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Electronically FILED by
Superior Court of California,
County of Los Angeles
1/23/2024 3:06 PM
David W. Slayton,
Executive Officer/Clerk of Court,
By M. Saxon, Deputy Clerk

11 Attorneys for Defendants
12 KAM ENTERPRISES LLC AND LEEZA JAYNE BRAZIER

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **COUNTY OF LOS ANGELES - CENTRAL DISTRICT – STANLEY MOSK**

15 CALYNDRA DAVIS, an individual,
16
17 Plaintiff,

18 vs.

19 KAM ENTERPRISES LLC DBA FARMER
20 BOYS; LEEZA JAYNE BRAZIER; and DOES 1
21 through 25, inclusive,

22 Defendants.

Case No.: 22STCV17280
Assigned to Hon. Michael P. Linfield,
Dept. 34

**NOTICE OF RULING RE:
SUPPLEMENTAL UNOPPOSED
MOTION FOR APPROVAL OF
PAGA SETTLEMENT AND
RELEASE**

DATE: January 8, 2024
TIME: 8:30am
DEPT: 34

Action Filed: May 25, 2022
Trial Date: September 18, 2023

1 **TO PLAINTIFF AND TO PLAINTIFF’S COUNSEL OF RECORD:**

2 PLEASE TAKE NOTICE that on January 8, 2024, in Department 34 of the above-
3 referenced court, the Honorable Michael P. Linfield, presiding granted Plaintiff’s Motion for
4 Approval of PAGA Settlement. Attached hereto as Exhibit 1 is a copy of the Court’s entry of Order
5 Approving PAGA Settlement.

6
7 Dated: January 23, 2024

ZALLER LAW GROUP, PC

8
9 By: 
10 Anthony J. Zaller
11 Anne McWilliams
12 Pooja V. Patel
13 Attorneys for Defendants
14 KAM ENTERPRISES LLC
15 AND LEEZA JAYNE BRAZIER
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EXHIBIT 1

01/16/2024

David W. Slayton, Executive Officer / Clerk of Court

By: R. Navarro Deputy

HAROUT MESSRELIAN (SBN: 272020)
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Attorneys for Plaintiff CALYNDRA DAVIS

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

CALYNDRA DAVIS,

Plaintiff,

vs.

KAM ENTERPRISES LLC dba FARMER
BOYS; LEEZA JAYNE BRAZIER; and
DOES 1 to 25, inclusive,

Defendant(s).

Case No.: 22STCV17280

**~~PROPOSED~~ ORDER ON SUPPLEMENTAL
UNOPPOSED MOTION FOR APPROVAL OF
PAGA SETTLEMENT AND RELEASE**

Action filed: 5/25/2022
Hearing Date: January 8, 2024
Hearing Time: 8:30am
Hearing Dept: 34, Hon. Michael P. Linfield
Reservation ID: 341812301108

~~**PROPOSED**~~ ORDER

Under Labor Code section 2699(1)(2) of the Private Attorneys General Act of 2004 ("PAGA"), the Supplemental Unopposed Motion of Plaintiff Calyndra Davis ("Plaintiff") for Approval of Settlement under PAGA came before this Court on January 8, 2024 at 8:30am.

Plaintiff's Complaint seeks civil penalties on behalf of the State of California and similarly situated aggrieved employees (the "Aggrieved Employees"), as authorized by PAGA under Labor Code § 2699, in relation to alleged violations of the predicate statutes set forth in Plaintiff's Complaint and the letters to the Labor Workforce and Development Agency "LWDA") dated November 19, 2021 (the "LWDA Letter"), on behalf of all current and former non-exempt employees of Defendants KAM Enterprises LLC dba Farmer Boys and Leeza Jayne Brazier (collectively "Defendants") from May 25, 2021 to the date of this Order, inclusive.

Under PAGA, in any action brought by an aggrieved employee, the Court "shall review and approve any settlement of any civil action filed pursuant to this part." Lab. Code § 2699(1)(2). Accordingly, the Court, having considered the proposed settlement set forth in the Settlement Agreement, including the proposed PAGA penalties, under Labor Code § 2699(1)(2), having considered the papers filed in support of the proposed settlement and the arguments of counsel, and good cause appearing, HEREBY ORDERS AS FOLLOWS:

1. The Court finds the instant Action presents a good faith dispute of the claims alleged;
2. The Court finds in favor of settlement approval, and therefore approves the Settlement of the above-captioned action, as set forth in the Settlement Agreement and each of the releases and other terms, as fair, just, reasonable, and adequate;

3. The Court finds further that Plaintiff, acting on behalf of herself and the State of California, by operation of this Order and Judgment hereby releases and forever discharges Defendants and the Released Parties (as defined in the Settlement Agreement) from any and all PAGA Released Claims (as defined in the Settlement Agreement) including penalties asserted in

1 Plaintiff's Complaint, including any and all known and unknown claims for civil penalties under the
2 Private Attorneys General Act, California Labor Code §§ 2698, *et seq.*, that arise.

3 4. The Court finds further that the foregoing release shall be binding on Plaintiff and the
4 State of California, and shall bar any claim under PAGA brought by any person, including the Aggrieved
5 Employees, on behalf of the State of California, as to the PAGA Released Claims and Released Parties.

