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

DANNY MARSANO, individually, and on
behalf of other members of the general public
similarly situated, and as an aggrieved
employee pursuant to the Private Attorneys
General Act ("PAGA"),

Plaintiff,

vs.

H AND H DRUG STORES, INC., a
California corporation; and DOES 1 through
10, inclusive,

Defendants.

Case No.: 22STCV17192

[Assigned for all purposes to the Hon. Laura A.
Seigle, Dept. 17]

**[PROPOSED] JUDGMENT AND ORDER
GRANTING FINAL APPROVAL OF
CLASS ACTION SETTLEMENT, CLASS
REPRESENTATIVES' SERVICE
PAYMENTS, AND ATTORNEYS' FEES
AND COSTS**

Date: March 4, 2025
Time: 9:00 a.m.
Dept.: 17

Complaint Filed: November 30, 2021
Trial Date: None Set

FILED
Superior Court of California
County of Los Angeles

03/04/2025

David W. Stryker, Executive Officer / Clerk of Court

By: N. Navarro Deputy

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1. Final judgment is hereby entered in conformity with the Settlement Agreement and this Final Approval Order.
2. The conditional class certification is hereby made final, and the Court thus certifies, for purposes of the Settlement, the following Settlement Class:

All non-exempt employees employed by Defendant H and H Drug Stores, Inc. in the State of California at any time from November 30, 2017 through July 19, 2024 (the “Class Period”).
3. Plaintiffs are hereby confirmed as Class Representatives. Raul Perez, Robert Drexler, and Jonathan Lee of Capstone Law APC, and Paul K. Haines, Sean M. Blakely, and Joel M. Gordon of Haines Law Group, APC, are hereby confirmed as Class Counsel.
4. On November 22, 2024, notice was provided to Class Members as set forth in the Settlement, which was approved by the Court on October 21, 2024, and the notice process has been completed in conformity with the Settlement and the Court’s Preliminary Approval Order. The Court finds that said notice was the best notice practicable under the circumstances. The Class Notice provided due and adequate notice of the proceedings and matters set forth therein.

1 informed Class Members of their rights, and fully satisfied the requirements of California Code
2 of Civil Procedure § 1781(e), California Rule of Court 3.769, and due process.

3 5. The Court finds that no Class Member objected to the Settlement, that only one
4 Class Member opted out of the Settlement, and that the 99.87% participation rate in the Settlement
5 supports final approval.

6 6. The Court hereby approves the settlement as set forth in the Settlement as fair,
7 reasonable, and adequate, and directs the parties to effectuate the Settlement according to its
8 terms.

9 7. For purposes of settlement only, the Court finds that: (a) the members of the
10 Settlement Class are ascertainable and so numerous that joinder of all members is impracticable;
11 (b) there are questions of law or fact common to the Settlement Class, and there is a well-defined
12 community of interest among members of the Settlement Class with respect to the subject matter
13 of the litigation; (c) the claims of the Class Representatives are typical of the claims of the Class
14 Members; (d) the Class Representatives have fairly and adequately protected the interests of the
15 Class Members; (e) a class action is superior to other available methods for an efficient
16 adjudication of this controversy; and (f) Class Counsel are qualified to serve as counsel for the
17 Class Representatives and the Settlement Class.

18 8. The Court finds that given the absence of objections to the Settlement, this Order
19 shall be considered final as of the date of entry.

20 9. The Court finds that the Individual Class Payments, as provided for in the
21 Settlement, are fair, reasonable, and adequate, and orders the Settlement Administrator to
22 distribute the Individual Class Payments in conformity with the terms of the Settlement.

23 10. The Court orders Defendant H and H Drug Stores, Inc. (“Defendant”) to deposit
24 the Gross Settlement Amount of \$1,996,800.00 with the Settlement Administrator no later than
25 fourteen (14) days after the Effective Date.

26 11. The Court finds that Service Payments in the amount of \$7,500.00 to each Plaintiff
27 (for a total of \$15,000.00) is appropriate for Plaintiffs’ risks undertaken and their service to the
28 Settlement Class. The Court finds that these payments are fair, reasonable, and adequate, and

1 orders that the Settlement Administrator make these payments in conformity with the terms of
2 the Settlement.

3 12. The Court finds that attorneys' fees in the amount of \$665,600.00 for Class
4 Counsel are fair, reasonable, and adequate in light of the common fund created by the Settlement,
5 and orders that the Settlement Administrator distribute these payments to Class Counsel in
6 conformity with the terms of the Settlement, divided as follows: \$366,080.00 (equivalent to 55%
7 of the total fee award) to Capstone Law APC; and \$299,520.00 (equivalent to 45% of the total
8 fee award) to Haines Law Group, APC.

