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Attorneys for Plaintiffs Desiree Reyes and Lisa Bravatti

ELECTRONICALLY FILED
Superior Court of California,
County of San Diego

06/22/2023 at 09:32:00 AM
Clerk of the Superior Court
By Lee McAlister, Deputy Clerk

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO**

DESIREE REYES *et al.*

Plaintiffs,

vs.

PARKSIDE LENDING, LLC *et al.*

Defendants.

Case No. 37-2022-00022628-CU-OE-CTL

Hon. Joel R. Wohlfeil
Dept. C-73

CLASS ACTION

**Notice of Entry of Order Granting Final
Approval and Judgment**

Action Filed: June 13, 2022

1 TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD, PLEASE
2 TAKE NOTICE THAT:

3 1. On June 16, 2023, at 9:00 a.m. in this Department, the Court issued a tentative ruling
4 granting Plaintiffs unopposed motion for class action settlement. A copy of the Court's Tentative
5 Ruling is attached hereto as Exhibit 1.

6 2. The Court thereafter entered the Order Granting Final Approval of Class Action
7 Settlement and Attorneys' Fees and Costs, attached hereto as Exhibit 2.

8 3. The Court also entered the Judgment, attached hereto as Exhibit 3.

9 4. A copy of this Notice has been submitted to the LWDA via its online electronic portal
10 in accordance with Labor Code § 2699(1)(3).

11 5. Plaintiffs hereby provide notice of the Court's final ruling and entry of judgment.

12
13 Respectfully submitted,

14
15 Dated: June 22, 2023

Ferraro Vega Employment Lawyers, Inc.

16 

17 Nicholas J. Ferraro

18 *Attorneys for Plaintiffs Desiree Reyes and Lisa Bravatti*

EXHIBIT 1

SUPERIOR COURT OF CALIFORNIA,

COUNTY OF SAN DIEGO

HALL OF JUSTICE

TENTATIVE RULINGS - June 12, 2023

EVENT DATE: 06/16/2023

EVENT TIME: 09:00:00 AM

DEPT.: C-73

JUDICIAL OFFICER: Joel R. Wohlfeil

CASE NO.: 37-2022-00022628-CU-OE-CTL

CASE TITLE: REYES VS PARKSIDE LENDING LLC [EFILE]

CASE CATEGORY: Civil - Unlimited

CASE TYPE: Other employment

EVENT TYPE: Motion Hearing (Civil)

CAUSAL DOCUMENT/DATE FILED: Motion for Attorney Fees, 04/17/2023

The Motion (ROA # 40, 46) of Plaintiffs Desiree Reyes and Lisa Bravatti, on behalf of themselves and the putative class ("Plaintiffs") for an Order for Final Approval of Class Action Settlement and Attorneys' Fees and Costs and Entering Judgment is GRANTED.

The Court will sign the [Proposed] Order Granting Final Approval of Class Action Settlement and Attorneys' Fees and Costs - ROA # 52 - and the [PROPOSED] JUDGMENT - ROA # 53 - at the hearing of this Motion.

EXHIBIT 2

ELECTRONICALLY RECEIVED
Superior Court of California,
County of San Diego
05/18/2023 at 11:33:28 AM
Clerk of the Superior Court
By Andrea Naranjo, Deputy Clerk

FILED
Clerk of the Superior Court

JUN 16 2023

By: R. Day, Deputy

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO**

DESIREE REYES, *et al.*

Plaintiffs,

vs.

PARKSIDE LENDING, LLC, *et al.*

Defendants.

Case No. 37-2022-00022628-CU-OE-CTL

Hon. Joel R. Wohlfeil
Dept. C-73

CLASS ACTION

~~[Proposed]~~ **Order Granting Final Approval of
Class Action Settlement and Attorneys' Fees
and Costs**

Motion for Final Approval/Attorneys' Fees

Date: June 16, 2023

Time: 9:00 a.m.

Action Filed: June 13, 2022

~~[Proposed]~~ **Order Granting Final Approval of Class Action Settlement
and Attorneys' Fees and Costs and Entering Judgment**

1 Having considered the Stipulation Re: Settlement of Class Action ("Stipulation")
2 and all other materials properly before the Court, and having conducted an inquiry pursuant to the
3 California Code of Civil Procedure section 382 and California Rules of Court rule 3.764, the Court
4 finds that the Stipulation was entered by the parties in good faith and at arm's length, and the
5 Stipulation is approved, including:

- 6 1) an award of attorneys' fees for Class Counsel in the amount of \$191,666.66;
- 7 2) allowable litigation costs and expenses of \$25,030.23;
- 8 3) the reasonable costs of \$15,000 for administrating the settlement;
- 9 4) payments to the Plaintiffs in the gross amount of \$10,000 to Desiree Reyes and \$5,000
10 to Lisa Bravatti, with 50% of these respective amounts being paid for the Class
11 Representatives' individual general release of all claims and the remaining 50%
12 constituting the Class Representatives' enhancement awards; and
- 13 5) an amount to be paid in consideration for the release of claims under the California
14 Private Attorneys General Act of 2004, codified at California Labor Code sections
15 2698 et seq., which is \$20,000, 75% (or \$15,000) of which shall be sent to the
16 California Labor Workforce Development Agency, with the remaining 25% (or
17 \$5,000) to be paid pro rata to participating Class Members.

