

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

NOV 15 2023

BY Amber M. Gear
AMBER M. GEAR, DEPUTY

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN BERNARDINO**

STEVE HERNANDEZ, individually, and
on behalf of all others similarly situated,

Plaintiff,

v.

WALTER'S AUTO SALES AND
SERVICE, INC., a California corporation;
and DOES 1 through 50, inclusive,

Defendant(s).

CASE NO.: CIVSB2201275

Case Assigned for All Purposes to:
Hon. David Cohn
Dept. S-26

~~PROPOSED~~ **ORDER APPROVING
INDIVIDUAL PAGA SETTLEMENT**

Date: September 18, 2023
Time: 9:00 a.m.
Dept.: S-26

Action Filed: January 13, 2022
Trial Date: None Set

FILED

PROPOSED ORDER

WHEREAS, the above-entitled action (the "Action") is pending before this Court and alleges a representative claim pursuant to the California Private Attorneys General Act of 2004, codified at Labor Code section 2698, *et seq.* ("PAGA").

WHEREAS, Plaintiff Steve Hernandez ("Plaintiff"), individually and as an alleged aggrieved employee, acting on his own behalf as a proxy/agent for the California Labor and Workforce Development Agency ("LWDA") with respect to his own individual PAGA claim, applied to this Court for an order approving the settlement of the Action in accordance with the Confidential Settlement Agreement and Release of All Claims (the "Settlement") entered into by Plaintiff and Defendant Walter's Auto Sales and Service, Inc. ("Defendant").

WHEREAS, the Court has reviewed the terms of the Settlement (an unredacted copy of which was lodged with the Court), Plaintiff's Motion for Court Approval of Individual PAGA Settlement (the "Motion"), and the papers and arguments in support of the Motion.

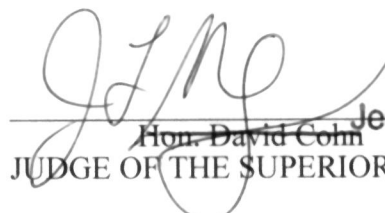
NOW, THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED THAT:

1. The Motion is GRANTED.
2. The Court has jurisdiction over the subject matter of the Action and those persons and entities undertaking affirmative obligations under the Settlement.
3. The Court finds that Plaintiff provided written notice to the LWDA of the Labor Code sections alleged to have been violated, pursuant California Labor Code section 2699.3(a)(1).
4. The Court finds that Plaintiff submitted the Settlement to the LWDA, pursuant California Labor Code sections 2699(1)(2) and (1)(4).
5. The Court finds that the settlement of the Plaintiff's PAGA claim is limited to Plaintiff's individual, non-representative PAGA claim, on his own behalf and no other allegedly aggrieved employee.
6. The Settlement is approved under California Labor Code section 2699(1)(2).
7. Seventy-five percent (75%) of the civil penalties allocated to the settlement of Plaintiff's individual PAGA claim shall be paid to the LWDA pursuant to California Labor Code section 2699(i), with the remainder to be paid to Plaintiff.

1 8. Nothing in this Order or the Settlement Agreement shall be construed as an admission
2 or concession by the Parties.

3
4 **IT IS SO ORDERED.**

5
6 DATE: 11/15/23


~~Hon. David Cohn~~ Jessica L. Morgan
JUDGE OF THE SUPERIOR COURT