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[Counsel for Farroz (Michael) Zamani on the next page]

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

CAMERON SANTA CRUZ, individually, and
on behalf of aggrieved employees pursuant to
the Private Attorneys General Act (“PAGA”);

Plaintiff,

v.

SUN WEST MORTGAGE COMPANY, INC.,
a California corporation; and DOES 1 through
100, inclusive;

Defendants.

Case No.: 30-2022-01239675-CU-OE-CXC

Assigned for All Purposes to:
Honorable Melissa R. McCormick
Department CX-104

**SUPPLEMENTAL BRIEF IN SUPPORT
OF MOTION FOR APPROVAL OF
PRIVATE ATTORNEYS GENERAL
ACT (LABOR CODE SECTIONS 2698,
ET SEQ.) SETTLEMENT AGREEMENT**

[Reservation ID: 74309732]

RELATED TO ROA NO. 233

[Supplemental Declaration of Proposed
Counsel (Douglas Han) filed concurrently
herewith]

Hearing Date: March 20, 2025
Hearing Time: 2:00 p.m.
Hearing Place: Department CX-104

Complaint Filed: January 4, 2022
Trial Date: None Set

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Attorneys for Plaintiff Farroz (Michael) Zamani in Case No. 30-2022-01255275-CU-OE-CXC

Plaintiffs Cameron Santa Cruz and Farroz (Michael) Zamani (“Plaintiffs”) provide this supplemental submission in response to the Court’s tentative ruling on the Motion for PAGA Approval originally scheduled for hearing on October 24, 2024. Prior to the Motion for PAGA Approval Hearing, the Court issued a tentative ruling ordering Plaintiffs and Defendant Sun West Mortgage Company, Inc. (“Defendant”) to make changes to the settlement documents that were submitted alongside the Motion for Approval of the PAGA Settlement Agreement.

The chart below lists each of the Court’s issues from the tentative ruling and the revisions/submissions made to address each issue.

Ruling	Revisions/Submissions
(1) Were the Amended Notice of Motion (ROA 228), the Supplemental Weber Declaration (ROA 229) and the Zamani Declaration (ROA 228) served on the LWDA? Plaintiffs must file with the court a proof of service identifying the specific documents served on the LWDA, when plaintiffs served the documents, and how service was effected.	(Second Supplemental Declaration of John Weber (“Second Supp. Weber Decl.”), ¶ 3; Exhibit 1.
(2) The Joint Stipulation of Related Case Settlement between plaintiff Santa Cruz, plaintiff Zamani and defendant Sun West Mortgage Company, Inc. (Weber Decl. (ROA 229) Ex. A) states that it “is intended to amend the Settlement Agreement and Release . . . reached in this Action (Case No. 30-2022-01239675-CU-OE-CXC), attached as Exhibit 3 to the Declaration of Douglas Han in connection with the pending Motion for	The Settlement Agreement has been amended accordingly. The explanatory letter has been modified accordingly. (Supplemental Declaration of Douglas Han in Support of Motion for Approval of the PAGA Settlement Agreement (“Supp. Han Decl.”), ¶ 4; Exhibits 2, 4.)

PAGA Settlement Approval [ROA 194], to include settlement of Case Number 30-2022-01255275-CU-OE-CXC (Zamani v. Sun West Mortgage Company, Inc.) . . . , subject to Court approval.” Is the parties’ intent that by way of the Joint Stipulation, plaintiff Zamani becomes a party to the settlement agreement between Santa Cruz and Sun West in Case No. 30-2022-01239675, such that, for example, the “plaintiff’s general release” in the settlement agreement (Settlement Agreement ¶ 9(b)) includes Zamani? The parties should address this issue in their supplemental filing and, if necessary, execute an amendment to the settlement agreement.

(3) Did plaintiff Zamani enter into a separate settlement agreement with Sun West? See Supp. Weber Decl. (ROA 229) ¶ 8. If so, the settlement agreement should be submitted to the court.

