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FILED
 Superior Court of California
 County of Los Angeles

10/11/2023

David W. Slayton, Executive Officer / Clerk of Court

By: N. Marshall Deputy

8 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**
 9 **FOR THE COUNTY OF LOS ANGELES**

11 KEVIN FOX, and on behalf of himself and
 12 others similarly situated, and on behalf of the
 general public,

13 Plaintiff,

14 vs.

15 WORLD BACK TO WORK, INC., a
 California corporation; ROB WRIGHT, an
 16 individual; DAVID SHOR, an individual;
 17 JEFF SHULEM, an individual; and HEIDI
 KIRCHER, an individual; and DOES 1
 through 25, inclusive,

18 Defendants.

Case No. 22STCV24082

Assigned to Hon. Maurice A. Leiter, Dept. 54

**~~PROPOSED~~ ORDER ON MOTION FOR
 APPROVAL OF NEGOTIATED
 PENALTIES PURSUANT TO THE
 PRIVATE ATTORNEY GENERALS' ACT
 OF 2004**

Date: October 11, 2023

Time: 9:00 a.m.

Dept.: 54

RESERVATION ID: 837461793392

Action filed: July 26, 2022

Trial date: None set

22 The unopposed Motion for Approval of Negotiated Penalties Pursuant to the Private
 23 Attorney Generals' Act of 2004 came on for hearing on October 11, 2023 at 9:00 a.m. before this
 24 Court, in Department 54, the Honorable Maurice A. Leiter, presiding.

25 Plaintiff appeared through Plaintiff's counsel, Mia Munro, Esq. All Defendants appeared
 26 through their counsel, Anne McWilliams, Esq.

27 After considering the unopposed Motion, the argument of counsel at the hearing, and good
 28 cause appearing therefor, for purposes of this Order, it is hereby ORDERED: the Court adopts all

1 defined terms as set forth in the Parties Settlement Agreement filed with the Motion for Approval
2 of PAGA Settlement.

3 1. The Court has jurisdiction over all claims asserted in the Action, Plaintiff, the Aggrieved
4 Employees, and Defendants. This Order shall be binding on all Aggrieved Employees and the
5 Labor and Workforce Development Agency (“LWDA”), who are hereby barred by the doctrine of
6 res judicata from re-litigating the Released Claims, as defined below. See *Arias v. Superior Court*
7 (2009) 46 Cal.4th 969, 986 (holding that a judgment in a representative action brought by an
8 aggrieved employee under PAGA is binding not only on the named employee plaintiff but also on
9 state labor law enforcement agencies and any aggrieved employee not a party to the proceeding).

10 2. Pursuant to the California Private Attorneys General Act of 2004 (“PAGA”), Labor
11 Code section 2699 et seq., the Court approves the Settlement and finds that it is fair and
12 reasonable, genuine and meaningful and furthers PAGA’s objectives. The Court finds that notice
13 of the Settlement has been provided to the LWDA, as required by Labor Code § 2699(1)(2).

14 3. The Court approves ILYM Group as the Settlement Administrator in this action.

15 4. The Court finds the Settlement Fund, the PAGA Fund, and the methodology used to
16 calculate and pay each Aggrieved Employee’s Individual Settlement Payment are fair and
17 reasonable, and authorizes the Settlement Administrator to pay the Individual Settlement
18 Payments to Aggrieved Employees in accordance with the terms of the Settlement Agreement.
19 The Court also authorizes the Settlement Administrator to make the PAGA payment to the
20 LWDA.

21 5. The Court finds that Plaintiff’s Counsel’s request for attorneys’ fees in the amount of
22 \$16,000.00, is reasonable and represents negative multiplier of the lodestar method. The Court
23 awards Plaintiff’s Counsel \$16,000.00 in attorneys’ fees to be paid from the Settlement Fund.

24 6. The Court finds that Plaintiff’s Counsel has incurred \$2,825.00 in costs and expenses.
25 Such costs and expenses were reasonably incurred in prosecuting this Action on behalf of the
26 Aggrieved Employees. The Court awards Plaintiff’s Counsel \$2,825.00 in costs and expenses to
27 be paid from the Settlement Fund.

1 7. The Court hereby approves an Incentive Award in the amount of \$325.00 to Plaintiff for
2 his service as a PAGA representative, to be paid from the Settlement Fund.

3 8. The Court approves Settlement Administration Costs in the amount of \$5,850.00, to be
4 paid from the Settlement Fund to ILYM Group.

5 9. Under the terms of the Settlement Agreement, the Parties have agreed to waive all rights
6 of appeal, including any appeal of this order.

7 10. Upon the Settlement Administrators' receipt of the gross settlement amount, this action
8 shall be dismissed without prejudice.

9 11. This Court shall retain jurisdiction with respect to all matters related to the
10 administration and consummation of the settlement, and any and all claims, asserted in, arising out
11 of, or related to the subject matter of the lawsuit, including but not limited to all matters related to
12 the settlement and the determination of all controversies relating thereto.

13 12. The Parties are to provide a final report and accounting by April 12, 2024. A
14 non-appearance case review hearing regarding submission of the final report is set for
15 April 19, 2024.

16 **IT IS SO ORDERED.**

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18 DATED: 10/11/2023



By: MA

Maurice A. Leiter

Honorable Maurice A. Leiter
Judge of the Superior Court

Maurice A. Leiter / Judge

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I am a resident of the aforesaid county, State of California; I am over the age of 18 years and not a party to the within action; my business address is 523 West 6th Street, Suite 707, Los Angeles, California 90014.

**[PROPOSED] ORDER ON MOTION FOR APPROVAL OF NEGOTIATED PENALTIES
PURSUANT TO THE PRIVATE ATTORNEY GENERALS' ACT OF 2004**

Anne McWilliams, Esq. Zaller Law Group, PC 999 N Pacific Coast Hwy, Ste 525 El Segundo, CA 90245-2720 amcwilliams@zallerlaw.com	
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X [State] I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

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

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