

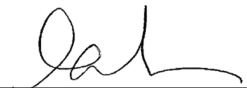
ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: Gregory Mauro, Esq. FIRM NAME: James Hawkins APLC STREET ADDRESS: 9880 Research Drive, Suite 200 CITY: Irvine TELEPHONE NO.: 949-387-7200 EMAIL ADDRESS: greg@jameshawkinsaplc.com ATTORNEY FOR (name): Nhyela Washington SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA STREET ADDRESS: 1225 Fallon Street MAILING ADDRESS: CITY AND ZIP CODE: Oakland 94612 BRANCH NAME: Rene C. Davidson Courthouse	STATE BAR NUMBER: 222239 STATE: CA ZIP CODE: 92618 FAX NO.: 949-387-6676	FOR COURT USE ONLY CASE NUMBER: 21CV003730
PLAINTIFF/PETITIONER: Nhyela Washington DEFENDANT/RESPONDENT: Predicine, Inc.	NOTICE OF ENTRY OF JUDGMENT OR ORDER (Check one): ☒ UNLIMITED CASE (Amount demanded exceeded \$35,000) ☐ LIMITED CASE (Amount demanded was \$35,000 or less)	

TO ALL PARTIES :

1. A judgment, decree, or order was entered in this action on (date): September 19, 2024
2. A copy of the judgment, decree, or order is attached to this notice.

Date: September 24, 2024

Gregory Mauro, Esq.

(TYPE OR PRINT NAME OF ☒ ATTORNEY ☐ PARTY WITHOUT ATTORNEY)

 (SIGNATURE)

PLAINTIFF/PETITIONER: Nhyela Washington
 DEFENDANT/RESPONDENT: Predicine, Inc.

CASE NUMBER:
 21CV003730

**PROOF OF SERVICE BY FIRST-CLASS MAIL
 NOTICE OF ENTRY OF JUDGMENT OR ORDER**

(NOTE: You cannot serve the Notice of Entry of Judgment or Order if you are a party in the action. The person who served the notice must complete this proof of service.)

1. I am at least 18 years old and **not a party to this action**. I am a resident of or employed in the county where the mailing took place, and my residence or business address is (*specify*):

2. I served a copy of the *Notice of Entry of Judgment or Order* by enclosing it in a sealed envelope with postage fully prepaid and (*check one*):
 - a. ☐ deposited the sealed envelope with the United States Postal Service.
 - b. ☐ placed the sealed envelope for collection and processing for mailing, following this business's usual practices, with which I am readily familiar. On the same day correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service.
3. The *Notice of Entry of Judgment or Order* was mailed:
 - a. on (*date*):
 - b. from (*city and state*):
4. The envelope was addressed and mailed as follows:

a. Name of person served: - Street address: - City: - State and zip code: b. Name of person served: - Street address: - City: - State and zip code:	c. Name of person served: - Street address: - City: - State and zip code: d. Name of person served: - Street address: - City: - State and zip code:
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☐ Names and addresses of additional persons served are attached. (*You may use form POS-030(P).*)

5. Number of pages attached:

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

Date:

 (TYPE OR PRINT NAME OF DECLARANT)

_____
 (SIGNATURE OF DECLARANT)

1 JAMES HAWKINS APLC
James R. Hawkins (#192925)
2 Gregory Mauro (#222239)
Michael Calvo (#314986)
3 Lauren Falk (#316893)
Ava Issary (#342252)
4 9880 Research Drive, Suite 200
Irvine, CA 92618
5 Tel.: (949) 387-7200
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9
10 Attorneys for Plaintiff NHYELA WASHINGTON
11 individually and on behalf of all others similarly situated.

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **FOR THE COUNTY OF ALAMEDA**

14 NHYELA WASHINGTON, individually and on
behalf of all others similarly situated,

15 Plaintiff,

17 v.

18 PREDICINE, INC., A Delaware Corporation;
19 and does 1-50, inclusive,

20 Defendant.

Case No. 21CV003730

Assigned for all Purposes to:
Hon. Michael Markman
Dept. 23

**~~[PROPOSED]~~ ORDER GRANTING
FINAL APPROVAL OF CLASS AND
PAGA SETTLEMENT; JUDGMENT**

Date: September 19, 2024
Time: 10:00 a.m.
Dept.: 23

Reservation #A-03730-001

FILED
Superior Court of California
County of Alameda

09/19/2024

Clad Filer, Executive Officer / Clerk of the Court

By: *A. Tumonono* Deputy
A. Tumonono

1 This matter came on for hearing on September 19, 2024 at 10:00 a.m. in Department 23 of
2 the above-captioned Court on Plaintiff's Motion for Final Approval of Class Action and PAGA
3 Settlement, attorneys' fees and costs, Class Representative Enhancement Award, administration
4 costs, PAGA payment and Judgment. For purposes of this Order and Judgment, the Court refers
5 to all defined terms (i.e. terms with initial capitalization) as set forth in the Amended Stipulation
6 of Class and PAGA Representative Action Settlement ("Settlement Agreement"). Having
7 received and considered the Settlement Agreement, the supporting papers filed by the Parties,
8 and the evidence and argument received by the Court in conjunction with the Motion for
9 Preliminary Approval of Class Action Settlement, and the instant Plaintiff's Unopposed Motion
10 for Final Approval, Attorneys' Fees, Costs, Class Representative Enhancement Award,
11 Administration Costs, and Entering of Final Judgment, the Court grants final approval of the
12 Settlement and HEREBY ORDERS AND MAKES THE FOLLOWING DETERMINATIONS:

