

Plaintiff's Motion for Final Approval of Class Action and PAGA Settlement

The unopposed motion is granted. The court has broad discretion to determine whether a class action settlement is fair, adequate, and reasonable. (*In re Cellphone Fee Termination Cases* (2010) 186 Cal.App.4th 1380, 1389.) When reviewing the fairness of the settlement, the court is to give due regard to the parties' agreement, ensuring that the agreement is not a product of fraud, overreaching parties, or collusion and that the settlement, as a whole, is fair, reasonable, and adequate. (*7-Eleven Owners for Fair*

*Franchising v. Southland Corp.* (2000) 85 Cal.App.4th 1135, 1145.) A presumption of fairness exists where: (1) the settlement was reached through arms-length bargaining; (2) the investigation and discovery were sufficient to allow class counsel and the court to act intelligently; (3) class counsel is experienced in similar litigation; and (4) there is a small percentage of objectors. (*Ibid.*)

Further, the court reviews the moving papers along with the entirety of the court file to determine that the settlement is genuine, meaningful, and consistent with the underlying purposes of the PAGA-related statute. (Labor Code section 2699(l); *O'Connor v. Uber Technologies, Inc.* (N.D. Cal. 2016) 201 F.Supp.3d 1110.) The court must also determine whether the PAGA settlement appears fundamentally fair, reasonable, and adequate. (*Ibid.*)

The court has carefully reviewed and considered the Joint Stipulation of Class Action and PAGA Settlement along with plaintiff's moving papers filed in connection with the motion. The court determines a sufficient showing has been made that the settlement, the attorneys' fees, costs, and service award are fair, adequate, and reasonable. The court further determines a sufficient showing has been made that the settlement is fair, reasonable, genuine, meaningful, and consistent with the purpose of PAGA.

The court grants final approval of the class action and PAGA settlement and approves the attorneys' fees, costs, and service award. The court incorporates by reference the findings and orders outlined in the proposed order approving class action settlement and judgment lodged on June 20, 2024.

The court retains jurisdiction over the parties to enforce the terms of the judgment. (California Rules of Court, Rule 3.769, subd. (h).)