

Justin F. Marquez (SBN 262417)
justin@wilshirelawfirm.com
Christina M. Le (SBN 237697)
cle@wilshirelawfirm.com
Zachary D. Greenberg (SBN 331501)
zgreenberg@wilshirelawfirm.com

WILSHIRE LAW FIRM

3055 Wilshire Blvd., 12th Floor
Los Angeles, California 90010
Telephone (213) 381-9988
Facsimile: (213) 381-9989

Attorneys for Plaintiff

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

DARIUS YOUNG, individually, and on behalf
of all others similarly situated,

Plaintiff,

v.

M. ARTHUR GENSLER JR. & ASSOCIATES,
INC., a California corporation, and DOES 1
through 10, inclusive,

Defendants.

Case No.: 22STCV07284

CLASS ACTION

*[Assigned for all purposes to Hon. Lawrence
P. Riff, Dept. 07]*

**AMENDED [PROPOSED] ORDER
GRANTING PLAINTIFF'S MOTION
FOR FINAL APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

FINAL APPROVAL HEARING

Date: October 5, 2023

Time: 10:00 a.m.

Dept: 7

Complaint filed: February 28, 2022
FAC filed: July 25, 2022

1 The Court has before it Plaintiff Darius Young's ("Plaintiff") Motion for Final Approval
2 of Class Action Settlement (the "Final Approval Motion"), and after review and consideration
3 of the parties' fully executed Stipulation of Class and PAGA Action Settlement and Release and
4 Class Notice (collectively, the "Settlement" or "Settlement Agreement") and the papers in
5 support of the Final Approval Motion, due and adequate notice having been given to the Class
6 Members, and the Court having reviewed and considered the Settlement, all papers filed, the
7 record, proceedings in the above-entitled action ("Litigation" or "Action"), and all oral and
8 written comments received regarding the Settlement, and good cause appearing therefor,

9 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

10 1. The Court, for purposes of this Order, adopts all defined terms as set forth in the
11 Settlement filed in this case.

12 2. The Court has jurisdiction over all claims asserted in the Action, Plaintiff, the
13 Settlement Class Members, the PAGA Group Members and Defendant M. Arthur Gensler Jr. &
14 Associates, Inc. ("Defendant").

15 3. The Court finds that the Settlement appears to have been made and entered into in
16 good faith and hereby approves the settlement subject to the limitations on the requested fees and
17 enhancements as set forth below.

18 4. Plaintiff and all Participating Class Members shall have, by operation of this Final
19 Order and Judgment, fully, finally, and forever released, relinquished, and discharged Defendant
20 and the Released Parties from all Released Class Claims as set forth in the Settlement.

21 5. Plaintiff, the State of California, and all PAGA Members shall have,
22 by operation of this Final Order and Judgment, fully, finally, and forever released, relinquished,
23 and discharged Defendant and the Released Parties from all Released PAGA Claims as set forth in
24 the Settlement.

25 6. The Parties shall bear their own respective attorneys' fees and costs, except as
26 otherwise provided for in the Settlement and approved by the Court.

27 7. Solely for purposes of effectuating the settlement, the Court finally certified the
28

1 following Class: “all current and former non-exempt hourly-paid employees who worked for
2 Defendant in California during the Class Period and did not previously sign a general release of
3 claims.”

4 8. The Class Period means the period that starts on April 5, 2018, through June 5, 2023,
5 the date of Preliminary Approval of the Settlement.

6 9. The PAGA Period means the period from March 2, 2021, through June 5, 2023, the
7 date of Preliminary Approval of the Settlement.

8 10. No Settlement Class Members have objected to the terms of the Settlement. Two
9 persons, Virginia McDonald and Jia Lan Chow, requested exclusion from the Settlement.

10 11. The Notice provided to the Class conforms with the requirements of California
11 Rules of Court 3.766 and 3.769, and constitutes the best notice practicable under the circumstances,
12 by providing individual notice to all Class Members who could be identified through reasonable
13 effort, and by providing due and adequate notice of the proceedings and of the matters set forth
14 therein to the Class Members. The Notice fully satisfies the requirements of due process.

15 12. The Court finds the Total Maximum Settlement Amount, the Net Settlement Sum
16 and the methodology used to calculate and pay the Individual Settlement Payments to each
17 Participating Class Member are fair and reasonable and authorizes the Settlement Administrator to
18 pay the Individual Settlement Payments to the Participating Class Members in accordance with the
19 terms of the Settlement.

20 13. The Court approves the Settlement and finds that it is fair, reasonable, and adequate,
21 and worthy of final approval.

22 14. The Court also finds the PAGA Payment is fair and reasonable, and that Plaintiff
23 provided notice of the proposed Settlement to the Labor and Workforce Development Agency
24 (LWDA) and will fully and adequately comply with the notice requirements of California Labor
25 Code section 2699(1). The Court hereby approves the PAGA Settlement.

