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individually, and on behalf of others
similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

ALMA RODRIGUEZ, individually, and on
behalf of others similarly situated,

Plaintiff,

vs.

MERCHANTS BUILDING
MAINTENANCE, LLC, a California
limited liability company; and DOES 1
through 50, inclusive,

Defendants.

FILED
Superior Court of California
County of Los Angeles

10/23/2025

David W. Slayton, Executive Officer / Clerk of Court

By: P. Herrera Deputy

Case No. 21STCV46004

[Assigned for all purposes to the Hon. Elihu
M. Berle, Dept. 6]

**AMENDED [~~PROPOSED~~] FINAL
ORDER AND JUDGMENT**

Date: October 17, 2025
Time: 9:00 a.m.
Dept.: 6

Complaint Filed: December 17, 2021
Trial Date: None Set

[PROPOSED] AMENDED ORDER

Plaintiff Alma Rodriguez (“Plaintiff”) Motion for Approval of PAGA Settlement came on regularly for hearing on October 17, 2025, the Honorable Elihu M. Berle presiding. Having reviewed Plaintiff’s motion, the Declarations of Matthew J. Matern and Alma Rodriguez, and exhibits thereto, including the Stipulation of Representative Action Settlement (“Stipulation”), and good cause appearing therefore, the Court hereby finds and orders as follows:

1. The Court, for purposes of this Final Order and Judgment, adopts all defined terms as set forth in the Stipulation filed in this Action.

2. The Court has jurisdiction over all claims asserted in the Action, Plaintiff, the Aggrieved Employees, and defendant Merchants Building Maintenance, LLC (“Defendant”). The Aggrieved Employees consist of Plaintiff and all current and former hourly paid and/or non-exempt employees of Defendant in California at any time during the time period from September 3, 2020 through August 12, 2025.

3. This Final Order and Judgment shall be binding on all Aggrieved Employees and the Labor and Workforce Development Agency (“LWDA”), who are hereby barred by the doctrine of res judicata from re-litigating the Released Claims, as defined below. *See Arias v. Superior Court* (2009) 46 Cal.4th 969, 986 (holding that a judgment in a representative action brought by an aggrieved employee under PAGA is binding not only on the named employee plaintiff but also on state labor law enforcement agencies and any aggrieved employee not a party to the proceeding).

4. Pursuant to the California Private Attorneys General Act of 2004 (“PAGA”), Labor Code section 2699 *et seq.*, the Court approves the Settlement and finds that it is fair and reasonable and furthers PAGA’s objectives. The Court finds that notice of the Settlement has been provided to the LWDA, as required by Labor Code § 2699(1)(2).

5. Upon Defendant providing the Settlement Fund to the Settlement Administrator, all Aggrieved Employees shall be deemed to have released, on behalf of themselves and their respective former and present representatives, agents, attorneys, heirs, administrators, successors, and assigns, the Released Parties of any and all claims and/or causes of action under PAGA that

1 were alleged, or reasonably could have been alleged, based upon the factual allegations set forth
2 in the operative complaint and/or Plaintiff's PAGA notice to the LWDA and arising at any time
3 during the PAGA Period, including any and all claims based on Defendant's alleged failure to pay
4 minimum, earned, and overtime wages, provide compliant meal and rest periods and associated
5 premium payments, timely pay wages during employment and upon termination, provide
6 complaint wage statements, keep requisite payroll records, and reimburse necessary business-
7 related expenses, and alleged unlawful deductions from wages, in violation of California Labor
8 Code §§ 201, 202, 203, 204, 221, 223, 224, 226, 226.7, 510, 512, 1174, 1174.5, 1194, 1197,
9 1197.1, and 2802, and the applicable Industrial Welfare Commission Wage Order.

10 6. The Court hereby enters judgment against Defendant in the amount of
11 \$1,900,000.00.

12 7. The Court finds the Settlement Fund in the amount of \$1,900,000.00, the PAGA
13 Fund, and the methodology used to calculate and pay each Aggrieved Employee's Individual
14 Settlement Payment are fair and reasonable, and authorizes the Settlement Administrator to pay
15 the Individual Settlement Payments to Aggrieved Employees in accordance with the terms of the
16 Stipulation. The Court also authorizes the Settlement Administrator to make the PAGA payment
17 to the LWDA.

18 8. The Court finds that Plaintiff's Counsel's request for attorneys' fees in the amount
19 of \$633,333.33, which is one-third of the Settlement Fund, is reasonable under the lodestar
20 method and as a percentage of the common fund. The Court finds that the number of hours
21 Plaintiff's Counsel spent prosecuting this Action is reasonable and Plaintiff's Counsel's hourly
22 rates are reasonable and in line with rates prevailing in the community. The Court awards
23 Plaintiff's Counsel \$633,333.33 in attorneys' fees to be paid from the Settlement Fund.

24 9. The Court finds that Plaintiff's Counsel has incurred \$65,240.25 in costs and
25 expenses. Such costs and expenses were reasonably incurred in prosecuting this Action on behalf
26 of the Aggrieved Employees. The Court awards Plaintiff's Counsel \$65,240.25 in costs and
27 expenses to be paid from the Settlement Fund.
28

1 10. The Court hereby approves an Incentive Award in the amount of \$10,000.00 to
2 Plaintiff for her service as PAGA representative, to be paid from the Settlement Fund.

3 11. The Court approves Settlement Administration Costs in the amount of \$16,190.00,
4 to be paid from the Settlement Fund.

5 12. This Judgment is intended to be a final disposition of the Action and is intended to
6 be immediately appealable.

7 13. This Court shall retain jurisdiction with respect to all matters related to the
8 administration and consummation of the settlement, and any and all claims, asserted in, arising
9 out of, or related to the subject matter of the lawsuit, including but not limited to all matters
10 related to the settlement and the determination of all controversies relating thereto.

11 14. The Parties are to provide a final report and accounting by April 25, 2026. A non-
12 appearance case review hearing regarding submission of the final report is set for April 30, 2026
13 at 8:30 a.m. in Department 6, at which time the Court will consider evidence that the distribution
14 process is complete and that a final accounting may be approved.

15 15. The Court directs that a judgment shall be entered in accordance with the terms of
16 this Order.

17 IT IS SO ORDERED.

18 10/23/2025
19 DATED: _____



Elihu M. Berle

Elihu M. Berle / Judge

HON. ELIHU M. BERLE
JUDGE OF THE SUPERIOR COURT