18 The Clerk of the Court shall forthwith enter the Judgment provided in the
19 Stipulation. Parkside, itself or through the Settlement Administrator, shall deliver the payments to
20 the Settlement Class Members, the Class Representatives, and Class Counsel as provided for in
21 this Order. Compensation to the Labor and Workforce Development Agency ("LWDA") shall be
22 effected pursuant to the terms of the Stipulation.

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1 Capitalized terms used in this Order have same meaning as set forth in the
2 Stipulation.

3 IT IS SO ORDERED.

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5 DATED: 6-16, 2023

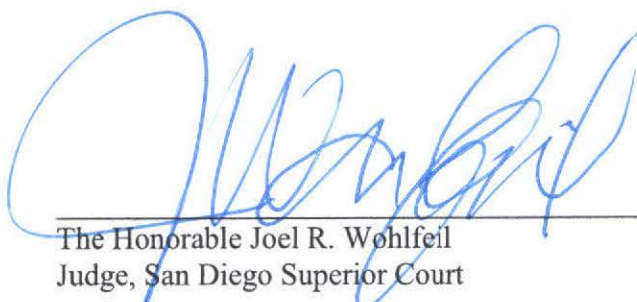
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8 The Honorable Joel R. Wohlfeil
9 Judge, San Diego Superior Court
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EXHIBIT 3

ELECTRONICALLY FILED
Superior Court of California,
County of San Diego

05/18/2023 at 11:33:00 AM
Clerk of the Superior Court
By Andrea Naranjo, Deputy Clerk

FILED
Clerk of the Superior Court

JUN 16 2023

By: R. Day, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO

DESIREE REYES, *et al.*

Plaintiffs,

vs.

PARKSIDE LENDING, LLC, *et al.*

Defendants.

Case No. 37-2022-00022628-CU-OE-CTL

Hon. Joel R. Wohlfeil
Dept. C-73

CLASS ACTION

~~PROPOSED~~ JUDGMENT

Motion for Final Approval/Attorneys' Fees

Date: June 16, 2023

Time: 9:00 a.m.

Action Filed: June 13, 2022

05/23/2023

~~Proposed~~ Judgment

1 This matter came on for hearing upon the application of the Plaintiffs for approval
2 of the settlement set forth in the Stipulation Re: Settlement of Class Action in this matter. Due
3 and adequate notice having been given to the Class, and the Court having considered the
4 Stipulation, all papers filed and proceedings had herein, and all oral and written comments
5 received regarding the proposed settlement, and having reviewed the record in this litigation, and
6 good cause appearing for issuance of this order,

7 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED AS FOLLOWS:

8 1. All defined terms contained herein shall have the same meanings as set
9 forth in the Stipulation Re: Settlement of Class Action executed by the Settling Parties and filed
10 with this Court (the "Stipulation").

11 2. The Court has jurisdiction over the subject matter of the Litigation and the
12 Class Representatives, the Members of the Class, and Parkside.

13 3. The Court finds that the distribution of the Notice as provided for in the
14 Order Granting Preliminary Approval and Setting Settlement Hearing constituted the best notice
15 practicable under the circumstances to all Persons within the definition of the Class, and fully met
16 the requirements of due process under California law. The Notice informed the Class of the terms
17 of the settlement, their right to receive a settlement payment without any required action, their
18 right to comment upon or object to the settlement, and their right to appear in person or by counsel
19 at the final approval hearing and to be heard regarding approval of the settlement. Adequate
20 periods of time were provided for each of these procedures. Based on evidence and other material
21 submitted in conjunction with the Settlement Hearing, the actual notices to the Class were
22 adequate.

23 4. The Court finds that the Litigation presented a good faith dispute over the
24 payment of wages and various Labor Code provisions, and the Court finds in favor of settlement
25 approval.

26 5. The Court approves the settlement of the above-captioned action, as set
27 forth in the Stipulation, including the releases and other terms set forth in the Stipulation, as fair,
28 just, reasonable, and adequate as to the Settling Parties. The Settling Parties are directed to

1 perform in accordance with the terms set forth in the Stipulation. The Settling Parties are to bear
2 their own costs, except as otherwise provided in the Stipulation.

3 6. Those Persons who have validly and timely requested exclusion from the
4 Class [INSERT NAMES] shall not be bound by the terms of this Judgment.

5 7. Solely for purposes of effectuating this settlement, this Court has certified a
6 class consisting of all Class Members, and the Court deems this definition sufficient for purposes
7 of due process and California Code of Civil Procedure section 382 as well as California Rules of
8 Court rule 3.764.

