



FILED
San Francisco County Superior Court

OCT 01 2024

CLERK OF THE COURT
BY: Edmond J. [Signature]
Deputy Clerk

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO
DEPARTMENT 304

LAKESHIA COOK-FARRAR, as an individual
and on behalf of all others similarly situated,

Plaintiff,

vs.

THE REALREAL, INC., a Delaware
corporation; and DOES 1 through 50, inclusive,

Defendants.

Case No. CGC-22-599036

ORDER GRANTING APPROVAL OF THE
PARTIES' SETTLEMENT AGREEMENT
PURSUANT TO THE LABOR CODE
PRIVATE ATTORNEYS GENERAL ACT OF
2004

ORDER

The Court has considered Plaintiff Lakeshia Cook-Farrar's ("Plaintiff") Motion to Approve the Parties' Settlement Agreement Pursuant to the Labor Code Private Attorneys General Act of 2004 ("PAGA"). Plaintiff and Defendant THE REALREAL, INC. ("Defendant") (collectively, the "Parties") have entered into a settlement agreement. The Court, having considered the Motion, the Settlement Agreement,¹ and the record in this action, HEREBY ORDERS AS FOLLOWS:

1. All defined terms contained herein shall have the same meaning as set forth in the Settlement Agreement. PAGA Aggrieved Employees are defined as: all current or former non-exempt employees who worked for Defendant in the State of California from January 31, 2021, to the date that the Court enters an order approving the settlement, who received non-discretionary remuneration and concurrently received rest or meal period premiums or paid sick leave.

2. The Court finds that the Labor & Workforce Development Agency ("LWDA") has been given timely and proper notice of the Settlement Agreement pursuant to Labor Code § 2699(s)(2).

3. The Court hereby finds the terms of the Settlement Agreement are fair, adequate, and reasonable. The Parties are hereby ordered to carry out the terms of the Settlement Agreement.

¹ "Settlement Agreement" refers to the Private Attorneys General Act Settlement Agreement attached as Exhibit A to the Notice of Lodging Amended Settlement Agreement filed on September 23, 2024.

1 4. The Court hereby approves, as to form and content, the Notice of PAGA
2 Settlement Award and Email Notice of Settlement attached as Exhibits A.1 and A.2 to the Notice
3 of Lodging Amended Settlement Agreement filed on September 23, 2024.

4 5. Defendant is hereby ordered to fund the Gross Settlement Amount of \$230,000 no
5 later than thirty (30) calendar days after entry of this Order.

6 6. The Court hereby appoints Phoenix Settlement Administrators to serve as the
7 Settlement Administrator.

8 7. Pursuant to the terms of the Settlement Agreement, the Court hereby approves the
9 following allocations from the Gross Settlement Amount:

- 10 a. \$1,500 to Plaintiff Lakeshia Cook-Farrar for serving as the named plaintiff;
11 b. \$76,666.67 to PAGA Counsel for attorneys' fees;
12 c. \$6,842.28 to PAGA Counsel for litigation costs;
13 d. \$6,650 to the Settlement Administrator for settlement administration costs;
14 e. The Net Settlement Amount, after the above deductions, shall be distributed
15 75% (\$103,755.79) to the LWDA and 25% (\$34,585.26) to the Aggrieved
16 Employees according to the formula set forth in the Settlement Agreement.

17 8. Settlement checks that remain uncashed more than 180 calendar days after
18 issuance shall be cancelled, and the Settlement Administrator shall tender the residual funds to
19 the *cy pres* beneficiary in accordance with the Settlement Agreement. The Court finds the *cy*
20 *pres* beneficiary, Legal Aid at Work, is appropriate pursuant to Code of Civil Procedure
21 § 384(b).

22 9. The Court hereby approves the scope of the releases set forth in the Settlement
23 Agreement. Upon entry of this Order, Plaintiff, Aggrieved Employees, and the State of
24 California release the Released Parties from all Released Claims, as defined in the Settlement
25 Agreement.

26 10. This Court shall have and retain exclusive and continuing jurisdiction over this
27 action, the Parties, and the Aggrieved Employees for purposes of supervising the
28

1 implementation, enforcement, construction, administration, and interpretation of the Settlement
2 Agreement.

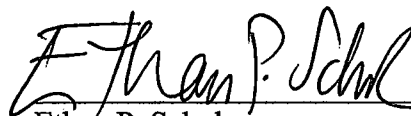
3 11. A Status Conference is set for July 10, 2025 at 9:00 a.m. in Department 304. A
4 status report, accompanied by an admissible evidentiary declaration, shall be filed no later than
5 five court days prior to the Status Conference. The status report must include (i) the date the
6 checks were mailed, (ii) the total number of checks mailed to aggrieved employees, (iii) the
7 number of checks that remain uncashed, and (iv) the total value of residual funds.

8 12. Pursuant to Labor Code § 2699(s)(3), Plaintiff shall submit a copy of this Order to
9 the LWDA within 10 days of entry of this Order.

10 *13. The October 7, 2024 hearing is off calendar.*

11 IT IS SO ORDERED.

12
13 Dated: Oct. 1, 2024



Ethan P. Schulman
Judge of the Superior Court

CERTIFICATE OF ELECTRONIC SERVICE
(CCP 1010.6(6) & CRC 2.260(g))

I, Edward Santos, a Deputy Clerk of the Superior Court of the County of San Francisco, certify that I am not a party to the within action.

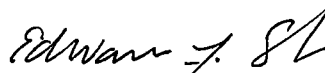
On October 1, 2024, I electronically served ORDER GRANTING APPROVAL OF THE PARTIES' SETTLEMENT AGREEMENT PURSUANT TO THE LABOR CODE PRIVATE ATTORNEYS GENERAL ACT OF 2004 via File & ServeXpress on the recipients designated on the Transaction Receipt located on the File & ServeXpress website.

Dated:

OCT 01 2024

Brandon E. Riley, Court Executive Officer

By:



Edward Santos, Deputy Clerk