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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE

OCT 09 2025

DAVID H. YAMASAKI, Clerk of the Court

BY: _____, DEPUTY

7 Attorneys for Plaintiff Tamera R. Perkins, individually,
8 and on behalf of all others similarly situated.

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **FOR THE COUNTY OF ORANGE**

14 TAMERA R. PERKINS, individually and
15 on behalf of all others similarly situated,

16 Plaintiff,

17 vs.

18 UPE RESOURCES, INC.; ARBORPRO
19 INC.; and DOES 1 through 20, inclusive,

20 Defendants.

Case No. 30-2022-01254613-CU-OE-CXC

Assigned for all purposes to
Hon. Judge William D. Claster
Dept. CX-101

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

Date: October 3, 2025
Time: 9:00 a.m.
Dept: CX-101

1 This matter came on for hearing on October 3, 2025, at 9:00 a.m., in Department CX-101
2 of the above-captioned Court on the Motion for Final Approval of Class Action Settlement
3 pursuant to California Rule of Court 3.769, this Court's Order Granting Preliminary Approval,
4 and the Class Action and PAGA Settlement Agreement and Class Notice ("Settlement
5 Agreement"), a copy of which was filed in conjunction with the Plaintiff's Motion for Final
6 Approval of Class Action Settlement.

7 Having received and considered the Settlement Agreement, the supporting papers filed by
8 the Parties, and the evidence and argument received by the Court in conjunction with the
9 unopposed Motion for Preliminary Approval of Class Action Settlement and the instant Motion
10 for Final Approval, the Court grants final approval of the Settlement and HEREBY ORDERS
11 AND MAKES THE FOLLOWING DETERMINATIONS:

12 1. Pursuant to the Order Granting Preliminary Approval, a Notice Packet was sent to
13 each Class Member by first-class mail. These papers informed the Class of the terms of the
14 Settlement, their right to receive an Individual Settlement Payment, their right (a) to comment on
15 or object to the Settlement, (b) to request exclusion from the Settlement and pursue their own
16 remedies, and (c) of their right to appear in person or by counsel at the final approval hearing and
17 to be heard regarding approval of the Settlement. Adequate periods of time were provided by
18 each of these procedures. No member of the Class filed written objection to the proposed
19 Settlement as part of this notice process or stated an intention to appear at the final approval
20 hearing.

21 2. The Court finds and determines that this notice procedure afforded adequate
22 protections to Class Members and provides the basis for the Court to make an informed decision
23 regarding approval of the Settlement based on the responses of the Class. The Court finds and
24 determines that the notice provided in this case was the best notice practicable, which satisfied
25 the requirements of law and due process.

26 3. With respect to the Class and for purposes of approving this Settlement only, this
27 Court finds and concludes that: (a) the members of the Class are ascertainable and so numerous
28 that joinder of all members is impracticable; (b) there are questions of law or fact common to the

1 Class, and there is a well-defined community of interest among members of the Class with respect
2 to the subject matter of the Action; (c) the claims of Class Representative are typical of the claims
3 of the members of the Class; (d) the Class Representative has fairly and adequately protected the
4 interests of the members of the Class; (e) a class action is superior to other available methods for
5 an efficient adjudication of this controversy; and (f) the counsel of record for the Class
6 Representative, i.e., Class Counsel, are qualified to serve as counsel for Plaintiff in their
7 individual and representative capacities for the Class.

8 4. The Court has certified a Class, as that term is defined in and by the terms
9 of the Settlement Agreement as all persons currently or formerly employed by UPE Resources,
10 Inc. and Arboropro Inc. as a non-exempt employee in the State of California at any time during
11 the Class Period of October 16, 2017 to February 13, 2024, and the Court deems this definition
12 sufficient for purposes of California Rule of Court 3.765(a).

13 5. The Court hereby confirms Aegis Law Firm, PC as Class Counsel.

