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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

JALEEN ROBERTS, in a Representative
capacity only, and on behalf of other
members of the general public similarly
situated

Plaintiff

v.

ENCONTRO NORTH PARK, LLC, a
California Limited Liability Company; and
DOES 1-10, inclusive.
Defendants.

CASE NO. 37-2022-00030477-CU-OE-CTL
(CLASS ACTION)

**[PROPOSED] ORDER: (1) GRANTING
FINAL APPROVAL OF CLASS ACTION
SETTLEMENT AND (2) ENTERING
JUDGMENT**

Date: January 19, 2024
Time: 1:30 p.m.
Judge: Hon. Marcella O. McLaughlin
Dept.: C-72

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 Plaintiff JALEEN ROBERTS's Unopposed Motion for Final Approval of (1) Class Action
3 Settlement; (2) Attorneys' Fees and Costs; and (3) Class Representative Enhancement, in the above-
4 captioned matter, came on for hearing before this Court on January 19, 2024 at 1:30 p.m. Sullivan &
5 Yaeckel Law Group, APC appeared on behalf of Plaintiff and the Class; Jackson Lewis P.C. appeared
6 on behalf of Defendant.

7
8 On good cause shown, and pursuant to the authority of California statutory and case law, this
9 Court finds that the settlement between Plaintiff and Defendants was made in good faith and is fair,
10 reasonable and adequate. The Court grants the motion and enters judgment consistent with the
11 following:

12 **IT IS HEREBY ORDERED THAT:**

- 13 1. Plaintiff's Motion for Final Approval of (1) Class Action Settlement; (2) Attorneys' Fees and
14 Costs; and (3) Class Representative Enhancement Award, is hereby granted.
- 15 2. Pursuant to this Court's Preliminary Approval Order of August 4, 2023, the Notice of Class
16 Action Settlement (the "Class Notice") was sent to the Class, which was previously certified
17 in this Court's Preliminary Approval Order, in the manner specified by the parties Joint
18 Stipulation of Class Action Settlement and Release ("Settlement Agreement."). (The
19 Settlement Agreement is on file with the Court's Register of Actions # 33 as **Exhibit A.**) The
20 Class Notice informed the Class of the terms of the Settlement, their right to receive their
21 proportional share of the Settlement by not opting out, their right to request exclusion, and their
22 right to object to the Settlement. Adequate periods of time were provided by each of these
23 procedures.
- 24 3. Out of a total of 443 Class Members who were sent notice, One individual (identified in the
25 Settlement Administrator Declaration) has requested exclusion and "Opted-Out" of the
26 settlement.
- 27 4. Zero (0) members of the Class objected to the Settlement.
- 28 5. The Court finds and determines that this notice procedure afforded adequate protections to

1 Class Members and fully and accurately informed the class of all material aspects of the
2 settlement. The Court finds and determines that the notice provided in this case was the best
3 notice practicable, which satisfied the requirements of law and due process.

4 6. The Court further finds and determines that the terms of the Settlement are fair, reasonable and
5 adequate to the Class and to each Class Member. The Class Members who have not expressly
6 sent a request for exclusion (“Opt-Out”), will be bound by the Settlement. The Settlement is
7 ordered finally approved, and that all terms and provisions of the Settlement should be and
8 hereby are ordered to be consummated.

9 7. The Court finds and determines that the Settlement sums to be paid to the Class Members as
10 provided for by the Settlement are fair and reasonable. The Court hereby gives final approval
11 to and orders the payment of those amounts be made to the Class Members in accordance with
12 the terms of the Settlement.

13 8. The Court finds the payment of \$7,500.00 (75% Share of \$10,000.00 allocation) to the Labor
14 and Workforce Development Agency (“LWDA”) in settlement of the LWDA’s share of the
15 penalties alleged by Plaintiff and compromised under the Settlement is fair and reasonable.

16 9. The Court finds and determines that the Class Representative Enhancement Payment to
17 Plaintiff, Jaleen Roberts, in the sum of \$5,000.00, in consideration for her service as the Class
18 Representative, is fair and reasonable. The Court hereby gives final approval to and orders that
19 the payment of the Enhancement be paid as provided by the Settlement Agreement.

20 10. The Court finds and determines that the total payment to the Claims Administrator, CAC
21 Services Group LLC, in the sum of \$10,572.74 for claims administration expenses in
22 completing its duties pursuant to the terms of the Settlement is fair and reasonable. The Court
23 hereby gives final approval to and orders that the payment of said amount be paid from the as
24 provided for by the Settlement Agreement.

25 11. The Court finds and determines that the payment of \$40,000 as Class Counsel’s Attorney’s
26 Fees and request for \$5,494.40 for costs of litigation, is fair and reasonable. The Court hereby
27 gives final approval to and orders those amount(s) be paid to the Sullivan & Yaeckel Law
28 Group, APC, out of the total settlement amount in accordance with the terms of the Settlement

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Agreement.

12. All “Released Claims” against Defendant by the “Class Members”(as these terms are defined the parties’ Settlement Agreement) that have been, or might have been, asserted by any Class Member who did not timely submit a Request for Exclusion, in accordance with the terms of the Settlement Agreement, are hereby released, and all such Class Members shall be forever barred from pursuing any of the Released Claims as set forth in the Settlement Agreement against the Released Parties.
13. Accordingly, the Court enters this judgment consistent with the above and the parties’ Settlement Agreement.
14. Pursuant to California Rules of Court, rule 3.769(h), this Court retains jurisdiction over the parties to enforce this judgment.

IT IS SO ORDERED.

Dated: _____

HON. MARCELLA O. MCLAUGHLIN
JUDGE OF THE SUPERIOR COURT