9 8. For purposes of approving this settlement only, this Court finds and
10 concludes that: (a) the Members of the Class are ascertainable and so numerous that joinder of all
11 members is impracticable; (b) there are questions of law or fact common to the Class, and there is
12 a well-defined community of interest among Members of the Class with respect to the subject
13 matter of the Litigation; (c) the claims of the Class Representatives are typical of the claims of the
14 Members of the Class; (d) the Class Representatives have fairly and adequately protected the
15 interests of the Members of the Class; (e) a class action is superior to other available methods for
16 an efficient adjudication of this controversy; and (f) Class Counsel are qualified to serve as
17 counsel for the Plaintiffs in their individual and representative capacities and for the Class.

18 9. By this Judgment, subject to the occurrence of the Effective Date, the Class
19 Representatives shall release, relinquish, and discharge, and each of the Settlement Class Members
20 shall be deemed to have, and by operation of the Judgment shall have, fully, finally, and forever
21 released, relinquished, and discharged all Released Claims as defined in Section 1.26 of the
22 Stipulation.

23 10. Pursuant to the Private Attorneys General Act of 2004 ("PAGA") and Labor
24 Code section 2699(1)(2) in particular, the Court approves the Settlement and finds that it is fair and
25 reasonable and furthers PAGA's objectives. The Court further finds that notice of the Settlement
26 has been provided to the California Labor and Workforce Development Agency ("LWDA") as
27 required by PAGA and Labor Code section 2699(1)(2), in particular. This Judgment shall be
28 binding on Plaintiffs, all Settlement Class Members, and the State of California, who are hereby

1 barred by the doctrine of res judicata from asserting any and all of the Released Claims, as that
2 term is defined by the Settlement. (See *Arias v. Superior Court* (2009) 46 Cal.4th 969, 986
3 [judgment in a representative action brought by an aggrieved employee under PAGA is binding
4 not only on the named employee plaintiff but also on state labor law enforcement agencies and any
5 aggrieved employee not a party to the proceeding].)

6 11. Neither the Stipulation nor the settlement contained therein, nor any act
7 performed or document executed pursuant to or in furtherance of the Stipulation or the settlement:
8 (i) is or may be deemed to be or may be used as an admission of, or evidence of, the validity of
9 any Released Claim, or of any wrongdoing or liability of any of the Parkside Releasees; or (ii) is
10 or may be deemed to be or may be used as an admission of, or evidence of, any fault or omission
11 of any of the Parkside Releasees in any civil, criminal, or administrative proceeding in any court,
12 administrative agency, or other tribunal. In the event that the Effective Date does not occur,
13 Parkside shall not be estopped or otherwise precluded from contesting class or collective action
14 certification in the Litigation on any grounds. Parkside may file the Stipulation and/or the
15 Judgment from the Litigation in any other action that may be brought against them in order to
16 support a defense, claim or counterclaim based on principles of *res judicata*, collateral estoppel,
17 release, good faith settlement, judgment bar, or reduction or any theory of claim preclusion or
18 issue preclusion or similar defense, claim or counterclaim.

19 12. The only Class Members entitled to payment pursuant to this Judgment are
20 Settlement Class Members. The funds from all checks that remain uncashed after 180 days shall
21 be sent by the Settlement Administrator, in the name of the Settlement Class Member, to the State
22 of California's Unclaimed Property Division. Settlement Class Members who fail to negotiate
23 their settlement checks in a timely fashion shall remain subject to the terms of the Settlement and
24 this Judgment.

25 13. As contemplated by the Stipulation, Class Counsel have filed a motion for
26 approval of certain fees, costs, and enhancement payments, and the Court has approved the
27 following payments:

28 (1) an award of attorneys' fees for Class Counsel in the amount of \$191,666.66;

1 (2) allowable litigation costs and expenses of \$25,030.23;
2 (3) the reasonable costs of \$15,000 for administrating the settlement;
3 (4) payments to the Plaintiffs in the gross amount of \$10,000 to Desiree Reyes and
4 \$5,000 to Lisa Bravatti, with 50% of these respective amounts being paid for the
5 Class Representatives' individual general release of all claims and the remaining
6 50% constituting the Class Representatives' enhancement awards; and
7 (5) an amount to be paid in consideration for the release of claims under the
8 California Private Attorney Generals Act of 2004, codified at California Labor
9 Code sections 2698 et seq., which is \$20,000, 75% (or \$15,000) of which shall be
10 sent to the California Labor Workforce Development Agency, with the remaining
11 25% (or \$5,000) to be paid pro rata to participating Class Members.

12 14. The Court finds that such amounts, and Parkside's agreement to pay such
13 amounts, are fair and reasonable. Parkside is directed to make such payments and out of the
14 Maximum Settlement Amount in accordance with the terms of the Stipulation.

15 15. The Court reserves exclusive and continuing jurisdiction over the
16 Litigation, the Class Representatives, the Class, and Parkside for the purposes of supervising the
17 implementation, enforcement, construction, administration and interpretation of the Stipulation
18 and this Judgment.

19 16. This document shall constitute a judgment for purposes of California Code
20 of Civil Procedure sections 577 and 664.6.

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22 DATED: 6-16, 2023

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25 The Honorable Joel R. Wohlfeil
26 Judge, San Diego Superior Court
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