

FILED
2022 SEP 13 PM 2:12
CLERK OF THE SUPERIOR COURT
BY *Kochell Aguilar*
DEPUTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA
MERCED COUNTY-OLD MERCED COURTHOUSE

ALBERTO MAGANA SALAS, on behalf of
himself and all other aggrieved employees,

PLAINTIFF,

vs.

BOWLES FARMING COMPANY, INC., a
California corporation; and DOES 1 through
100, inclusive,

DEFENDANT.

CASE NO.: 22CV-00064

*Assigned for all purposes to the Hon. Brian
McCabe*

~~PROPOSED~~ ORDER APPROVING
PRIVATE ATTORNEYS GENERAL ACT
SETTLEMENT AND JUDGMENT

[Notice of Unopposed Motion and Motion for
Approval of PAGA Settlement; and Declarations
of Rana Nader and Plaintiff Alberto Magana Salas
Filed Concurrently]

Hearing

Date: September 12, 2022

Time: 8:15 a.m.

Courtroom: 8

Action Filed: January 5, 2022

Trial Date: None Set.

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~~PROPOSED~~ ORDER APPROVING PRIVATE ATTORNEYS GENERAL ACT SETTLEMENT
AND JUDGMENT

~~PROPOSED~~ ORDER

The Court has reviewed and considered the Unopposed Motion for Approval of Private Attorneys General Act Representative Action Settlement ("Motion") filed by Plaintiff Alberto Magana Salas ("Plaintiff"), on behalf of himself and all other aggrieved employees. Pursuant to Labor Code Section 2699, subdivision (1)(2), based on Plaintiff's Motion, all filings related to the Unopposed Motion, all other papers filed in this action, arguments of counsel, and good cause appearing therefore,

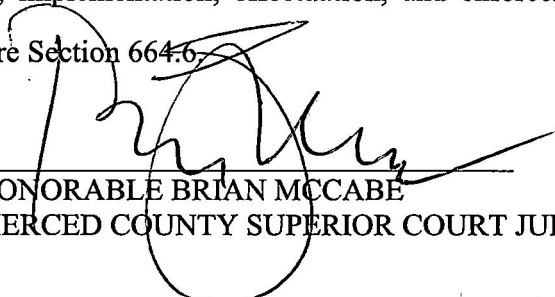
IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

The Court hereby GRANTS the unopposed Motion and approves the settlement of claims under the California Private Attorneys General Act of 2004, California Labor Code §§ 2698 *et seq.* ("PAGA") reached by Plaintiff and Defendant Bowles Farming Company, Inc. ("Defendant"), collectively, the "Parties". The Court hereby enters final judgment in accordance with the terms of the Parties' Settlement Agreement in the gross settlement amount of \$94,995.00. Of this amount, \$31,665.00 is awarded as attorneys' fees paid to Plaintiff's counsel; \$10,688.57 is awarded as litigation costs paid to Plaintiff's counsel; \$7,500 is awarded to Plaintiff as a service and enhancement award and general release payment as being the named representative; and \$4,950.00 is awarded as administrative costs paid to the settlement administrator, ILYM Group, Inc. The net remainder (\$40,191.43) will be paid 75% to the LWDA (\$30,143.57) and 25% to the PAGA aggrieved employees \$10,047.86 in accordance with Labor Code § 2699, subdivision (i).

This Judgment incorporates by reference the terms in the Settlement Agreement and all terms defined therein shall have the same meaning as set forth in the Settlement Agreement.

This Judgment intended to be a final disposition in its entirety of the above captioned action. Without affecting the finality of this judgment in any way, the Court retains jurisdiction of all matters relating to the interpretation, administration, implementation, effectuation, and enforcement of the Settlement pursuant to Code of Civil Procedure Section 664.6.

DATED: 9/12, 2022


HONORABLE BRIAN MCCABE
MERCED COUNTY SUPERIOR COURT JUDGE

PROOF OF SERVICE

At the time of service, I was over 18 years of age and not a party to this action. My business address is 10880 Wilshire Boulevard, Suite 1101 Los Angeles, California 90024.

On August 2, 2022, I served the following document(s): PROPOSED] ORDER APPROVING PRIVATE ATTORNEYS GENERAL ACT SETTLEMENT AND JUDGMENT on the following person(s):

Defendant Bowles Farming Company, Inc.

Rebecca Hause-Schultz
Alden Parker
Christopher Truxler
Heather Domingo
Vicki Rathke
Nancy Galeno
Fisher & Phillips LLP
621 Capitol Mall, Suite 1400
Sacramento, CA 95814
Email: rhause-schultz@fisherphillips.com
Email: aparker@fisherphillips.com
Email: ctruxler@fisherphillips.com
Email: hdomingo@fisherphillips.com
Email: vrathke@fisherphillips.com
Email: ngaleno@fisherphillips.com

The documents were served by the following means:

☒ **BY ELECTRONIC TRANSMISSION.** Based on an agreement of the parties to accept service by electronic transmission, I electronically served the document(s) to the person(s) at the electronic service address(es) listed above.

☐ **BY OVERNIGHT DELIVERY.** I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses in the attached Proof of Service List. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

☐ **BY FAX TRANSMISSION.** Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax number(s) listed above. No error was reported by the fax machine that I used.

☐ **BY MESSENGER SERVICE.** I served the documents by placing them in an envelope or package addressed to the persons at the addresses listed in the attached Proof of Service List and providing them to a professional messenger service for service.

☐ **BY UNITED STATES MAIL.** I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses in the attached Proof of Service List:

☐ deposited the sealed envelope with the United States Postal Service, with the postage fully prepared.

☐ placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I am a resident of and employed in the county where the mailing occurred. The envelope or package was placed in the mail at Los Angeles, California.

☐ **BY PERSONAL SERVICE.** I personally delivered the documents to the persons at the addresses listed in the attached Proof of Service List. (1) For a party represented by an attorney, delivery was made (a) to the attorney personally; or (b) by leaving the documents at the attorney's office, in an envelope or package clearly labeled to identify the attorney being served, with a receptionist or an individual in charge of the office; or (c) if there was no person in the office with whom the notice or papers could be left, by leaving them in a conspicuous place in the office between the hours of nine in the morning and five in the evening. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not younger than 18 years of age between the hours of eight in the morning and six in the evening.

I declare under penalty of perjury under the laws of the State of California, that the foregoing is true and correct.

Executed on August 2, 2022, at Los Angeles, California.



Rana Nader