9 13. The Court finds that reimbursement of actual litigation costs of \$31,484.64 for
10 Class Counsel are fair, reasonable, and adequate, and orders the Settlement Administrator to
11 distribute these payments to Class Counsel in conformity with the terms of the Settlement, divided
12 as follows: \$15,104.76 to Capstone Law APC; and \$16,379.88 to Haines Law Group, APC.

13 14. The Court orders that the Settlement Administrator shall be paid \$12,500.00 from
14 the Gross Settlement Amount in conformity with the terms of the Settlement, for all of its work
15 done and to be done until the completion of this matter and finds that sum appropriate.

16 15. The Court finds that the payment to the California Labor & Workforce
17 Development Agency ("LWDA") in the amount of \$37,500.00 for its share of the settlement of
18 Plaintiffs' representative claim under the PAGA is fair, reasonable, and adequate, and orders the
19 Settlement Administrator to distribute this payment to the LWDA in conformity with the terms
20 of the Settlement.

21 16. This Court orders that any settlement checks shall be negotiable for 180 calendar
22 days from the date of issuance of the check, and that any settlement checks that remain uncashed
23 after 180 days be sent to the California Controller's Unclaimed Property Fund in the name of the
24 Class Member.

25 17. Upon the Effective Date and the complete funding of the Gross Settlement
26 Amount, Plaintiffs and every member of the Settlement Class (except for the one Class Member
27 who timely submitted a Request for Exclusion), on behalf of themselves and their respective
28 former and present representatives, agents, attorneys, heirs, administrators, successors, and

1 assigns, release Defendant and each of its former and present directors, officers, shareholders,
2 owners, members, attorneys, insurers, predecessors, successors, divisions, assigns, subsidiaries,
3 affiliates, joint ventures, fiduciaries, and each of these entities' past, present, or future direct or
4 indirect officers, directors, members, agents, attorneys, representatives, and employees (the
5 "Released Parties") from any and all claims arising during the Class Period that were alleged, or
6 could have been pled, based on the facts stated in the Operative Complaint, including without
7 limitation claims under California Labor Code sections 201, 202, 203, 204, 222.5, 226, 226.3,
8 226.7, 510, 512, 516, 558, 1174, 1174.5, 1182.12, 1194, 1197, 1197.1, 1198, 1199, 2802, 2804,
9 2810.5, as well as IWC Wage Order Nos. 4, 7, and 9, and the California Business and Professions
10 Code Section 17200 based on alleged violations of the foregoing statutes and Wage Order
11 sections, as well as all claims arising under the foregoing California Labor Code statutes based
12 on the primary rights of those statutes.

13 18. In addition, upon the Effective Date and the complete funding of the Gross
14 Settlement Amount, all Aggrieved Employees are deemed to release, on behalf of themselves and
15 their respective former and present representatives, agents, attorneys, heirs, administrators,
16 successors, and assigns, the Released Parties from all claims for PAGA penalties arising during
17 the PAGA Period that were alleged, or could have been pled, based on the facts stated in the
18 Operative Complaint and the PAGA Notice, including without limitation PAGA claims
19 predicated on California Labor Code sections 201, 202, 203, 204, 222.5, 226, 226.3, 226.7, 510,
20 512, 516, 558, 1174, 1174.5, 1182.12, 1194, 1197, 1197.1, 1198, 1199, 2802, 2804, and 2810.5
21 based on the primary rights of those statutes.

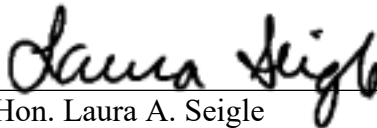
22 19. This document shall constitute a final judgment pursuant to California Rule of
23 Court 3.769(h), which provides, "If the court approves the settlement agreement after the final
24 approval hearing, the court must make and enter judgment. The judgment must include a
25 provision for the retention of the court's jurisdiction over the parties to enforce the terms of the
26 judgment. The court may not enter an order dismissing the action at the same time as, or after,
27 entry of judgment." The Court will retain jurisdiction to enforce the Settlement, the Final
28 Approval Order, and this Judgment.

20. Plaintiffs shall file a Final Disbursement Declaration on or before March 4, 2026.
A Non-Appearance Case Review Re: Filing of the Final Disbursement Declaration is set for
March 11, 2026 at 8:30 a.m..

IT IS SO ORDERED.

Dated: 03/04/2025, 2025




Hon. Laura A. Seigle
Judge of the Superior Court
Laura A. Seigle / Judge