13 1. Pursuant to the Preliminary Approval Order, the Class Notice was mailed to all
14 members of the Class by first-class U.S. mail. The Notice informed the Class of the terms of the
15 Settlement, of their right to receive their proportional Individual Settlement Payment, of their right
16 to request exclusion from the Class and the Settlement, of their right to comment upon or object
17 to the Settlement and to appear in person or by counsel at the final approval hearing and of the
18 date set for the Final Approval hearing. Adequate periods of time were provided by each of these
19 procedures.

20 2. In response to the Notice, no members objected and only one member requested
21 exclusion. There are no outstanding disputes regarding the Settlement.

22 3. The Court finds and determines that this notice procedure afforded adequate
23 protections to Class Members and provides the basis for the Court to make an informed decision
24 regarding approval of the Settlement based on the Class Members' response. The Court finds and
25 determines that the Notice provided in the Action was the best notice practicable, which satisfied
26 the requirements of law and due process.
27
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1 4. The Court further finds and determines that the terms of the Settlement are fair,
2 reasonable and adequate to the Class and to each Class Member and that the Settlement is ordered
3 finally approved, and that all terms and provisions of the Settlement Agreement should be
4 and hereby are ordered to be consummated.

5 5. The Court has certified a Class, as those terms are defined in and by the terms of
6 the Settlement Agreement, and the Court deems this definition sufficient for purposes of
7 California Rule of Court 3.765(a).

8 6. The Court hereby approves the terms set forth in the Settlement Agreement and
9 finds that the Settlement is, in all respects, fair, adequate, and reasonable, and directs the Parties
10 to effectuate the Settlement according to its terms. The Court finds that the Settlement was reached
11 as a result of informed and non-collusive arm's-length negotiations facilitated by a neutral
12 mediator. The Court further finds that the Parties conducted extensive investigation, research, and
13 discovery and that their attorneys were able to reasonably evaluate their respective positions. The
14 Court also finds that Settlement will enable the Parties to avoid additional and potentially
15 substantial litigation costs, as well as delay and risks if the Parties were to continue to litigate the
16 case. The Court has reviewed the monetary recovery provided as part of the Settlement and
17 recognizes the significant value accorded to the Class.

18 7. The Court hereby confirms James Hawkins, APLC, as Class Counsel in this action.

19 8. The Court hereby confirms Plaintiff NHYELA WASHINGTON as the Class
20 Representative in this action.

21 9. The Court finds and determines that the individual settlement payments to Class
22 Members provided for by the terms of the Settlement to be paid to the Class are fair and reasonable.
23 The Court hereby gives final approval to and orders the payment of those amounts be made to the
24 participating members of the Class in accordance with the terms of the Settlement.

25 10. The Court finds and determines that the \$4,000.00 PAGA Payment for alleged civil
26 penalties in this case, of which the Labor and Workforce Development Agency ("LWDA") shall
27 receive 75%, or \$3,000.00, with the remaining \$1,000.00 of the PAGA Payment payable directly
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1 to Aggrieved Employees, is fair, reasonable, and appropriate. The Court hereby gives final
2 approval to and orders that the PAGA Payment be paid in accordance with the Settlement.

3 11. The Court finds and determines the Class Representative Enhancement Award in
4 the sum of \$5,000.00 to Plaintiff Washington is fair and reasonable. The Court hereby orders the
5 Administrator to make this payment to the Plaintiff/Class Representative in accordance with the
6 terms of the Settlement Agreement.

7 12. The Court finds and determines that the payment to be paid to the Settlement
8 Administrator, Apex Class Action, LLC in the sum of \$4,000.00 for its fees and expenses incurred
9 is fair and reasonable. The Court hereby orders the Administrator to make this payment to itself in
10 accordance with the terms of the Settlement Agreement.

11 13. Pursuant to the terms of the Settlement, and the authorities, evidence and argument
12 submitted by Class Counsel, the Court hereby awards Class Counsel attorneys' fees in the sum of
13 \$48,227.92 and litigation costs of \$15,654.64. The Court finds such amounts to be fair and
14 reasonable. The Court hereby orders the Settlement Administrator to make these payments in
15 accordance with the terms of the Settlement Agreement.

16 14. Neither Defendant nor any related persons or entities shall have any further liability
17 for costs, expenses, interest, attorneys' fees, or for any other charge, expense, or liability, except
18 as provided for by the Settlement Agreement.

19 15. The Court finds and determines that the releases contained in the Settlement
20 Agreement and Amendment thereto are appropriate and shall bind all Class Members who did not
21 timely opt out of the Settlement and all PAGA Members.

