
25 Defendant within the State of California at any time during the period from
26 February 27, 2015 to July 6, 2022 excluding persons who have signed individual
27 settlement/termination and release agreements with Defendant ("Class" or "Class
28 Members").

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1 4. The Notice of Class Action and PAGA Settlement (“Class Notice”) that was
2 provided to the Class Members, fully and accurately informed the Class Members of all material
3 elements of the Settlement and of their opportunity to participate in the Settlement, object to or
4 comment to the Class Settlement, or to seek exclusion from the Class Settlement; was the best
5 notice practicable under the circumstances; was valid, due, and sufficient notice to all Class
6 Members; and complied fully with the laws of the State of California, the United States
7 Constitution, due process and other applicable law. The Class Notice fairly and adequately
8 described the Settlement and provided the Class Members with adequate instructions and a variety
9 of means to obtain additional information.

10 5. Pursuant to California law, the Court hereby grants final approval of the Settlement
11 and finds that it is reasonable and adequate, and in the best interests of the Class as a whole. More
12 specifically, the Court finds that the Settlement was reached following meaningful discovery and
13 investigation conducted by Lawyers *for* Justice, PC (“Class Counsel”); that the Settlement is the
14 result of serious, informed, adversarial, and arms-length negotiations between the parties; and that
15 the terms of the Settlement are in all respects fair, adequate, and reasonable. In so finding, the
16 Court has considered all of the evidence presented, including evidence regarding the strength of
17 Plaintiff’s claims; the risk, expense, and complexity of the claims presented; the likely duration of
18 further litigation; the amount offered in the Settlement; the extent of investigation and discovery
19 completed; and the experience and views of Class Counsel. The Court has further considered the
20 absence of objections to and requests for exclusion from the Class Settlement submitted by Class
21 Members. Accordingly, the Court hereby directs that the Settlement be affected in accordance with
22 the Settlement Agreement and the following terms and conditions.

23 6. A full opportunity has been afforded to the Class Members to participate in the
24 Final Approval Hearing, and all Class Members and other persons wishing to be heard have been
25 heard. The Class Members also have had a full and fair opportunity to exclude themselves from
26 the Class Settlement. Accordingly, the Court determines that all Class Members who did not
27 timely and validly opt out of the Class Settlement (“Settlement Class Member”) are bound by the
28 Class Settlement and by this order and judgment (“Final Approval Order and Judgement”), and

1 the State of California and all current and former hourly-paid and/or non-exempt employees who
2 worked for Defendant within the State of California at any time during the period from September
3 8, 2020 to July 6, 2022 (“Aggrieved Employees”) are bound by the PAGA Settlement and this
4 Final Approval Order and Judgement.

5 7. The Court finds that the settlement of the Released PAGA Claims form the total
6 amount of Fifty Thousand Dollars (\$50,000.00), which is designated and allocated as penalties
7 under the California Private Attorneys General Act of 2004 (“PAGA Allocation”), is fair,
8 reasonable, and appropriate, and hereby approve. The Settlement Administrator shall distribute the
9 PAGA Allocation as follows: the amount of \$37,500.00 to the California Labor and Workforce
10 Development Agency and the amount of \$12,500.00 to Aggrieved Employees (“Employee PAGA
11 Amount”), in accordance with the terms and methodology set forth in the Settlement Agreement.

12 8. The Court finds that payment of Administrative Costs in the amount of \$7,730.00
13 is appropriate for the services performed and costs incurred and to be incurred for the notice and
14 settlement administration process. It is hereby ordered that the Settlement Administrator,
15 Simpluris, Inc., shall issue payment to itself in the amount of \$7,730.00, in accordance with the
16 terms and methodology set forth in Settlement Agreement.

17 9. The Court finds that the Enhancement Payment sought is fair and reasonable for
18 the work performed by Plaintiff on behalf of the Class, the State of California, and Aggrieved
19 Employees. It is hereby ordered that the Settlement Administrator issue payment in the amount of
20 \$9,000.00 to Plaintiff Christopher Mejia for his Enhancement Payment, according to the terms and
21 methodology set forth in the Settlement Agreement.

22 10. The Court finds that the request for attorneys’ fees in the amount of \$166,650.00 to
23 Class Counsel falls within the range of reasonableness, and the results achieved justify the award
24 sought. The requested attorneys’ fees to Class Counsel are fair, reasonable, and appropriate, and
25 are hereby approved. It is hereby ordered that the Settlement Administrator issue payment in the
26 amount of \$166,650.00 to Class Counsel for attorneys’ fees, in accordance with the terms and
27 methodology set forth in the Settlement Agreement.

1 11. The Court finds that reimbursement of litigation costs and expenses in the amount
2 of \$34,097.01 to Class Counsel is reasonable, and hereby approved. It is hereby ordered that the
3 Settlement Administrator issue payment in the amount of \$34,097.01 to Class Counsel for
4 reimbursement of litigation costs and expenses, in accordance with the terms and methodology set
5 forth in the Settlement Agreement.

6 12. The Court hereby enters Judgment by which Settlement Class Members shall be
7 conclusively determined to have given a release of any and all Released Class Claims against the
8 Releasees, and all Aggrieved Employees and the State of California shall be conclusively
9 determined to have given a release of any and all Released PAGA Claims against the Releasees,
10 as set forth in the Settlement Agreement and Class Notice.

11 13. It is hereby ordered that Defendant shall deposit the Gross Settlement Amount
12 together with an amount sufficient to pay employer's share of taxes, into an interest-bearing trust
13 account maintained by the Settlement Administrator within twenty-one (21) calendar days after
14 the Effective Date, in accordance with the terms and methodology set forth in the Settlement
15 Agreement.

16 14. It is hereby ordered that the Settlement Administrator shall distribute Individual
17 Settlement Payments to the Settlement Class Members and Individual PAGA Payments to
18 Aggrieved Employees within thirty (30) calendar days after the Effective Date, according to the
19 methodology and terms set forth in the Settlement Agreement.

20 15. After entry of this Final Approval Order and Judgment, pursuant to California Rules
21 of Court, Rule 3.769(h), the Court shall retain jurisdiction to construe, interpret, implement, and
22 enforce the Settlement Agreement and this Final Approval Order and Judgment, to hear and
23 resolve any contested challenge to a claim for settlement benefits, and to supervise and adjudicate
24 any dispute arising from or in connection with the distribution of settlement benefits.

25 16. Notice of entry of this Final Approval Order and Judgment shall be given to the
26 Settlement Class Members and Aggrieved Employees by posting a copy of the Final Approval
27 Order and Judgment on the Settlement Administrator's website for a period of at least sixty (60)
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1 calendar days after the date of entry of this Final Approval Order and Judgment. Individualized
2 notice is not required.

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4 Dated: _____

5 HONORABLE DAVID S. COHN
6 JUDGE OF THE SUPERIOR COURT
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