

Sarkis Sirmabekian [SBN 278588]
SIRMABEKIAN LAW FIRM, PC
3435 Wilshire Blvd., Suite 1710
Los Angeles, California 90010
Telephone: (818) 473-5003
Facsimile: (818) 476-5619
Email: *contact@slawla.com*

Attorney for Plaintiff CEOMARA SALAZAR

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

CEOMARA SALAZAR, an individual;

Plaintiff,

v.

ANDRADE FINANCIAL, a California
Corporation; JOHN ANDRADE, an individual;
MICHELLE ANDRADE, an individual; and
DOES 1 through 20, inclusive;

Defendants.

Case Number: 22STCV13812

[Honorable Stephanie M. Bowick; Department 19]

**[PROPOSED] JUDGMENT ON APPROVED
PAGA SETTLEMENT**

Hearing:

Date: February 22, 2024

Time: 8:30 a.m.

Dept.: 19

Complaint Filed: April 26, 2022

Trial Date: June 18, 2024

TO THE HONORABLE COURT, ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that the court hereby issues an Order granting Court Approval of PAGA Settlement, approving the Parties' settlement, and dismissing Plaintiff's individual claims with prejudice. Good cause appearing, pursuant to *Labor Code Section 2699(l)*, the PAGA Settlement has been reviewed and is approved and Judgment is hereby entered as follows:

1. GOOD CAUSE appearing, Plaintiff's Unopposed Motion for Court Approval of PAGA Settlement was GRANTED on 02/22/2024;
2. The Court enters judgment on the settlement of the PAGA action, with the Court retaining jurisdiction over the parties to enforce the settlement until performance in full of the terms of the settlement per Code of Civil Procedure 664.6;

- 1 3. The Court dismisses, with prejudice, the individual claims of Plaintiff Ceomara Salazar.
- 2 4. Andrade Financial, Inc. shall pay Ten Thousand Dollars (\$10,000), and no more, in
- 3 satisfaction of its obligations under the Settlement Agreement.
- 4 5. The PAGA gross settlement in the total amount of Ten Thousand Dollars (\$10,000)
- 5 ("PAGA Gross Settlement Amount") is fair, adequate and reasonable as follows:
- 6 A. Both sides are represented by experienced counsel. The total gross settlement amount
- 7 of \$10,000 is a reasonable compromise based on claims of penalties for eleven (11)
- 8 aggrieved employees from May 6, 2021 through May 31, 2023 ("PAGA Period").
- 9 B. Of the \$10,000 PAGA Gross Settlement Amount, the Settlement Agreement provides
- 10 that one-third, or \$3,333.33, will be paid to Plaintiff's counsel for attorney's fees. Attorney
- 11 fees of \$3,333.33 are reasonable. Similar settlements frequently allocate one third of the
- 12 total to attorney fees. (See, e.g., Laffitte v. Robert Half Internat. Inc. (2016) 1 Cal.5th 480.).
- 13 C. \$1,500.00 will be paid to cover Plaintiff's PAGA costs and \$2,500.00 will be paid for
- 14 settlement administration costs. After subtracting these amounts for attorney's fees, costs,
- 15 settlement administration costs, and the enhancement fee, \$2,666.67 of the PAGA Gross
- 16 Settlement Amount remains.
- 17 D. "Phoenix - Class Action Administration Solutions" is selected to serve as the PAGA
- 18 Settlement Administrator and shall abide by the terms of the PAGA Settlement.
- 19 E. The total sum of \$2,666.67 (the "PAGA Net Settlement Amount" or "PNSA"), to be
- 20 classified for tax purposes as civil penalties ("Civil Penalty Allocation"), unless otherwise
- 21 required by law, and shall be distributed as follows:
- 22 a. Seventy-Five Percent (75%) of the Civil Penalty Allocation, (\$2,000.03), shall be paid
- 23 to the LWDA, which represents civil penalties payable to the LWDA under the PAGA,
- 24 Labor Code section 2698, et seq.;
- 25 b. Twenty Five Percent (25%) of the Civil Penalty Allocation, (\$666.67), (the "Aggrieved
- 26 Employee Amount") shall be paid to the PAGA Members, pursuant to Labor Code §
- 27 2699(i), divided amongst PAGA Members based on each PAGA Member's respective
- 28 number of pay periods worked for Defendants in California during the PAGA Period;

1 F. This Court shall retain jurisdiction to enforce the terms of the PAGA Settlement
2 Agreement pursuant to California Code of Civil Procedure Section 664.6.

3 6. Pursuant to Labor Code Section 2699(l)(3), Plaintiff's counsel must serve this
4 Judgment on the LWDA.

5 7. Effective on the date this Judgment is entered, the "Aggrieved Employees," as that term
6 is defined in the Settlement Agreement, shall be deemed to have released Defendants Andrade
7 Financial, Inc., John Andrade, and Michelle Andrade, as follows:

8 8. All Aggrieved Employees are deemed to release, on behalf of themselves and their
9 respective former and present representative, agents, attorneys, heirs, administrators, successors, and
10 assigns, the Released Parties from all claims under PAGA during the PAGA Period that were alleged,
11 or reasonably could have been alleged, based on the facts stated in the Operative Complaint and the
12 PAGA Notice.

13 **IT IS SO ORDERED.**

14
15
16 DATED: _____

17 HON. STEPHANIE M. BOWICK
18 Judge of the Superior Court
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE
(§ 1013a, 2015.5 C.C.P.)

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I am a citizen of the United States of America; I am over the age of eighteen years and not a party to the within entitled action; my business address is: 3435 Wilshire Boulevard, Suite 1710, Los Angeles, California 90010.

On the below-indicated date, I served the following document:

[PROPOSED] JUDGMENT ON APPROVED PAGA SETTLEMENT

on the interested parties in said action by placing:

___X___ a true and correct copy,

and addressed as set forth on the attached Service List and delivered by one or more of the means set forth below:

☒ **BY ELECTRONIC SERVICE IN LIEU OF SERVICE BY MAIL, EXPRESS MAIL, OVERNIGHT DELIVERY, OR FACSIMILE TRANSMISSION:** In accordance with California Code of Civil Procedure section 1010.6, I caused the document to be sent to the person(s) below at the e-mail address(es) listed below.

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

EXECUTED: February 28, 2024
At Los Angeles, California

Grigor Gregg Sirmabekhian
Grigor Gregg Sirmabekhian

SERVICE LIST

Atkinson, Andelson, Loya, Ruud & Romo Amber M. Solano State Bar No. 216212 E-mail: ASolano@aalrr.com Kieran D. Hartley State Bar No. 301947 E-mail: Kieran.Hartley@aalrr.com 12800 Center Court Drive South, Suite 300 Cerritos, California 90703-9364 <i>Attorney for Defendants ANDRADE FINANCIAL, JOHN ANDRADE, and MICHELLE ANDRADE</i>	Labor and Workforce Development Agency ("LWDA") Department of Industrial Relations Attn. PAGA Administrator 1515 Clay Street, Ste. 801 Oakland, California 94612 <i>Labor and Workforce Development Agency: filed/served online at:</i> <u>https://www.dir.ca.gov/Private-Attorneys-General-Act/Private-Attorneys-General-Act.html</u>
--	--