22 16. Nothing in this Order shall preclude any action to enforce the Parties' obligations
23 pursuant to the Settlement Agreement or pursuant to this Order.

24 17. The Court finds and determines that nothing in the Settlement Agreement, this
25 Order, or the Judgment (1) is intended or will be construed as an admission of liability or
26 wrongdoing by Defendant or any Released Party or (2) may be offered or admitted in evidence
27 against Defendant or any Released Party (other than solely in connection with this Settlement).
28

1 18. The Court hereby enters final judgment in this case in accordance with the terms of
2 the Settlement Agreement, Preliminary Approval Order and this Order.

3 19. The Parties shall bear their own costs and attorneys' fees except as otherwise
4 provided for by the Settlement Agreement and this Court's Order Granting Final Approval.

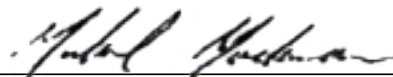
5 20. Without affecting the finality of this Order in any way, the Court retains jurisdiction
6 of all matters relating to the interpretation, administration, implementation, effectuation and
7 enforcement of this order and the Settlement.

8 **JUDGMENT**

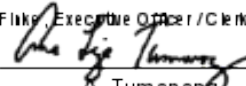
9 21. This document shall constitute a judgment for purposes of California Rules of
10 Court, Rule 3.769(h). In accordance with, and for the reasons stated in this Order, judgment shall
11 be entered within the meaning and for purposes of Code of Civil Procedure sections 577, 904.1(a),
12 and Rules 3.769, and 8.104 of the California Rules of Court whereby named Plaintiff/Class
13 Representative and all Class Members and PAGA Members shall take nothing from Defendant
14 except as expressly set forth in the Settlement Agreement, in conjunction with this Judgment. By
15 operation of this Judgment, and in accordance with the Settlement Agreement, the Plaintiff and
16 each Participating Class Member, PAGA Member, and the California Labor and Workforce
17 Development Agency shall be deemed to have fully, finally, and forever released, settled,
18 compromised, relinquished, and discharged with respect to all Released Parties any and all
19 Released Claims for the Class Settlement Period of December 7, 2017, through June 1, 2023,
20 subject to section 3.2.2 of the Settlement Agreement. Without affecting the finality of this
21 Judgment, the Court pursuant to California Rule of Court 3.769(h) shall retain jurisdiction over
22 the parties to enforce the terms of the Judgment.

23 **IT IS SO ORDERED.**

24
25 Date: 09/19/2024

26 By: 

27 Hon. Michael Markman
Michael Markman / Judge
28 Judge of the Superior Court

SUPERIOR COURT OF CALIFORNIA COUNTY OF ALAMEDA	Reserved for Clerk's File Stamp
COURTHOUSE ADDRESS: Rene C. Davidson Courthouse 1225 Fallon Street, Oakland, CA 94612	FILED Superior Court of California County of Alameda 09/24/2024
PLAINTIFF/PETITIONER: NHYELA WASHINGTON,	Chad Finke, Executive Officer / Clerk of the Court By:  Deputy
DEFENDANT/RESPONDENT: PREDICINE, INC., a Delaware Corporation	
CERTIFICATE OF ELECTRONIC SERVICE CODE OF CIVIL PROCEDURE 1010.6	CASE NUMBER: 21CV003730

I, the below named Executive Officer/Clerk of Court of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served one copy of the Order [PROPOSED] ORDER GRANTING FINAL APPROVAL OF CLASS AND PAGA SETTLEMENT; JUDGMENT entered herein upon each party or counsel of record in the above entitled action, by electronically serving the document(s) from my place of business, in accordance with standard court practices.

James Ross Hawkins
JAMES HAWKINS APLC
James@jameshawkinsaplc.com

Sarah Zenewicz
Morgan, Lewis & Bockius LLP
sarah.zenewicz@morganlewis.com

Dated: 09/24/2024

Chad Finke, Executive Officer / Clerk of the Court

By:



A. Tumonong, Deputy Clerk

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PROOF OF SERVICE, COUNTY OF ORANGE

I am a resident of the State of California, County of Orange. I am over the age of eighteen years and not a party to the within action. My business address is 9880 Research Drive., Suite 200, Irvine, California 92618.

On September 24, 2024, I served on the interested parties in this action the following document(s) entitled:

PLAINTIFF’S NOTICE OF ENTRY OF JUDGMENT OR ORDER

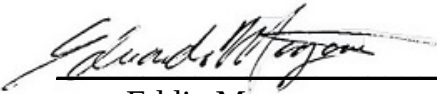
[XX] BY ELECTRONIC SERVICE: Based on a court Order or an agreement by the parties to accept service by e-mail or electronic transmission, I caused the document(s) to be sent from the email address Eddie@jameshawkinsaplc.com to the persons at the e-mail addresses listed in the Service List below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

SERVICE LIST

(See attached service list)

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

Executed on September 24, 2024, at Irvine, California


Eddie Magana

Via LWDA Website Only

Labor and Workforce Development Agency

Attn: PAGA Administrator

1515 Clay Street, Ste 801

Oakland, CA 94612

<http://www.dir.ca.gov/Private-Attorneys-General-Act>

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