

1 Raul Perez (SBN 174687)  
Raul.Perez@capstonelawyers.com  
2 Robert J. Drexler, Jr. (SBN 119119)  
Robert.Drexler@capstonelawyers.com  
3 Jonathan Lee (SBN 267146)  
Jonathan.Lee @capstonelawyers.com  
4 CAPSTONE LAW APC  
1875 Century Park East, Suite 1000  
5 Los Angeles, California 90067  
Telephone: (310) 556-4811  
6 Facsimile: (310) 943-0396

7 Attorneys for Plaintiff Anna Hernandez and Lebrado Madrazo

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **FOR THE COUNTY OF SAN FRANCISCO**

10 ANNA HERNANDEZ and LEBRADO  
MADRAZO, individually and as an aggrieved  
11 employee pursuant to the Private Attorneys  
General Act ("PAGA"), and on behalf of the  
12 State of California and other aggrieved  
employees,

13 Plaintiff,

14 vs.

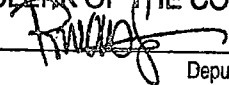
15 OLD NAVY, LLC, a Delaware Limited  
16 Liability Company.

17 Defendants.  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**FILED**  
Superior Court of California  
County of San Francisco

**MAY 08 2025**

**CLERK OF THE COURT**

BY:  Deputy Clerk

Case No.: CGC-22-598893

Assigned to the Hon. Christine Van Aken  
*JCM*

**~~PROPOSED~~ ORDER APPROVING THE  
PARTIES' PAGA SETTLEMENT  
AGREEMENT AND JUDGMENT**

Date: May 8, 2025  
Time: 9:00 a.m.  
Place: Department 301

Complaint Filed: March 25, 2022  
Trial Date: None

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0

8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

4  
5  
6  
7  
8  
9  
20  
21  
22  
23  
24  
25  
26  
27  
28

20  
21  
22  
23  
24  
25  
26  
27  
28

27  
28

provisions of the Settlement.

7. The Settlement is not an admission by Defendant, nor is this Order and Judgment a finding of the validity of any allegations or of any wrongdoing by Defendant. Neither this Order and Judgment, the Settlement, nor any document referred to herein, nor any action taken to carry out the Settlement, may be construed as, or may be used as, an admission of any fault, wrongdoing, omission, concession, or liability whatsoever by or against Defendant.

8. The Court hereby awards \$2,166,667 in Plaintiff's Attorneys' Fees and \$30,368.18 in Plaintiff's Litigation Costs to Plaintiff's Counsel, Capstone Law APC and Kevin J. McNerney.

9. The Court approves a Plaintiff's Incentive Award of \$25,000 to Anna Hernandez.

10. The Court appoints CPT Group, Inc. to serve as the Settlement Administrator, and approves Settlement Administration Costs of \$55,000.

11. The Court approves Ergonomist Fees in the amount of \$30,853.22.

12. The Court approves Seating Costs in the amount of \$26,015.00.

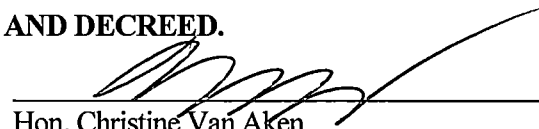
13. Consistent with the Agreement of the Parties, Defendant will have met its suitable seating obligations under Section 14 upon implementation of all non-monetary considerations outlined in the Agreement.

14. This Judgment shall be binding on all PAGA Settlement Employees and the State of California, who are hereby barred by the doctrine of res judicata from re-litigating the PAGA Released Claims during the PAGA Period, as those terms are defined by the Settlement. *See Arias v. Superior Court*, 46 Cal. 4th 969, 986 (2009) (holding that a judgment in a representative action brought by an aggrieved employee under PAGA is binding not only on the named employee plaintiff but also on state labor law enforcement agencies and any aggrieved employee not a party to the proceeding). Without affecting the finality of the Order and Judgment, the Court shall retain exclusive and continuing jurisdiction under California Code of Civil Procedure § 664.6, over the above-captioned action and the parties for purposes of enforcing the terms of the Judgment and the Settlement.

**IT IS SO ORDERED, ADJUDGED, AND DECREED.**

Date

5/9/2025

  
Hon. Christine Van Aken

San Francisco County Superior Court Judge