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

SEP 12 2024

BY Valerie Uruena
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18 Attorneys for Plaintiff Kayla Vitela, a proxy for the State of California
19 as an aggrieved employee pursuant to the Private Attorneys General Act

14 SUPERIOR COURT OF THE STATE OF CALIFORNIA
15
16 FOR THE COUNTY OF SAN BERNARDINO

17 KAYLA VITELA, a proxy for the State of
18 California as an aggrieved employee pursuant to
19 the Private Attorneys General Act ("PAGA"),

20 Plaintiff,

21 vs.

22 SIZZLING PLATTER, LLC, SIZZLING
23 WINGS, LLC DBA WINGSTOP, SPLAT
24 HOLDCO, LLC, and DOES 1 through 10,
25 inclusive,

26 Defendants.

Case No.: CIVSB2208216

Christian Towns

Assigned for all Purposes to Hon. ~~Jessica Morgan~~,
Dept. S26

ENFORCEMENT ACTION UNDER THE
PRIVATE ATTORNEYS GENERAL ACT,
CALIFORNIA LABOR CODE §§ 2698 ET SEQ.

**~~PROPOSED~~ ORDER OF APPROVAL OF
PAGA SETTLEMENT AND FINAL
JUDGMENT**

[Filed concurrently with Notice of Motion and
Motion; Declaration of Plaintiff Vitela; and
Declaration of Mark Yablonovich; Declaration of
Raul Perez]

Date: September 12, 2024
Time: 8:30 a.m.
Dept.: S26

1 **ORDER**

2 The Court has received and considered the Joint Stipulation of PAGA Settlement and Release
3 Agreement ("PAGA Settlement" or "Settlement Agreement") of Plaintiff Kayla Vitela, as an individual,
4 and on behalf of the State of California and as an "aggrieved employee" acting as a private attorney
5 general under the Labor Code Private Attorneys General Act of 2004, section 2698, et seq. ("PAGA")
6 and Defendants Sizzling Platter, LLC, Sizzling Wings, LLC dba Wingstop, and Splat Holdco, LLC
7 ("Defendants") (Plaintiff and Defendants together the "Parties") in the above-captioned action filed on
8 April 21, 2022.

9 **NOW THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED:**

10 The Court approves the Parties' PAGA Settlement and enters FINAL JUDGMENT based on
11 the terms set forth in the Parties' Settlement Agreement in favor of Plaintiff and the Aggrieved
12 Employees in the amount of \$1,300,000. Of this, \$433,333.33 is awarded as attorneys' fees and
13 \$25,501.79 in costs paid to Plaintiff's Counsel, the Law Offices of Mark Yablonovich and Capstone
14 Law; \$10,000 is awarded to Plaintiff as a Service Award Payment; up to \$14,000 is awarded as
15 Settlement Administration Costs paid to the Settlement Administrator, Atticus Administration, LLC; and
16 up to \$817,164.88 is awarded as PAGA civil penalties of which 75%, or \$612,873.66, will be paid to the
17 California Labor and Workforce Development Agency and 25%, or \$204,291.22, will be distributed to
18 the Aggrieved Employees.

19 Settlement checks remaining uncashed for more than 180 days after issuance shall be voided and
20 then will be tendered to the following Court approved cy pres recipients: WorkSafe and California Court
21 Appointed Special Advocate Association, with the division of the unclaimed funds to be divided fifty-
22 fifty.

23 As a result of this Judgment, and except as to such rights or claims as may be created by this
24 Settlement Agreement, the State of California and each and every Aggrieved Employee, fully releases
25 and discharges the Released Parties from the Released Claims during the PAGA Period and Release
26 Period. Aggrieved Employees, other than Plaintiff, will not be deemed to have released any individual
27 wage and hour claims based on alleged violations of the Labor Code or of a California Wage Order, for
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1 which they have a private right of action, by virtue of this Settlement Agreement during the PAGA
2 Period.

3 This Judgment is intended to be a final disposition in its entirety of the above-captioned action.

4 This Court shall retain jurisdiction to enforce the terms of the Settlement.

5 **IT IS SO ORDERED AND ADJUDGED.**

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7 Dated: 9/12/2024

8 C. Towns
Hon. Jessica Morgan
Judge of the Superior Court

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PROOF OF SERVICE
STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles. I declare that I am over the age of eighteen (18) and not a party to this action. My business address is: 9465 Wilshire Boulevard, Suite 300, Beverly Hills, CA 90212.

On August 20, 2024, I served the following document described below as:

[PROPOSED] ORDER OF APPROVAL OF PAGA SETTLEMENT AND FINAL JUDGMENT

on the interested parties in this action, addressed as follows:

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Attorneys for Defendant
SIZZLING PLATTER, LLC; SIZZLING
WINGS, LLC dba WINGSTOP, and SPLAT
HOLDCO, LLC

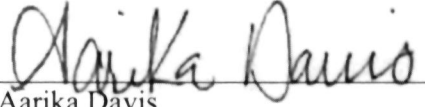
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KAYLA VITELA

(X) BY E-MAIL: I hereby certify that this document was served from Los Angeles, California, by e-mail delivery on the parties listed herein at their most recent known e-mail address or e-mail of record in this action.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on August 20, 2024, at Los Angeles, California.


Aarika Davis