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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN FRANCISCO

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

[Assigned for all purposes to the Hon. Ethan P.
Schulman, Dept. 304]

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S MOTION TO APPROVE THE
PARTIES' SETTLEMENT AGREEMENT
PURSUANT TO THE LABOR CODE
PRIVATE ATTORNEYS GENERAL ACT
OF 2004 AND ENTERING JUDGMENT
THEREON**

1 **[PROPOSED] ORDER AND JUDGMENT**

2 Plaintiff LAKESHIA COOK-FARRAR's ("Plaintiff") Motion to Approve the Private
3 Attorney General Act Settlement Agreement ("Settlement" or "Settlement Agreement") came on
4 regularly for hearing on August 19, 2024. Appearances for the Plaintiff and Defendant THE
5 REALREAL, INC. ("Defendant") (Plaintiff and Defendant collectively, the "Parties") were
6 noted on the record.
7

8 The Court has considered the Motion, the Settlement Agreement submitted herewith, all
9 other papers filed in this action, and any oral argument thereon.

10 NOW THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED AS FOLLOWS:

11 1. Pursuant to Labor Code § 2699(l)(2), the Court approves the Settlement
12 Agreement executed by Plaintiff and Defendant and filed with this Court, which is incorporated
13 herein by this reference as though set forth in full, including the settlement administration and
14 release of claims. All defined terms contained herein shall have the same meanings as set forth in
15 the Settlement Agreement.
16

17 2. The Court finds that the Labor & Workforce Development Agency ("LWDA")
18 has been given timely and proper notice of the Settlement Agreement pursuant to the Labor Code
19 Private Attorney General Act ("PAGA").
20

21 3. The Parties are hereby ordered to carry out the terms of the Settlement
22 Agreement. Defendant is hereby ordered to fund the Gross Settlement Amount of \$230,000.00
23 30 days after the Court enters this Order.
24

25 4. Pursuant to the terms of the Settlement Agreement and Labor Code § 2699(i), the
26 Gross Settlement Amount of \$230,000.00 shall be distributed as follows:

- 27
 - \$5,000.00 to Plaintiff for acting as a named plaintiff;
 - \$76,666.67 to Plaintiff's Counsel as attorneys' fees;28

- \$8,408.80 to Plaintiff's Counsel as costs;
- \$6,650.00 to Phoenix Settlement Administrators as the Settlement Administrator, who is hereby ordered to administer the Settlement;
- The remainder, or the Net PAGA Settlement Amount, after the above deductions shall be distributed 75% (\$99,924.86) to the Labor & Workforce Development Agency and 25% (\$33,308.29) to the Aggrieved Employees based on the formula set forth in the Settlement Agreement.

5. JUDGMENT IS ENTERED thereon pursuant to the terms of the Settlement Agreement. Other than as expressly provided in the Settlement Agreement, both Parties shall bear their own costs and fees.

6. Pursuant to Code of Civil Procedure § 664.6, this Court shall have and retain continuing jurisdiction over this action to enforce the terms of the Parties' Settlement Agreement.

7. A compliance hearing is set for _____, 2024 for a Nonappearance Hearing in Department 304 of the above-referenced Court. At least five (5) court days prior to the compliance hearing, the Settlement Administrator will provide declaration to the Court that shall describes (i) the date the checks were mailed, (ii) the total number of checks mailed to aggrieved employees, (iii) the number of checks that remain uncashed, (iv) the total value of those uncashed checks.

8. At least five (5) court days prior to the compliance hearing, Plaintiff shall file an Amended Order and Judgment.

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

IT IS SO ORDERED AND ADJUDGED.

DATED: _____

Honorable Ethan P. Schulman
Judge of the Superior Court