The Settlement Agreement has been amended accordingly.

(Supp. Han Decl., *supra*, at ¶ 5, Exhibits 2, 4; Second Supp. Weber Decl., *supra*, at ¶ 4.

(4) The parties should provide the estimated total amount plaintiff Santa Cruz and plaintiff Zamani, respectively, are anticipated to receive (including their individual PAGA payments and any individual settlement payments and excluding any enhancement awards).

(Supp. Han Decl., *supra*, at ¶ 6.)

(5) The parties should provide the estimated high, low and average amount of the individual PAGA payments, as well as the estimated amount of plaintiff's individual PAGA payment.	(Supp. Han Decl., <i>supra</i>, at ¶ 7.)
(6) Plaintiffs' counsel seeks an award of attorneys' fees of 35% of the gross settlement amount (<i>i.e.</i>, \$315,000). Absent unique circumstances, the court is unlikely to approve an attorneys' fees award that exceed 33 1/3% of the gross settlement amount. If unique circumstances warrant a higher award here, the parties should describe those circumstances in their supplemental filing.	(Supp. Han Decl., <i>supra</i>, at ¶ 8)
(7) The court prefers a 60-day response period for the aggrieved employees to submit disputes. Do unique circumstances warrant a shorter 45-day period here? Settlement Agreement ¶ 8(d).	The Settlement Agreement has been amended accordingly. (Supp. Han Decl., <i>supra</i>, at ¶ 9; Exhibit 2, <i>supra</i>, at § 8(d).)
(8) The dispute resolution procedure in section 8(d) of the settlement agreement should be revised to state that the settlement administrator may make the initial decisions regarding claim disputes, but that the court may review any decision made by the settlement administrator regarding a claim dispute.	The Settlement Agreement has been amended accordingly. (Supp. Han Decl., <i>supra</i>, at ¶ 10; Exhibit 2, <i>supra</i>, at § 8(d).) The explanatory letter has been modified accordingly.

	(Supp. Han Decl., <i>supra</i> , at ¶ 11; Exhibit 4, <i>supra</i> , at § VI.)
(9) The “Release of PAGA Claims” is overbroad. Releases for aggrieved employees other than plaintiffs should not release more than the civil penalties available under PAGA based on the facts alleged in the operative complaint and the notice letter to the LWDA. In addition, the phrase “any other representative, proxy, or agent thereof, including, but not limited to” should be removed.	The Settlement Agreement has been amended accordingly. (Supp. Han Decl., <i>supra</i>, at ¶ 12; Exhibit 2, <i>supra</i>, at § 9(a).) The explanatory letter has been modified accordingly. (Supp. Han Decl., <i>supra</i>, at ¶ 13; Exhibit 4, <i>supra</i>, at § VII.)
(10) Do “operative complaint” and “PAGA Notice” in section 9(a) include the operative complaint and PAGA notice letter(s) from the Zamani case?	The Settlement Agreement has been amended accordingly. (Supp. Han Decl., <i>supra</i>, at ¶ 14; Exhibit 2, <i>supra</i>, at §§ C, E.) The explanatory letter has been modified accordingly. (Supp. Han Decl., <i>supra</i>, at ¶ 15; Exhibit 4, <i>supra</i>, at § II.)
(11) All counsel, including defendant’s	The Settlement Agreement has been amended

