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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO

JUL 11 2024

BY:  Ashley Cassel, Deputy

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO**

11 KEVIN MULLINS, an individual, on behalf of
12 himself, all aggrieved employees, and the State
13 of California as a Private Attorneys General,
14 Plaintiff,

15 vs.

16 20/20 PLUMBING & HEATING, INC., a
17 California Corporation and DOES 1-50,
18 inclusive,

19 Defendant,

Case No. CIVSB2228019

**~~PROPOSED~~ ORDER GRANTING
APPROVAL OF PAGA SETTLEMENT**

~~PROPOSED~~ ORDER

20 The Court has received and considered the Private Attorney General Act Settlement
21 Agreement and Release ("Settlement Agreement") entered into between Plaintiff KEVIN
22 MULLINS an individual, on behalf of the State of California as a private attorney general under the
23 California Labor Code Private Attorneys General Act ("PAGA"), and the Defendant 20/20
24 PLUMBING & HEATING, INC. Having received and considered the Stipulation and Settlement
25 Agreement and the supporting papers filed, the Court grants approval of the Settlement and
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27
28
HEREBY ORDERS AND MAKES THE FOLLOWING DETERMINATIONS:

1. The California Labor Workforce and Development Agency ("LWDA") has been
provided notice of the Settlement in accordance with PAGA, California Labor Code § 2699(1)(2),
(1)(4). In particular, on the date Plaintiff filed the stipulation seeking approval of the Settlement
with the Court, Plaintiff submitted to the LWDA a notice of the Settlement including a copy of the

1 Settlement Agreement. Plaintiff's notice of the Settlement to the LWDA complied with the notice
2 requirements of PAGA.

3 2. The Court confirms approval of the Settlement as to the Aggrieved Employees
4 defined as: All non-exempt employees in the positions of HVAC Single-Family Only Installer in
5 Riverside, California, Plumbing Multi-Family Only Installer in San Diego, California, Plumbing
6 Multi-Family Only Installer in San Diego, California, Plumbing Single-Family Only Installer,
7 Supers, Purchasing, GM in San Diego, California, employed by Defendant at any time between
8 October 11, 2021 through May 31, 2024. (the "PAGA Period.")

9 3. The Court has jurisdiction over the subject matter of this litigation, over all
10 Aggrieved Employees, and over those persons undertaking affirmative obligations under the
11 Settlement.

12 4. The Settlement is approved under Labor Code § 2699(1)(2).

13 5. The Court finds that each Aggrieved Employee, in accordance with the Settlement,
14 releases all Released Claims against the Released Parties.

15 6. The Gross Settlement Amount of \$220,000, and the methodology used to calculate
16 the Individual PAGA Payments in accordance with the Settlement is approved.

17 7. The Court approves the Enhancement Award to named Plaintiff Kevin Mullins in the
18 amount of \$2,500, as a representative service award for his services and in consideration of the
19 execution of a general release as to Defendant, in addition to any payment he may otherwise receive
20 as an aggrieved employee pursuant to the settlement.

21 8. The Court approves ILYM Group, Inc., to act as the Settlement Administrator. The
22 Court awards the Settlement Administrator in this Action its fees and costs in accordance with the
23 terms of the Settlement Agreement, amounting to \$5,950.

24 9. The Court approves Koul Law Firm, APC, as PAGA Counsel.

25 10. The Court awards PAGA Class Counsel attorneys' fees in the amount of \$73,326
26 (33.33% of the Gross Settlement Amount) and actual litigation costs of \$12,879.63, both of which
27 the Court finds to be fair and reasonable. The Court authorizes the Settlement Administrator to make
28 these payments, in accordance with the terms of the Settlement Agreement.

1 11. The Court authorizes the Settlement Administrator to calculate and pay the
2 Individual PAGA Payments in accordance with the terms of the Settlement Agreement.

3 12. The Court finds that LWDA Payment of \$94,008.27 (75% of the \$125,344.37 Net
4 Settlement Amount) as its share of the settlement of civil penalties is fair and reasonable. The Court
5 authorizes the Settlement Administrator to pay the LWDA Payment, in accordance with the terms
6 of the Settlement Agreement.

7 13. Checks for Individual PAGA Payments for the remaining \$31,336.10 (25% of the
8 Net Settlement Amount) distributed to Aggrieved Employees shall be valid for 180 days after
9 issuance. Funds remaining from any checks for Individual PAGA. Payments uncashed after 180
10 days will be transmitted to the California State Controller with the identity of the employee to whom
11 the funds belong.

12 14. Upon completion of the Settlement, the Settlement Administrator will provide
13 written certification of the completion to the Court and counsel for the Parties which shall be filed
14 with the Court within 30 days after completion of the Settlement.

15 15. Nothing in this Order or the Settlement shall be construed as an admission or
16 concession by any party.

17 16. Plaintiff is directed to submit a copy of this Order to the LWDA within 10 days of
18 the date of this Order.

19 17. Hearing Re Final Distribution of Funds is set for 7/11/25 8:30 Am
20 S3c.

21 **IT IS SO ORDERED:**

22 DATED: 7-11-2024

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24 TONY RAPHAEL

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PROOF OF SERVICE

CASE NO.: CIVSB2228019
Mullins v. 20/20 Plumbing & Heating, Inc.,

I, IVETTE HERNANDEZ declare that I am a resident of or employed in the County of Los Angeles, California. I am over the age of 18 years and not a party to the entitled case. The name and address of my residence or business is KOUL LAW FIRM, 3435 Wilshire Blvd. Ste. 1710, Los Angeles, California 90010.

On May 31, 2024, I served the foregoing document described as:

[PROPOSED] ORDER GRANTING APPROVAL OF PAGA SETTLEMENT

 X

BY E-MAIL: I hereby certify that this document was served from Los Angeles, California, by e-mail delivery on the parties listed herein at their most recent known e-mail address from e-mail ivette@koullaw.com pursuant to California Rules of Court. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

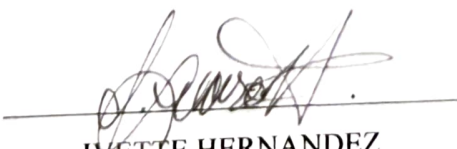
on the interested parties in this action by sending [] the original [or] [✓] a true copy thereof [✓] to interested parties as follows [or] [] as stated on the attached service list:

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Attorneys for Defendant 20/20 Plumbing & Heating, Inc.,

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

Executed on this May 31, 2024, in Los Angeles, California.


IVETTE HERNANDEZ