

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: Daniel F. Gaines, Esq. FIRM NAME: GAINES & GAINES, APLC STREET ADDRESS: 4550 East Thousand Oaks Blvd., Suite 100 CITY: Westlake Village STATE: CA ZIP CODE: 91362 TELEPHONE NO.: 818-703-8985 FAX NO.: 818-703-8984 EMAIL ADDRESS: daniel@gaineslawfirm.com ATTORNEY FOR (name): Plaintiff, Jessica Vargas SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: 111 North Hill Street CITY AND ZIP CODE: Los Angeles, 90012 BRANCH NAME: Stanley Mosk Courthouse	FOR COURT USE ONLY
PLAINTIFF/PETITIONER: Jessica Vargas Zaragoza DEFENDANT/RESPONDENT: American Tax Solutions	
NOTICE OF ENTRY OF JUDGMENT OR ORDER (Check one): ☒ UNLIMITED CASE (Amount demanded exceeded \$35,000) ☐ LIMITED CASE (Amount demanded was \$35,000 or less)	CASE NUMBER: 22STCV09469

TO ALL PARTIES :

1. A judgment, decree, or order was entered in this action on (date): 04/08/2024
2. A copy of the judgment, decree, or order is attached to this notice.

Date: 04/11/2024

Daniel F. Gaines, Esq.

(TYPE OR PRINT NAME OF ☒ ATTORNEY ☐ PARTY WITHOUT ATTORNEY)*Daniel F. Gaines*

(SIGNATURE)

PLAINTIFF/PETITIONER: Jessica Vargas Zaragoza
 DEFENDANT/RESPONDENT: American Tax Solutions

CASE NUMBER:
 22STCV09469

**PROOF OF SERVICE BY FIRST-CLASS MAIL
 NOTICE OF ENTRY OF JUDGMENT OR ORDER**

(NOTE: You cannot serve the Notice of Entry of Judgment or Order if you are a party in the action. The person who served the notice must complete this proof of service.)

1. I am at least 18 years old and **not a party to this action**. I am a resident of or employed in the county where the mailing took place, and my residence or business address is (*specify*): 4550 East Thousand Oaks Blvd., Suite 100, Westlake Village, CA 91362

2. I served a copy of the *Notice of Entry of Judgment or Order* by enclosing it in a sealed envelope with postage fully prepaid and (*check one*):

- a. ☐ deposited the sealed envelope with the United States Postal Service.
 b. ☒ placed the sealed envelope for collection and processing for mailing, following this business's usual practices, with which I am readily familiar. On the same day correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service.

3. The *Notice of Entry of Judgment or Order* was mailed:

- a. on (*date*): 04/11/2024
 b. from (*city and state*): Westlake Village, CA

The above-stated document was submitted for service by electronic transmission on CASEANYWHERE on the counsel of record listed below.

4. The envelope was addressed and mailed as follows:

- a. Name of person served: (cbaran@fisherphillips.com) c. Name of person served:
 Christine Baran, Esq. FISHER & PHILLIPS

Street address: 2050 Main Street, Suite 1000

Street address:

City: Irvine

City:

State and zip code: CA 92614

State and zip code:

- b. Name of person served:

- d. Name of person served:

Street address:

Street address:

City:

City:

State and zip code:

State and zip code:

☐ Names and addresses of additional persons served are attached. (*You may use form POS-030(P).*)

5. Number of pages attached: 4

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

Date: 04/11/2024

Jeremy Reyes

(TYPE OR PRINT NAME OF DECLARANT)



(SIGNATURE OF DECLARANT)

DANIEL F. GAINES, ESQ. SBN 251488
daniel@gaineslawfirm.com
ALEX P. KATOFISKY, ESQ. SBN 202754
alex@gaineslawfirm.com
GAINES & GAINES, APLC
4550 East Thousand Oaks Boulevard, Suite 100
Westlake Village, CA 91362
Telephone: (818) 703-8985
Facsimile: (818) 703-8984

Attorneys for Plaintiffs Jessica Vargas Zaragoza, Sean
Richardson, Kayla Salas, Selina Taing, Alizae Vargas, and
Ricki Freitas and Proposed Class Counsel

FILED
Superior Court of California
County of Los Angeles
04/08/2024

David W. Slayton, Executive Officer / Clerk of Court
By: E. Martinez Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE

JESSICA VARGAS ZARAGOZA, on
behalf of herself and on behalf of all
similarly situated individuals,

Plaintiffs,

v.

AMERICAN TAX SOLUTIONS, a
California corporation, and DOES 1
through 10, inclusive,

Defendants.

CASE NO: 22STCV09469

Assigned to the Hon. Carolyn B. Kuhl, Dept. SS-12

CLASS ACTION

**~~PROPOSED~~ ORDER AND JUDGMENT
GRANTING FINAL APPROVAL OF CLASS
ACTION SETTLEMENT**

DATE: February 29, 2024

TIME: 10:30 a.m.

DEPT.: SS-12

Action Filed: March 17, 2022

1 Plaintiffs’ Motion for an Order Granting Final Approval of Class Action Settlement came
2 before this Court on February 29, 2024. The above-captioned Action is a class action lawsuit
3 brought by Plaintiffs Jessica Vargas Zaragoza, Sean Richardson, Kayla Salas, Selina Taing, Alizae
4 Vargas, and Ricki Freitas (“Plaintiffs”) against Defendant American Tax Solutions (“Defendant”)
5 (collectively, the “Parties”). Plaintiffs allege, on behalf of a class of Defendant’s current and former
6 employees, that Defendant failed to pay all minimum and overtime wages due, failed to provide
7 meal and rest periods or compensation in lieu thereof, failed to reimburse business-related
8 expenses, failed to pay wages due timely upon separation of employment, and failed to comply
9 with itemized wage statement provisions. Defendant denies any and all alleged wrongdoing, and
10 denies any liability to the Plaintiffs or to members of the Class. Defendant contends that that it has
11 complied at all times with California law, including the California Labor Code, the Industrial
12 Commission Wage Orders, and the California Business and Professions Code.