1 2 3 4 5 6 7 8 9 10 11	counsel, should state whether, after making reasonable inquiry, counsel is aware of any class, representative or other collective action in any other court that asserts claims similar to those asserted in the action being settled (other than the Zamani case). If any such actions are known to exist, the declaration(s) shall also state the name and case number of any such case and the procedural statutes of the case, and describe the impact of the settlement on that case.	accordingly. (Supp. Han Decl., <i>supra</i> , at ¶ 16; Exhibit 2, <i>supra</i> , at § J.)
12 13 14 15 16	(12) Both plaintiffs' counsel seek recovery of postage costs and Zamani's counsel also seeks recovery of Westlaw charges. Counsel should provide legal authority for the award of these costs, or remove them.	(Supp. Han Decl., <i>supra</i> , at ¶ 17, Exhibit 6; Second Supp. Weber Decl., <i>supra</i> , at ¶ 5, Exhibit 2.)
17 18 19 20 21 22 23	(13) Plaintiff should provide invoices substantiating the Momentum ADR charge (\$5,000) and the JTC Corporation charge (\$920). Plaintiff should also provide legal authority demonstrating that postage charges may be awarded, or should remove those charges.	(Supp. Han Decl., <i>supra</i> , at ¶ 18; Exhibit 6.)
24 25 26 27	(14) The settlement administrator's estimate states the administration fees will be \$7,500 (not \$10,000). Lawrence Decl. Ex. B. The amount of settlement administration fees	The Settlement Agreement has been amended accordingly. (Supp. Han Decl., <i>supra</i> , at ¶ 19; Exhibit 2,

1 2 3 4 5 6 7	should be corrected throughout the documents.	<i>supra</i> , at § 7(b)(iii)(A).) The explanatory letter has been modified accordingly. (Supp. Han Decl., <i>supra</i> , at ¶ 20; Exhibit 4, <i>supra</i> , at § V.)
8 9	(15) The notice should be revised as necessary consistent with the above.	The explanatory letter has been modified accordingly.
10 11 12 13 14	(16) Why are two notice letters necessary? One notice letter is preferable.	The Settlement Agreement has been amended accordingly. (Supp. Han Decl., <i>supra</i> , at ¶ 21; Exhibit 2, <i>supra</i> , at § 8(f).)
15 16 17 18 19 20 21 22	(17) The settlement administrator's estimate includes a language translation charge. Lawrence Decl. Ex. B. Should the notice be translated into any language other than English? If so, a certified copy of the translated notice (together with an English-language copy) should be attached to the proposed order and judgment as an exhibit.	(Supp. Han Decl., <i>supra</i> , at ¶ 22; Exhibit 5, <i>supra</i> , at ¶ 9.)
23 24 25 26	(18) The notice should (i) provide an explanation of PAGA; (ii) describe the factual allegations of the operative complaint; (iii) describe the scope of the released claims; (iv)	The explanatory letter has been modified accordingly. (Supp. Han Decl., <i>supra</i> , at ¶ 23; Exhibit 4,

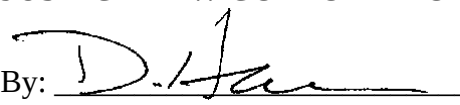
1	state the gross settlement amount, net	<i>supra</i> , at §§ I, II, V-VIII.)
2	settlement amount, and the portions allocated	
3	to the LWDA and the aggrieved employees;	
4	(v) explain how the individual payments will	
5	be calculated; (vi) describe the recipient's	
6	responsibility for any taxes payable on the	
7	amount received; and (vii) notify the	
8	aggrieved employees that they cannot opt out	
9	of the settlement and that, even if they do not	
10	cash their checks, they will be bound by the	
11	release.	
12	(19) The proposed order and judgment should	The [Proposed] Amended Order and Judgment
13	be revised as necessary consistent with the	has been revised accordingly.
14	above.	
15		(Supp. Han Decl., <i>supra</i> , at ¶ 24; Exhibit 5.)
16	(20) Counsel information should be removed	The [Proposed] Amended Order and Judgment
17	from the caption page.	has been revised accordingly.
18		
19		(Supp. Han Decl., <i>supra</i> , at ¶ 25; Exhibit 5.)
20	(21) The proposed order and judgment should	The [Proposed] Amended Order and Judgment
21	have page numbers.	has been revised accordingly.
22		
23		(Supp. Han Decl., <i>supra</i> , at ¶ 26; Exhibit 5.)
24	(22) At page 1 line 8, the second "Plaintiff"	The [Proposed] Amended Order and Judgment
25	should be removed.	has been revised accordingly.
26		