26 15. Defendant shall pay the total of \$472,696.53 to resolve this litigation. Defendant
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1 shall deposit this amount into an account established by the Settlement Administrator. Thereafter,
2 compensation to the Participating Class Members shall be disbursed pursuant to the terms of the
3 Settlement.

4 a. From the Settlement Amount, \$45,000.00 shall be paid to the California Labor and
5 Workforce Development Agency, representing 75% of the \$60,000 PAGA
6 Payment under the terms of the Settlement Agreement pursuant to the Labor Code
7 Private Attorneys General Act of 2004, California Labor Code section 2698, *et*
8 *seq.* The remaining \$15,000.00, representing 25% of the total amount allocated
9 for the PAGA Payment, shall be paid to the PAGA Group Members.

10 b. From the Settlement Amount, \$5,000.00 shall be paid to Plaintiff, Darius Young,
11 for his service as Class Representative and for his agreement to release claims.

12 c. From the Settlement Amount, \$10,500.00 shall be paid to the Settlement
13 Administrator, CPT Group, Inc.

14 16. The Court hereby confirms Justin F. Marquez, Christina M. Le, and Zachary D.
15 Greenberg of Wilshire Law Firm, PLC as Class Counsel.

16 17. From the Total Maximum Settlement Amount, Class Counsel is awarded
17 \$157,565.51 for their reasonable attorneys' fees and \$13,529.84 for their reasonable
18 costs incurred in the Action. The fees and costs shall be distributed to Class Counsel
19 as set forth in the Settlement. The Court finds that the fees are reasonable in light of
20 the benefit provided to the Class.

21 18. Notice of entry of this Final Approval Order and Final Judgment shall be given to
22 Class Members by posting a copy of the Final Approval Order and Final Judgment
23 on CPT Group, Inc.'s website for a period of at least sixty (60) calendar days after
24 the date of entry of this Final Approval Order and Judgment.

25 19. Without affecting the finality of this Final Approval Order and Final Judgment in
26 any way, this Court retains continuing jurisdiction over the implementation,
27 interpretation, and enforcement of the Settlement with respect to all Parties to this
28 action, and their counsel of record.

1 20. Plaintiff's Motion for Final Approval of Class Action Settlement is hereby granted
2 and the Court directs that Final Judgment shall be entered in accordance with the
3 terms of this Order.

4
5 **IT IS SO ORDERED.**

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7
8 DATE:

Hon. Lawrence P. Riff
Los Angeles County Superior Court

PROOF OF SERVICE

Darius Young v. M. Arthur Gensler Jr. & Associates
22STCV07284

STATE OF CALIFORNIA)
) ss
COUNTY OF LOS ANGELES)

I, Sandy S. Sespene, state that I am employed in the aforesaid County, State of California; I am over the age of eighteen years and not a party to the within action; my business address is 3055 Wilshire Blvd., 12th Floor, Los Angeles, California 90010. My electronic service address is ssespene@wilshirelawfirm.com.

On **September 27, 2023**, I served the foregoing **AMENDED [PROPOSED] ORDER GRANTING PLAINTIFF'S MOTION FOR FINAL APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT**, on the interested parties by placing a true copy thereof, enclosed in a sealed envelope by following one of the methods of service as follows:

Julia C. Riechert
JRiechert@orrick.com
ORRICK, HERRINGTON & SUTCLIFFE LLP
1000 Marsh Road
Menlo Park, California 94025
Telephone: (650) 614-7400
Facsimile: (650) 614-7401

Lisa M. Bowman
lisa.bowman@orrick.com
ORRICK, HERRINGTON & SUTCLIFFE LLP
The Orrick Building
405 Howard Street
San Francisco, CA 94105-2669
Telephone: (415) 773 5700
Facsimile: (415) 773 5759

Mariam Bicknell
mbicknell@orrick.com
ORRICK, HERRINGTON & SUTCLIFFE LLP
2050 Main Street, Suite 1100
Irvine, California 92614
Telephone: (949) 567-6700
Facsimile: (949) 567-6710

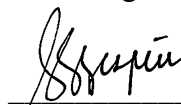
Attorneys for Defendant

(X) **BY ELECTRONIC SERVICE:** Based on a court order or an agreement of the parties to accept electronic service, I caused the documents to be sent to the persons at the electronic service addresses listed above via third-party cloud service **CASEANYWHERE**.

(X) **BY UPLOAD:** I hereby certify that the documents were uploaded by my office to the State of California Labor and Workforce Development Agency Online Filing Site.

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

Executed on September 27, 2023, at Los Angeles, California.



Sandy S. Sespene