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Ricardo Pantoja and Proposed Class Counsel

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE

RICARDO PANTOJA, on behalf of
himself and all others similarly situated;

Plaintiffs,

v.

SOUTH BAY SAFETY, INC., a
California Corporation; ACME
FURNITURE INDUSTRY, INC., a
California Corporation, and DOES 1
through 50 inclusive,

Defendants.

CASE NO: 21STCV38848

Assigned to the Hon. Carolyn B. Kuhl, Dept. SS-12

CLASS ACTION

**[PROPOSED] ORDER AND JUDGMENT
GRANTING FINAL APPROVAL OF CLASS
ACTION SETTLEMENT**

DATE: April 30, 2025

TIME: 10:30 a.m.

DEPT.: SSC-12

Action Filed: October 21, 2021

FILED
Superior Court of California
County of Los Angeles

04/30/2025

David W. Saylor, Executive Officer / Clerk of Court

By: L. McGrené Deputy

1 Plaintiff's Motion for an Order Granting Final Approval of Class Action Settlement came
2 before this Court on April 30, 2025. The above-captioned Action is a class action lawsuit brought
3 by Plaintiff Ricardo Pantoja ("Plaintiff") against Defendants South Bay Safety, Inc. ("South Bay")
4 and Acme Furniture Industry, Inc. ("Acme") (together, "Defendants"). Plaintiffs allege, on behalf
5 of a class of Defendants' current and former employees, that Defendants failed to pay all minimum
6 and overtime wages due, failed to provide meal and rest periods or compensation in lieu thereof,
7 failed to pay wages due timely upon separation of employment, and failed to comply with itemized
8 wage statement provisions. Defendants deny any and all alleged wrongdoing, and deny any liability
9 to the Plaintiff or to members of the Class. Defendants contend that that they have complied at all
10 times with California law, including the California Labor Code, the Industrial Commission Wage
11 Orders, and the California Business and Professions Code.

12 On July 23, 2024, this Court entered an Order Granting Preliminary Approval of Settlement
13 (the "MPA Order"), resulting in certification of the Settlement Class: all persons within the State
14 of California who are or were employed by South Bay and placed to work at Acme in a non-exempt
15 position in the State of California during the Class Period.

16 That MPA Order further directed the Parties to provide Notice to the Class, which informed
17 absent Class Members of: (a) the proposed Settlement, and the Settlement's key terms; (b) the date,
18 time and location of the Final Approval Hearing; (c) the right of any Class Member to object to the
19 proposed Settlement, and an explanation of the procedures to exercise that right; (d) the right of
20 any Class Member to exclude themselves from the proposed Settlement, and an explanation of the
21 procedures to exercise that right; and (e) an explanation of the procedures for class members to
22 participate in the proposed settlement.

23 On November 5, 2024, the Court signed the Order Granting Motion for Leave to Amend
24 Class and PAGA Action Settlement and Modify Preliminary Approval Order (the "Amended MPA
25 Order"). The Amended MPA Order granted preliminary approval of the First Amendment to
26 Settlement, including the revised Class Notice and publication notice filed with the Court.
27
28

1 The Court, upon Notice having been given as required in the MPA Order and Amended
2 MPA Order, and having considered the Parties' Class Action and PAGA Settlement Agreement
3 and Class Notice and First Amendment to Class Action and PAGA Settlement Agreement and
4 Class Notice, as well as all papers filed, hereby ORDERS, ADJUDGES AND DECREES AS
5 FOLLOWS:

6 1. This Court has jurisdiction over the subject matter of the Action and over all Parties
7 to the Action, including all members of the Settlement Class.

8 2. The Court finds that the Settlement Class is properly certified for settlement
9 purposes only.

10 3. The Notices provided to the Settlement Class conforms with the requirements of
11 California Code of Civil Procedure section 382, California Civil Code section 1781, California
12 Rules of Court 3.766 and 3.769, the California and United States Constitutions, and any other
13 applicable law, and constitutes the best notice practicable under the circumstances, by providing
14 individual notice to all Class Members who could be identified through reasonable effort, and by
15 providing due and adequate notice of the proceedings and of the matters set forth therein to the
16 Class Members. The notice fully satisfied the requirements of due process.

17 4. The Court finds the settlement was entered into in good faith, that the settlement is
18 fair, reasonable and adequate, and that the settlement satisfies the standards and applicable
19 requirements for final approval of this class action settlement under California law, including the
20 provisions of California Code of Civil Procedure section 382 and California Rules of Court, Rule
21 3.769.

22 5. The Court approves the Gross Settlement Amount of \$500,000.

23 6. Zero (0) Class Members have objected to the terms of the Settlement.

24 7. Zero (0) Class Member have requested exclusion from the Settlement.

25 8. Upon entry of this Order, compensation to the participating members of the
26 Settlement Class and all Aggrieved Employees shall be affected pursuant to the terms of the
27 Settlement Agreement.
28

1 9. In addition to any recovery that Plaintiff may receive from the Net Settlement
2 Amount, and in recognition of the Plaintiff's efforts on behalf of the Settlement Class, the Court
3 hereby approves the payment of Service Payment to Plaintiff Ricardo Pantoja in the amount of
4 Seven Thousand Five Hundred Dollars \$7,500. This shall be paid from the Gross Settlement
5 Amount.

6 10. The Court approves the payment of attorneys' fees to Class Counsel, Gaines &
7 Gaines, APLC and The Finkel Firm, in the sum of one-third of the Gross Settlement Amount
8 (\$166,666.67), and the reimbursement of litigation expenses in the sum of Eleven Thousand Three
9 Hundred Fifty-Five Dollars and Sixty-Six Cents (\$11,355.66). This shall be paid from the Gross
10 Settlement Amount. The attorney fee award is reasonable in light of the benefit obtained for the class.

11 11. The Court approves and orders payment in the amount of Fifteen Thousand Dollars
12 (\$15,000) to Phoenix Settlement Administrators for performance of its settlement administration
13 services. This shall be paid from the Gross Settlement Amount.

14 12. The Court approves and orders payment in the amount of Thirty-Seven Thousand
15 Five Hundred Dollars (\$37,500) to the California Labor and Workforce Development Agency for
16 its 75% share of PAGA penalties. This shall be paid from the Gross Settlement Amount.

17 13. The Court approves and orders payment in the amount of Twelve Thousand Five
18 Hundred Dollars (\$12,500) to Aggrieved Employees for their 25% share of PAGA penalties. This
19 shall be paid from the Gros Settlement Amount.

20 14. Upon the entry of this Order and Judgment, and subject to the occurrence of the
21 Effective Date, Plaintiff, all participating Class Members, and all Aggrieved Employees shall be
22 bound by the releases of claims as set forth in the Settlement Agreement.

23 15. This "Judgment" is intended to be a final disposition of the above captioned action
24 in its entirety, and is intended to be immediately appealable.

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1 16. This Court shall retain jurisdiction with respect to all matters related to the
2 administration and consummation of the settlement, and any and all claims, asserted in, arising out
3 of, or related to the subject matter of the lawsuit, including but not limited to all matters related to
4 the settlement and the determination of all controversies relating thereto.

5 **IT IS SO ORDERED.** A final report of the Administrator shall be filed by Feb. 10, 2026.
6 A non-appearance case review re the filing of the final report
is set for Feb. 12, 2026.

13

7 Dated: _____

8 ~~JUDGE OF THE SUPERIOR COURT~~

9 04/30/2025



11 *Carolyn B. Kuhl*

12 Carolyn B. Kuhl / Judge