	(Supp. Han Decl., <i>supra</i> , at ¶ 27; Exhibit 5, <i>supra</i> , at p. 1.)
(23) At page 1 lines 14-15, the duplicative sentence should be removed.	The [Proposed] Amended Order and Judgment has been revised accordingly. (Supp. Han Decl., <i>supra</i> , at ¶ 28; Exhibit 5, <i>supra</i> , at p. 1.)
(24) The settlement agreement, Joint Stipulation, any amendment to the settlement agreement and the notice (including any certified translation) should be attached as exhibits to the proposed order and judgment.	The [Proposed] Amended Order and Judgment has been revised accordingly. (Supp. Han Decl., <i>supra</i> , at ¶ 29; Exhibit 5, <i>supra</i> , at p. 1, Exhibit 1.)
(25) At page 4 lines 6, 9 and 10, the phrase “not to exceed” should be removed.	The [Proposed] Amended Order and Judgment has been revised accordingly. (Supp. Han Decl., <i>supra</i> , at ¶ 30; Exhibit 5, <i>supra</i> , at ¶ 5.)
(26) Paragraphs 19 and 21 should be removed.	The [Proposed] Amended Order and Judgment has been revised accordingly. (Supp. Han Decl., <i>supra</i> , at ¶ 31; Exhibit 5, <i>supra</i> , at p. 6.)
(27) The proposed order and judgment should state how notice of entry of the judgment will be given to the aggrieved employees.	The [Proposed] Amended Order and Judgment has been revised accordingly. (Supp. Han Decl., <i>supra</i> , at ¶ 32; Exhibit 5,

1		<i>supra</i> , at ¶ 9.)
2	(28) The proposed order and judgment should	The [Proposed] Amended Order and Judgment
3	include a proposed date for the final	has been revised accordingly.
4	accounting hearing. The final accounting	
5	hearing should occur after the deadline to cash	(Supp. Han Decl., <i>supra</i> , at ¶ 33; Exhibit 5,
6	checks has expired. The court holds final	<i>supra</i> , at ¶ 21.)
7	accounting hearings on Thursdays at 9:00 a.m.	
8	The proposed order and judgment shall state	
9	that counsel shall submit a final	
10	administrator's report at least 9 court days	
11	before the hearing addressing the status of the	
12	settlement administration, including the actual	
13	amounts paid to the aggrieved employees and	
14	the other amounts distributed under the	
15	settlement, including any uncashed checks.	
16	(29) The proposed order and judgment should	The [Proposed] Amended Order and Judgment
17	include "IT IS SO ORDERED, ADJUDGED	has been revised accordingly.
18	AND DECREED" before the signature line.	
19		(Supp. Han Decl., <i>supra</i> , at ¶ 34; Exhibit 5,
20		<i>supra</i> , at p. 6.)

21 Dated: March 4, 2025

JUSTICE LAW CORPORATION

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23 By: 
24 Douglas Han
25 Attorneys for Plaintiffs
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I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 751 N. Fair Oaks Ave., Ste. 101 Pasadena, California 91103. My electronic service address is manderson@justicelawcorp.com

**SUPPLEMENTAL BRIEF IN SUPPORT OF MOTION FOR APPROVAL OF
PRIVATE ATTORNEYS GENERAL ACT (LABOR CODE SECTIONS 2698, ET SEQ.)
SETTLEMENT AGREEMENT**

on interested parties in this action by electronically submitting as follows:

**State of California
Labor & Workforce Development Agency
800 Capitol Mall, MIC-55
Sacramento, California 95814**

[X] BY ELECTRONIC SUBMISSION
Pursuant to California Senate Bill No. 836, I caused the documents described above to be electronically submitted by and through the procedure stated on the website of the State of California Labor and Workforce Development Agency.

[X] STATE
I declare under penalty of perjury under the laws of the State of California that the above
is true and correct.

Executed on March 4, 2025, at Pasadena, California.

Moin! Andreas

Mariah Anderson