13 On September 27, 2023, this Court entered an Order Granting Preliminary Approval of
14 Settlement, resulting in certification of the Settlement Class: All persons who are or previously
15 were employed as non-exempt employees and/or commissioned Settlement Officers by Defendant
16 in California during the Class Period.

17 That Order further directed the Parties to provide Notice to the Class, which informed absent
18 class members of: (a) the proposed Settlement, and the Settlement’s key terms; (b) the date, time
19 and location of the Final Approval Hearing; (c) the right of any Class Member to object to the
20 proposed Settlement, and an explanation of the procedures to exercise that right; (d) the right of
21 any Class Member to exclude themselves from the proposed Settlement, and an explanation of the
22 procedures to exercise that right; and (e) an explanation of the procedures for class members to
23 participate in the proposed settlement.

24 The Court, upon Notice having been given as required in the Preliminary Approval Order,
25 and having considered the Settlement Agreement and Release of Claims, as well as all papers filed,
26 hereby ORDERS, ADJUDGES AND DECREES AS FOLLOWS:

27 \\
28

1 1. This Court has jurisdiction over the subject matter of the Action and over all Parties
2 to the Action, including all members of the Settlement Class.

3 2. The Court finds that the Settlement Class is properly certified for settlement
4 purposes only.

5 3. The Notice provided to the Settlement Class conforms with the requirements of
6 California Code of Civil Procedure section 382, California Civil Code section 1781, California
7 Rules of Court 3.766 and 3.769, the California and United States Constitutions, and any other
8 applicable law, and constitutes the best notice practicable under the circumstances, by providing
9 individual notice to all Class Members who could be identified through reasonable effort, and by
10 providing due and adequate notice of the proceedings and of the matters set forth therein to the
11 Class Members. The notice fully satisfied the requirements of due process.

12 4. The Court finds the settlement was entered into in good faith, that the settlement is
13 fair, reasonable and adequate, and that the settlement satisfies the standards and applicable
14 requirements for final approval of this class action settlement under California law, including the
15 provisions of California Code of Civil Procedure section 382 and California Rules of Court, Rule
16 3.769.

17 5. The Court approves the Maximum Settlement Amount of \$600,000.

18 6. Zero (0) Class Members have objected to the terms of the Settlement.

19 7. One (1) Class Member has requested exclusion from the Settlement. Eve Reid shall
20 not be bound by the Released Class Claims, but she will be bound by the Released PAGA Claims
21 as defined in the Settlement.

22 8. Upon entry of this Order, compensation to the participating members of the
23 Settlement Class and all Aggrieved Employees shall be affected pursuant to the terms of the
24 Settlement Agreement.

25 9. In addition to any recovery that Plaintiffs may receive from the Net Settlement
26 Proceeds, and in recognition of the Plaintiffs' efforts on behalf of the Settlement Class, the Court
27 hereby approves the payment of Enhancement Payments to Plaintiffs Jessica Vargas Zaragoza,
28

1 Sean Richardson, Kayla Salas, Selina Taing, Alizae Vargas, and Ricki Freitas in the amount of
2 Seven Thousand Five Hundred Dollars \$7,500 each (for a total of \$45,000). This shall be paid
3 from the Maximum Settlement Amount.

4 10. The Court approves the payment of attorneys' fees to Class Counsel, Gaines &
5 ~~Gaines, APLC~~, in the sum of Two Hundred Thousand Dollars ~~(\$200,000)~~ ^{\$175,000.00}, and the reimbursement
6 in the amount of \$25,646.74.
7 of litigation expenses ~~in the sum of Forty Thousand Three Hundred Thirty-Eight Dollars and Fifty-~~
8 ~~Nine Cents (\$40,338.59)~~. This shall be paid from the Maximum Settlement Amount.

9 The court finds that the fee award is reasonable in light of the benefit obtained for the class and the
10 quality of the representation. 11. The Court approves and orders payment in the amount of Seventeen Thousand Two
11 Hundred Fifty Dollars (\$17,250) to Phoenix Settlement Administrators for performance of its
12 settlement administration services. This shall be paid from the Maximum Settlement Amount.

13 12. The Court approves and orders payment in the amount of Forty-Five Thousand
14 Dollars (\$45,000) to the California Labor and Workforce Development Agency for its 75% share
15 of PAGA penalties. This shall be paid from the Maximum Settlement Amount.

16 13. Upon the entry of this Order and Judgment, and subject to the occurrence of the
17 Effective Date, Plaintiffs, all participating Class Members, and all Aggrieved Employees shall be
18 bound by the releases of claims as set forth in the Settlement Agreement.

19 14. This "Judgment" is intended to be a final disposition of the above captioned action
20 in its entirety, and is intended to be immediately appealable.

21 15. This Court shall retain jurisdiction with respect to all matters related to the
22 administration and consummation of the settlement, and any and all claims, asserted in, arising out
23 of, or related to the subject matter of the lawsuit, including but not limited to all matters related to
24 the settlement and the determination of all controversies relating thereto. The administrator shall file
25 a report regarding the status of administration of the settlement by April 21, 2025.

26 **IT IS SO ORDERED.**

27 Dated: 04/08/2024



28 *Carolyn B. Kuhl*
JUDGE OF THE SUPERIOR COURT
Carolyn B. Kuhl / Judge