6 5. The Parties are directed to comply with all terms of the Settlement Agreement, and
7 Defendants are directed to make all payments required by the Settlement Agreement;

8 6. Under the Settlement Agreement, Defendant agrees to pay an all-in gross amount of
9 Twenty-Five Thousand Dollars (\$25,000.00) (the "Gross Settlement Amount"). The Gross Settlement
10 Amount is inclusive of payments to the LWDA and Aggrieved Employees, Attorney's Fees and Costs,
11 and PAGA settlement administration costs. No portion of the Gross Settlement Amount will revert to
12 Defendants. Plaintiff's Counsel requests an award of attorney's fees of Eight Thousand Three-Hundred
13 Thirty-Three Dollars and Thirty-Three Cents (\$8,333.33); costs of One Thousand Six-Hundred Forty-
14 One Dollars and Twenty-Five Cents (\$1,641.25). The settlement administrator ILYM Group, Inc.
15 requests administration costs of Two Thousand Seven-Hundred Seventy-Three Dollars and Zero Cents
16 (\$2,773.00). Defendants do not oppose these requests. The Court finds the Gross Settlement Amount
17 is fair, reasonable and adequate, and approves each of these payments, and directs the Settlement
18 Administrator to make the above payments to payments from the Gross Settlement Amount as follows:
19

- 20
21 a. \$8,333.33 in attorney's fees to Messrelian Law Inc.;
22 b. \$1,641.25 in costs to Messrelian Law Inc.;
23 c. \$2,773.00 in administration costs to ILYM Group, Inc.;

24 d. After deducting the foregoing payments, the estimated remainder of approximately
25 \$12,252.42 shall form the Net Settlement Amount ("NSA"). Pursuant to Labor Code section
26 2699(i), the NSA will then be distributed 75 percent (\$9,189.31) to the LWDA, and the
27 remaining 25 percent (\$3,063.11) to the Aggrieved Employees on a pro rata basis, as set forth in
28 the Settlement Agreement. The Court approves these payments, and directs the Settlement
Administrator to issue checks to the LWDA and Aggrieved Employees, along with the Notice

1 of PAGA Settlement, as set forth in the Settlement Agreement, and to otherwise carry out its
2 duties as set forth in the Settlement Agreement; and

3 7. The entire Action is hereby DISMISSED WITH PREJUDICE as to all parties and all
4 causes of action. The Court reserves exclusive and continuing jurisdiction over the Action and the Parties
5 under Code of Civil Procedure § 664.6 for the purpose of supervising implementation, enforcement,
6 construction, administration, and interpretation of the Settlement Agreement.
7

8
9 **IT IS SO ORDERED.**

10 01/16/2024



A handwritten signature in black ink, appearing to read "Michael P. Linfield", is written over the seal.

Michael P. Linfield / Judge

HON. MICHAEL PAUL LINFIELD

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I, the undersigned, declare that I am employed in Los Angeles County, State of California. I am over the age of 18 and not a party to the within action. My business address is 999 N. Pacific Coast Highway, Suite 525, El Segundo, California 90245. On January 23, 2024, I served upon the interested party(ies) in this action, as listed below, the following document described as: **NOTICE OF RULING RE: SUPPLEMENTAL UNOPPOSED MOTION FOR APPROVAL OF PAGA SETTLEMENT AND RELEASE**

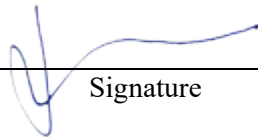
MESSRELIAN LAW INC.
Harout Messrelian, Esq.
500 N. Central Ave., Suite 840
Glendale, California 91203
hm@messrelianlaw.com
Attorneys for Plaintiff

By the following methods:

- ☐ [BY MAIL] By placing such envelope(s) with postage thereon fully prepaid into Zaller Law Group, PC interoffice mail for collection and mailing pursuant to ordinary business practice. I am familiar with the office practice of Zaller Law Group, PC for collecting and processing mail with the United States Postal Service, which practice is that such mail is deposited that same day in a mailbox maintained by the United States Postal Service in El Segundo, California.
- ☒ [BY E-MAIL OR ELECTRONIC SERVICE] I caused the documents to be sent on the date shown to the person at the email addresses listed herein based on an agreement of the parties under Code of Civil Procedure section 1010.6(b)(2), or via electronic service pursuant to court order. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.
- ☐ [BY OVERNIGHT COURIER] By placing such sealed envelope(s) into the FedEx box located at 909 N. Pacific Coast Highway, El Segundo, California 90245.
- ☐ [BY HAND DELIVERY – ACE ATTORNEY SERVICE] I, the undersigned, declare that I am employed in the aforesaid County, State of California. I am over the age of 18 and not a party to the within action. My business address is 811 Wilshire Blvd., Ste. 900, Los Angeles, CA 90017. I personally delivered a true and correct copy of the document described above in a sealed envelope(s) to the address stated above.
- ☒ [STATE] I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on January 23, 2024, in El Segundo, California.

Jennifer Wicksman
Type of Print Name


Signature