14 6. The Court hereby confirms Plaintiff Tamera R. Perkins as the Class Representative
15 in this Action.

16 7. The Court finds and determines that the terms set forth in the Settlement
17 Agreement are fair, reasonable, and adequate and directs the Parties to effectuate the Settlement
18 according to its terms, having found that the Settlement was reached as a result of informed and
19 non-collusive arm's-length negotiations facilitated by a neutral mediator. The Court further finds
20 that the Parties conducted extensive investigation and that their attorneys were able to reasonably
21 evaluate their respective positions. The Court also finds that the Settlement will enable the Parties
22 to avoid additional and potentially substantial litigation costs, as well as delay and risks if the
23 Parties were to continue to litigate the case. The Court has reviewed the monetary recovery
24 provided as part of the Settlement and recognizes the significant value accorded to the Class.

25 8. The Court further finds and determines that the terms of the Settlement are fair,
26 reasonable and adequate to the Class and to each Participating Class Member and that the
27 Settlement is ordered finally approved, and that all terms and provisions of the Settlement should
28 be and hereby are ordered to be consummated.

1 9. The Court hereby approves the Gross Settlement Amount of \$325,000.

2 10. The Court finds and determines that the Individual Settlement Payments to be paid
3 to Participating Class Members as provided for by the Settlement are fair and reasonable. The
4 Court hereby gives final approval to and orders the payment of those amounts be made to the
5 Participating Class Members in accordance with the Settlement Agreement.

6 11. The Court finds and determines that payment of \$25,000.00 for PAGA penalties
7 and payment to the California Labor and Workforce Development Agency of \$18,750.00 as its
8 share of the settlement of the PAGA penalties in this case is fair, reasonable, and appropriate.
9 The Court hereby gives final approval to and orders that the payment of that amount be paid in
10 accordance with the Settlement Agreement.

11 12. The Court finds and determines that the fees and expenses in administrating the
12 Settlement incurred by Phoenix Settlement Administrators in the amount of \$10,250.00, are fair
13 and reasonable. The Court hereby gives final approval to and orders that the payment of that
14 amount in accordance with the Settlement.

15 13. The Court finds and determines the Class Representative Service Payment of up
16 to \$7,500.00 for Plaintiff is fair and reasonable. The Court hereby orders the Administrator to
17 make this payment to the Plaintiff/Class Representative in accordance with the terms of the
18 Settlement Agreement.

19 14. Pursuant to the terms of the Settlement, and the authorities, evidence and argument
20 submitted by Class Counsel, the Court hereby awards Class Counsel attorneys' fees in the sum of
21 \$97,500 and litigation costs of \$17,678.07. The Court finds such amounts to be fair and
22 reasonable. The Court hereby orders the Settlement Administrator to make these payments in
23 accordance with the terms of the Settlement Agreement.

24 15. Nothing in this order shall preclude any action to enforce the Parties' obligations
25 under the Settlement or under this order, including the requirement that Defendants make payment
26 to the Participating Class Members in accordance with the Settlement.

27 16. This Judgment is intended to be a final disposition in its entirety of the above
28 captioned action. Without affecting the finality of this judgment in any way, the Court retains

1 jurisdiction of all matters relating to the interpretation, administration, implementation,
2 effectuation, and enforcement of the Settlement pursuant to C.C.P. § 664.6.

3 17. The Parties will bear their own costs and attorneys' fees except as otherwise
4 provided by this Court's Order awarding Class Counsels' Award for attorneys' fees and litigation
5 costs.

6 18. Pursuant to section 384(b) of the Code of Civil Procedure, Plaintiff shall submit
7 to the Court a final report on or before July 31, 2026 setting forth the actual amounts paid to class
8 members and other amounts disbursed pursuant to the settlement. Upon receiving the report, the
9 Court will determine whether further reports and/or a hearing will be necessary.

10
11 DATED: 10-9-25



Honorable William D. Claster
JUDGE OF THE SUPERIOR COURT