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Attorneys for Plaintiffs and the aggrieved employees

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN BERNARDINO

ALEJANDRO RIVERA RAMIREZ, an
individual, on behalf of himself and others
similarly situated

PLAINTIFF,

v.

S&E GOURMET CUTS, INC.; and DOES 1
thru 50, inclusive,

DEFENDANTS.

Case No. CIVSB2201247

[Case Assigned for All Purposes to Hon. David
Cohn in Dept. S-26]

**[PROPOSED] ORDER GRANTING
APPROVAL OF REPRESENTATIVE
ACTION SETTLEMENT**

Date: October 11, 2023

Time: 8:30 a.m.

Dept.: S-26

Complaint Filed: January 20, 2022

FAC Filed: June 1, 2022

Trial Date: None Set

1 **[PROPOSED] ORDER**

2 The Motion for Approval of Representative Action Settlement (“Motion”) came before this
3 Court, the Honorable David Cohn, presiding. The Court, having considered the papers submitted
4 in support of the motion of the parties, **HEREBY ORDERS THE FOLLOWING:**

5 Having considered Plaintiffs’ Motion, and all legal authorities and documents submitted
6 in support thereof, including the PAGA Settlement Agreement (“Agreement”), attached to the
7 Declaration of Kelsey M. Szamet as Exhibit “1”, and good cause appearing, IT IS HEREBY
8 ORDERED that Plaintiffs’ Motion is GRANTED, subject to the following findings and orders:

- 9 1. The Court finds the Settlement is fair and reasonable.
- 10 2. The Court approves the Gross Settlement Amount of \$275,000.00¹.
- 11 3. The Court approves the PAGA Penalties in the amount of \$145,333.33.
- 12 4. The Court approves 75% of the PAGA Penalties being allocated to the LWDA in
13 the amount of 109,000.00.
- 14 5. The Court approves PAGA Counsel’s request for attorney fees of \$91,666.67
15 (75% or \$68,750.01 to the Kingsley & Kingsley, APC and 25% or \$22,916.66 to
16 the Law Office of Scott E. Wheeler).
- 17 6. The court approves the PAGA Counsel’s request for reimbursement of case costs
18 in the amount of \$18,365.65 (\$16,788.09 to Kingsley & Kingsley, APC and
19 \$1,577.56 to the Law Office of Scott E. Wheeler).
- 20 7. The Court approves the settlement administration costs of \$8,000.00.
- 21 8. The Parties are ordered to carry out the terms of the Agreement.
- 22 9. Pursuant to C.C.P §664.6, the Court shall have and retain continuing jurisdiction
23 over this action and the Parties and the Allegedly Aggrieved Employees including
24 after the entry of this Order, to the fullest extent necessary to interpret, enforce
25 and effectuate the terms and intent of the Agreement and this Order.
- 26

27

¹ Unless otherwise defined herein, all capitalized terms shall have the meaning assigned to them
28 in the Agreement.

DATED: _____

JUDGE OF THE SUPERIOR COURT

(PROOF OF SERVICE)
[CCP 1013(a)(3)]

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is 16133 Ventura Boulevard, Suite 1200, Encino, California 91436.

On September 18, 2023, I served all interested parties in this action the following documents described as: **[PROPOSED] ORDER GRANTING APPROVAL OF REPRESENTATIVE ACTION SETTLEMENT** by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

BUCHALTER

A Professional Corporation

Joshua Mizrahi

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Graham G. Lambert

glambert@buchalter.com

1000 Wilshire Boulevard, Suite 1500

Los Angeles, CA 90017-1730

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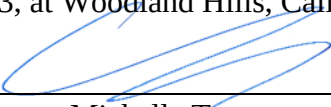
Claremont, California 91711

[XX] BY ELECTRONIC SERVICE: I caused a true and correct copy thereof to be electronically filed using the Labor and Workforce Development Agency Electronic Filing ("EF") System (<https://dir.tfaforms.net/315>) and service was completed by electronic means by transmittal of the documents referenced herein on the EF System.

[XX] (BY ELECTRONIC MAIL TRANSMISSION): I caused the document to be send to the persons at the e-mail address(es) listed on the attached service list. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful. A pdf copy of which was sent via email to the above email address(es).

[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 18, 2023, at Woodland Hills, California.



Michelle Tanzer