

KINGSLEY & KINGSLEY, APC
ERIC B. KINGSLEY, Esq. (SBN 185123)
eric@kingsleykingsley.com
KELSEY M. SZAMET, Esq. (SBN 260264)
kelsey@kingsleykingsley.com
16133 Ventura Blvd., Suite 1200
Encino, CA 91436
Tel: (818) 990-8300, Fax (818) 990-2903

Attorneys for Plaintiff and all aggrieved employees

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

WALTER PORTILLO, an individual, on
behalf of the State of California, as a private
attorney general,

PLAINTIFF,

v.

FOX RENT A CAR, INC.; and DOES 1 thru
50, inclusive,

DEFENDANTS.

Case No. 22STCV19855

[Case Assigned for All Purposes to Hon. Judge
Wendy Chang in Dept. 36]

**[PROPOSED] ORDER GRANTING
APPROVAL OF REPRESENTATIVE
ACTION SETTLEMENT**

Date: March 21, 2024

Time: 8:30 A.M.

Dept.: 36

Reservation Number: 359040195386

Complaint Filed: June 17, 2022

Trial Date: August 9, 2024

1 **[PROPOSED] ORDER**

2 The Motion for Approval of Representative Action Settlement (“Motion”) came before this
3 Court, the Honorable , presiding. The Court, having considered the papers submitted in support
4 of the motion of the parties, **HEREBY ORDERS THE FOLLOWING:**

5 Having considered Plaintiff’s Motion, and all legal authorities and documents submitted
6 in support thereof, including the Private Attorneys General Act (“PAGA”) Settlement
7 Agreement (“Settlement Agreement”), attached to the Kingsley Declaration as Exhibit “A”, and
8 good cause appearing, IT IS HEREBY ORDERED that Plaintiff’s Motion is GRANTED, subject
9 to the following findings and orders:

- 10 1. The Court finds the Settlement is fair and reasonable.
- 11 2. The Court approves the Gross Settlement Amount of \$299,000.00
- 12 3. The Court approves the PAGA Penalties in the amount of \$169,981.87.
- 13 4. The Court approves 75% of the PAGA Penalties being allocated to the LWDA in
14 the amount of \$127,486.40.
- 15 5. The Court directs that the remaining 25% of the PAGA Penalties, in the amount
16 of \$42,495.47 shall be allocated to the PAGA Members.
- 17 6. The Court approves the PAGA Counsel’s request for reimbursement of case costs
18 in the amount of \$15,101.46 and attorneys’ fees in the amount of \$99,666.67.
- 19 7. The Court approves the settlement administration costs of \$6,750.00.
- 20 8. The Parties are ordered to carry out the terms of the Settlement Agreement.
- 21 9. Pursuant to C.C.P §664.6, the Court shall have and retain continuing jurisdiction
22 over this action and the Parties and the PAGA Members including after the entry
23 of this Order, to the fullest extent necessary to interpret, enforce and effectuate
24 the terms and intent of the Settlement Agreement and this Order.

25
26 **DATED:** _____

27 **JUDGE OF THE SUPERIOR COURT**

(PROOF OF SERVICE)
[CCP 1013(a)(3)]

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is 16133 Ventura Boulevard, Suite 1200, Encino, California 91436.

On February 28, 2024, I served all interested parties in this action the following documents described as: **[PROPOSED] ORDER GRANTING APPROVAL OF REPRESENTATIVE ACTION SETTLEMENT** by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

LITTLER MENDELSON, P.C.

Timothy Wojcik
TWojcik@littler.com
Tracy R. Leidner
TLeidner@littler.com
Fermin Llaguno
FLlaguno@littler.com
Karla Garcia
KGarcia@littler.com
Jessica Zepeda
JZepeda@littler.com
18565 Jamboree Road, Suite 800
Irvine, California 92612

[XX] BY ELECTRONIC SERVICE: I caused a true and correct copy thereof to be electronically filed using the Labor and Workforce Development Agency Electronic Filing ("EF") System (<https://dir.tfaforms.net/315>) and service was completed by electronic means by transmittal of the documents referenced herein on the EF System.

[XX] (BY ELECTRONIC MAIL TRANSMISSION): I caused the document to be send to the persons at the e-mail address(es) listed on the attached service list. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful. A pdf copy of which was sent via email to the above email address(es).

[XX] (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on February 28, 2024, at Woodland Hills, California.



Michelle Tanzer