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Attorneys for Plaintiff RAYLYNN HOLMES
on behalf of herself and all others similarly situated

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ALAMEDA**

RAYLYNN HOLMES, individually and on
behalf of herself and all others similarly
situated,

Plaintiff,

v.

PET FOOD EXPRESS, LTD, a California
Corporation; and DOES 1-10, inclusive,

Defendants.

Case No. 22CV014140

**NOTICE OF ENTRY OF ORDER AND
JUDGMENT**

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TO THE COURT AND ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that the Court in the above-entitled action located at, 1225 Fallon Street, Oakland, CA 94612, entered a Judgment and Order Granting Approval of Settlement Agreement and Release of PAGA Claims; Judgment. The Court sets a Compliance Hearing re: Disbursement for September 17, 2024 in Department 21 at 3:30p.m. A true and correct copy of the, February 28, 2024 Order Granting Approval of Settlement Agreement and Release of PAGA Claims; Judgment , is attached hereto as **Exhibit A**.

Dated: March 05, 2024

Respectfully Submitted
JAMES HAWKINS APLC



JAMES R. HAWKINS, ESQ.
CHRISTINA M. LUCIO, ESQ.

Attorneys for Plaintiff RAYLYNN HOLMES

EXHIBIT A

1 James R. Hawkins (SBN 192925)
Christina M. Lucio (SBN 253677)
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6 Attorneys for Plaintiff RAYLYNN HOLMES
On behalf of herself and all others similarly
7 situated

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9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **COUNTY OF ALAMEDA**
11

12 RAYLYNN HOLMES, individually and on
behalf of herself and all others similarly
13 situated,

14 Plaintiff,

15 v.

16 PET FOOD EXPRESS, LTD., a California
Corporation; and DOES 1-10, inclusive,

17 Defendant.
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FILED
ALAMEDA COUNTY

FEB 23 2024

CLERK OF THE SUPERIOR COURT

By

Nicole Hall

Case No. 22CV014140

Assigned to: Hon. Noël Wise
Dept.: 21

Reservation ID: 947388561448

**[PROPOSED] ORDER GRANTING
APPROVAL OF SETTLEMENT
AGREEMENT AND RELEASE OF PAGA
CLAIMS; JUDGMENT**

Date: January 23, 2024
Time: 1:30 p.m.

Complaint Filed: July 12, 2022
CMC: December 8, 2023
Trial: Not Set

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1 of the Settlement Agreement against the Released Parties.

2 7. The Court approves the allocation and payment of the Gross Settlement Amount of
3 Six Hundred Twelve Thousand Five Hundred Dollars and Zero Cents (\$612,500.00) for the
4 resolution of this action and compromise of claims brought under PAGA, to be paid in accordance
5 with the terms of the Settlement Agreement.

6 8. Under the terms of the Settlement Agreement, 75% of the PAGA Fund, or
7 \$276,300.20, will be paid to the State of California Labor Workforce Development Agency
8 ("LWDA Payment"). The remaining 25% of the PAGA Fund, or \$92,100.07, shall be distributed to
9 the Aggrieved Employees in accordance with the terms of the Settlement Agreement. The Court
10 authorizes the Settlement Administrator to pay the LWDA Payment and the Individual PAGA
11 Payments, in accordance with the terms of the Settlement Agreement as modified by this Approval
12 Order.

13 9. The Court awards the Individual Settlement Payment to Plaintiff Raylynn Holmes in
14 the sum of \$10,000.00 to be paid from the Gross Settlement Amount, in exchange for a general
15 release of known and unknown claims against Defendant. The Court recognizes her service as
16 representative as further consideration for the payment.

17 10. The Gross Settlement Amount, PAGA Fund, and the methodology used to calculate
18 the LWDA Payment and Individual PAGA Payments, in accordance with the Settlement
19 Agreement, is approved under Cal. Lab. Code § 2699(1)(2).

20 11. The Court approves Phoenix Settlement Administrators to act as the Settlement
21 Administrator and authorizes the Settlement Administrator to calculate and pay the Aggrieved
22 Employee Individual PAGA Payments, in accordance with the terms of the Settlement Agreement.
23 The Court approves payment to the Settlement Administrator its actual fees and costs in accordance
24 with the terms of the Settlement Agreement in the amount of \$14,000.00.

25 12. The Court approves James R. Hawkins, Christina M. Lucio and Mitchell Murray of
26 James Hawkins APLC as Plaintiff's PAGA Counsel.

27 13. The Court awards PAGA Counsel's attorneys' fees in the amount of ~~\$18,500.00~~ ³⁰⁹⁰ of the Gross
28 Settlement Amount (estimated ~~\$204,166.67~~ ^{\$183,750}), and actual litigation costs ~~not to exceed \$18,500.00~~ ^{of \$15,933.06}

1 (~~estimated \$15,933.06~~). The Court authorizes the Settlement Administrator to make these payments,
2 in accordance with the terms of the Settlement Agreement, *but with holding 1090*
3 *of fees till completion of distribution. (See Court Order)*

4 14. Checks for Individual PAGA Payments sent to Aggrieved Employees shall be valid
5 for 180 days after issuance. Funds remaining from any checks for Individual PAGA Payments
6 uncashed after 180 days will be transmitted to a *cy pres*: Legal Services for Children, located at 870
7 Market Street, Suite 356, San Francisco, California 94102; (415) 863-3762; www.lsc-sf.org.

8 15. Upon completion of the Settlement Administration proceedings as provided in
9 Paragraph 40 of the Settlement Agreement, the Settlement Administrator will provide written
10 certification of completion to the Court and counsel for the Parties, which shall be filed with the
11 Court on or before _____ (suggested August 31, 2024).

12 16. Without affecting the finality of this Order and entry of judgment, the Court retains
13 exclusive and continuing jurisdiction over this Action for purposes of supervising, administering,
14 implementing, and enforcement of this Order and the Settlement.

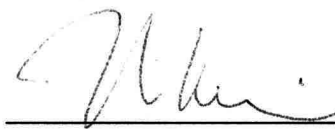
15 17. Nothing in this Order or the Settlement shall be construed as an admission or
16 concession by any party. The Settlement and this resulting Order and entry of judgement simply
17 represent a compromise of disputed allegations.

18 18. The Court enters Judgment in accordance with the terms of the Settlement
19 Agreement and this Order.

20 19. Plaintiff is directed to submit a copy of this Order and entry of Judgment to the
21 LWDA within ten (10) calendar days of the date of this Order and entry of Judgment.

22 **IT IS SO ORDERED:**

23 DATED: 2/28/24



24 The Honorable Noël Wise
25 Judge of the Superior Court

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On March 5, 2024, I served on the interested parties in this action the following document(s) entitled:

[XX] BY ELECTRONIC SERVICE: Based on a court Order or an agreement by the parties to accept service by e-mail or electronic transmission, I caused the document(s) to be sent from the email address irma@jameshawkinsaplc.com to the persons at the e-mail addresses listed in the Service List below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

Constance E. Norton, Esq.
Robert Geiger, Esq.
Atticus Lee, Esq.
LITTLER MENDELSON, P.C.
333 Bush Street, 34th Fl
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Tel: 415-433-1940
cnorton@littler.com
rgeiger@littler.com
atlee@littler.com

California Labor and Workforce Development Agency (via website only)
Attn: PAGA Administrator
1515 Clay Street, Ste 801
Oakland, CA 94612
<http://www.dir.ca.gov/Private-Attorneys-General-Act>

Executed on March 5, 2024, at Irvine, California


Irma Ceja