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13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **COUNTY OF CONTRA COSTA – UNLIMITED JURISDICTION**
15

16 **DAVID CLARK,**

17 **Plaintiff,**

18 **vs.**

19 **CUATRO AMIGOS, INC., dba AJ BONO**
20 **PLUMBING; and DOES 1-100, inclusive,**

21 **Defendants.**

CASE NO: C22-00727

**[PROPOSED] ORDER APPROVING PAGA
SETTLEMENT**

Date:
Time:
Dept.:

22 Plaintiff's Motion for Approval of PAGA Settlement and to Dismiss Action with Prejudice
23 ("Motion") came before the Court on _____, at _____. The Court, having considered
24 the papers and arguments submitted in support of the Motion, HEREBY ORDERS THE
25 FOLLOWING:

26 1. Pursuant to the California Labor Code Private Attorneys General Act ("PAGA"),
27 Cal. Lab. Code §§ 2699(1)(2), (1)(4), the Labor Workforce and Development Agency ("LWDA")
28 has been given notice of the Settlement. In particular, on the date Plaintiff filed the motion seeking
approval of the Settlement with the Court, Plaintiff submitted to the LWDA a Notice of Settlement
enclosing a copy of the Settlement. Plaintiff's Notice of Settlement to the LWDA complied with
the requirements of PAGA.

1 2. The Court has jurisdiction over the subject matter of this litigation, over all
2 Aggrieved Employees, and over those persons and entities undertaking affirmative obligations
3 under the Settlement.

4 3. The Court approves the Settlement, attached to this order as **Exhibit 1**, under Cal.
5 Lab. Code § 2699(1)(2) as fair, reasonable and adequate as to the following group of individuals,
6 collectively referred to as the “Aggrieved Employees”: all technicians employed by Defendant
7 Cuatro Amigos, Inc. dba AJ Bono Plumbing in California who worked for Defendant at any time
8 between February 18, 2022, and May 3, 2024.

9 4. The Court approves the following release of claims: the LWDA and each Other
10 Aggrieved Employee, including Plaintiff, discharge Defendant Cuatro Amigos, Inc. dba AJ Bono
11 Plumbing and the Released Parties¹ from any and all claims for PAGA penalties that were alleged
12 or reasonably could have been alleged, based on the facts stated in the First Amended Complaint
13 and the PAGA Notice (the “PAGA Released Claims”).

14 6. The Court approves the allocations and payment of the total amount of Twenty
15 Thousand Dollars (\$20,000) for the compromise of the PAGA Released Claims, to be paid in
16 accordance with the terms of the Settlement (“PAGA Settlement Amount”).

17 7. This Court approves payment of \$9,666.67 to Mayall Hurley P.C. from the Gross
18 Settlement Amount as reimbursement for reasonable fees (\$6,666.67) and costs (\$3,000.00)
19 incurred in prosecuting this action.

20 8. Under the terms of the Settlement, 75% of the remaining \$10,333.33 in PAGA
21 Penalties will be paid to the State of California Labor Workforce Development Agency (“LWDA
22 Payment”); the remaining amount of the PAGA Penalties shall be distributed to the Aggrieved
23 Employees in accordance with the terms of the Settlement.

24 9. The Court retains jurisdiction under Code of Civil Procedure Section 664.6 for
25 purposes of administration and enforcement of the Settlement.

26
27 _____
28 ¹ As defined in Section 1.19 of the PAGA Settlement Agreement attached as **Exhibit 1** hereto.

1 10. Nothing in this Order or the Settlement shall be construed as an admission or
2 concession by any party. The Settlement and this Order simply represent a compromise of disputed
3 allegations.

4 11. Plaintiff is directed to submit a copy of this Order to the LWDA within 10 days of
5 the date of this Order.

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7 **IT IS SO ORDERED:**
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9 Dated: _____

10 Judge of the Superior Court
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