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7 Attorneys for Plaintiffs JULIO C. ROVIRA, LORENA RENTERIA, and VIRGILIO SANTOS,
On behalf of themselves and all others similarly situated
8

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

10 **COUNTY OF ORANGE, CIVIL COMPLEX CENTER**
11

12 JULIO C. ROVIRA, individually and on
behalf of himself and all others similarly
13 situated,

14 Plaintiff,

15 v.

16 SILVERADO SENIOR LIVING
MANAGEMENT, INC., a Delaware
17 Corporation, and DOES 1-50, inclusive,

18 Defendants.
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Case No. 30-2020-01136565-CU-OE-CXC

Assigned for All Purposes to:

Hon. Lon F. Hurwitz

Dept.: CX-103

**[PROPOSED] ORDER DETERMINING
GOOD FAITH AND GRANTING FINAL
APPROVAL AND ENTRY OF JUDGMENT**

Date: February 24, 2023

Time: 1:30 p.m.

Dept. CX-103

Date Action Filed: March 5, 2020

Trial Date: N/A

1 This matter came for hearing upon Plaintiffs' unopposed application for approval of the
2 settlement set forth in the Joint Stipulation of Class Action and PAGA Settlement and Release (the
3 "Stipulation"). Due and adequate notice having been given to the Class, and the Court having
4 considered the Stipulation, all papers filed and proceedings had herein and all oral and written
5 comments received regarding the proposed settlement, and having reviewed the record in this
6 Litigation, and good cause appearing,

7 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:**

8 1. The Court, for purposes of this Order, adopts all defined terms as set forth in the
9 Stipulation filed in this case.

10 2. The Court has jurisdiction over the subject matter of the Litigation, the Class
11 Representatives, the other Members of the Settlement Class and Defendant.

12 3. The Court finds that the dissemination of the Notice of Proposed Class Action Settlement
13 as provided for in the Order Granting Preliminary Approval for the Settlement and Setting a
14 Settlement Fairness Hearing, constituted the best notice practicable under the circumstances to all
15 Persons within the definition of the Class, and fully met the requirements of California law and
16 due process under the United States Constitution. Based on evidence and other material submitted
17 in conjunction with the Settlement Hearing, the actual notice to the class was adequate.

18 4. The Court finds in favor of settlement approval.

19 5. The Court fully and finally approves the settlement of the above-captioned action, as set
20 forth in the Stipulation, each of the releases and other terms, as fair, just, reasonable and adequate
21 as to the Settling Parties. The Settling Parties are directed to perform in accordance with the terms
22 set forth in the Stipulation.

23 6. Except as to any individual claim of those Class Members who have validly and timely
24 requested exclusion from settlement (identified in Attachment A hereto), all of the Released
25 Claims are hereby released upon the Effective Date.

26 7. Except as otherwise provided in the Stipulation, the Settling Parties are to bear their own
27 costs and attorneys' fees.

28 8. Solely for purposes of effectuating this settlement, this Court has certified a class of all

1 Members of the Settlement Class, as those terms are defined in and by the terms of the Stipulation,
2 and the Court deems this definition sufficient for purposes of California Rules of Court 3.765(a)
3 and 3.771.

4 9. With respect to the Settlement Class and for purposes of approving the settlement only and
5 for no other purpose, this Court finds and concludes that: (a) the Members of the Settlement Class
6 are ascertainable and so numerous that joinder of all members is impracticable; (b) there are
7 questions of law or fact common to the Settlement Class, and there is a well-defined community of
8 interest among Members of the Settlement Class with respect to the subject matter of the non-
9 exempt claims in the Litigation; (c) the claims of the Class Representatives are typical of the
10 claims of the Members of the Settlement Class; (d) the Class Representatives have fairly and
11 adequately protected the interests of the Members of the Settlement Class; (e) a class action is
12 superior to other available methods for an efficient adjudication of this controversy; and (f) the
13 counsel of record for the Class Representatives, James Hawkins and Christina Lucio of James
14 Hawkins APLC, are qualified to serve as Class Counsel.

15 10. The Court approves the Individual Settlement amounts, which shall be distributed to
16 Participating Claimants in accordance with the formula set forth in the Stipulation.

17 11. Defendant shall pay (a) to Class Counsel attorneys' fees in the amount of \$250,000 .00 and
18 costs in the amount of \$14,813.91; (b) service award to Class Representative Rovira for his unique
19 services in the following amount: \$7,500.00, and service awards to Class Representatives Renteria
20 and Santos for their unique serves in the following amount each: \$2,500; (c) the sum of \$37,500
21 to be paid to the California Labor and Workforce Development Agency for PAGA Penalties
22 (which represents the LWDA's 75% share of the \$50,000 in PAGA Penalties paid); and (d)
23 \$15,889.68 to the Claims Administrator, ILYM Group, for its fees and costs relating to the claims
24 administration process. The Court finds that these amounts are fair and reasonable. Defendant is
25 directed to make such payments in accordance with the terms of the Stipulation and must be paid
26 to Class Members no later than fifteen (15) calendar days after the Claims Administrator receives
27 the complete funds from Defendant.

28 12. The Court reserves exclusive and continuing jurisdiction over the Litigation, the Class

1 Representatives, the Settlement Class and Defendant for the purposes of supervising the
2 implementation, enforcement, construction, administration and interpretation of the Stipulation
3 and this Judgment.

4 **IT IS SO ORDERED.**

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7 DATED:

The Honorable Lon F. Hurwitz
Judge of the Superior Court

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