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Attorneys for Plaintiff
ROBERTO LOPEZ, on behalf of himself and all persons
within the scope of the representative action

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ORANGE

ROBERTO LOPEZ, an individual, on behalf of
all others similarly situated, and all persons
within the scope of the representative action;

Plaintiffs,

v.

BUFFALO WILD WINGS INTERNATIONAL,
INC., a Minnesota Corporation; WIGNMENT V,
LLC, a Washington limited liability company
d/b/c BUFFALO WILD WINGS; WORLD
WIDE WINGS, LLC, a California limited
liability company; PACIFIC BELLS, INC., a
Washington corporation; MBH Holding, LLC, a
Washington limited liability company;
PERPETUAL WINGS, LLC, a California limited
liability company; SCOTT SHAFFER, an
individual; and DOES 1 through 25, inclusive;

Defendants.

) **Case No.:** 30-2016-00830429-CU-WT-CXC
) *[Assigned for all purposes to Honorable*
) *James Di Cesare; Department C-16]*

) **NOTICE OF RULING**

TO ALL PARTIES HEREIN AND TO THEIR ATTORNEYS:

PLEASE TAKE NOTICE THAT on April 1, 2022, the above matter came on for
hearing in Dept. C-16 for the Motion for PAGA Settlement Approval and Motion for Attorney
Fees And costs upon approval of PAGA Settlement before temporary Judge Michael Galvin

1 presiding. Attorney Gene Williams appeared on behalf of the Defendants. No other
2 appearances were made.

3 A copy of the Tentative Ruling was emailed to Defendant, and Defendant submitted
4 on the Court's tentative ruling.

5 The Court adopted the tentative ruling as the final ruling.

6 Plaintiff was ordered to submit (1) a proposed order and judgment in word format, (2) a
7 proposed notice to aggrieved employees, and (3) a fully executed settlement agreement within 10
8 calendar days.

9 Plaintiff was also ordered to give notice of the above. Attached is a true and correct
10 copy of the Court's Minute Order.

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14 Dated: April 12, 2022

HENRY LEE, LAW OFFICE

15
16
17 By: 

Henry M. Lee

Attorney for Plaintiff ROBERTO LOPEZ

EXHIBIT 1

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER**

MINUTE ORDER

DATE: 04/01/2022

TIME: 09:30:00 AM

DEPT: C16

TEMPORARY JUDGE: Michael Galvin

CLERK: Wendy Clark

REPORTER/ERM: None

BAILIFF/COURT ATTENDANT: None

CASE NO: **30-2016-00830429-CU-WT-CXC** CASE INIT.DATE: 01/15/2016

CASE TITLE: **Lopez vs. Buffalo Wild Wings International, Inc.**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Wrongful Termination

EVENT ID/DOCUMENT ID: 73716660

EVENT TYPE: Motion for Approval of Class Settlement

MOVING PARTY: Roberto Lopez

CAUSAL DOCUMENT/DATE FILED: Motion - Other For Approval of PAGA Settlement, 02/15/2022

EVENT ID/DOCUMENT ID: 73716663

EVENT TYPE: Motion for Attorney Fees

MOVING PARTY: Roberto Lopez

CAUSAL DOCUMENT/DATE FILED: Motion for Attorney Fees And costs upon approval of PAGA Settlement, 02/16/2022

APPEARANCES

Gene F. Williams, from Gordon & Rees LLP, present for Defendant(s) telephonically.

Appearances are as noted above. There is no appearance by Plaintiff.

All parties present this date having been advised by virtue of a posted notice and verbal notification of the right to have the matter heard before a judge or commissioner and no objections having been made, it is deemed that the parties have stipulated that the matter may be heard by the temporary judge, pursuant to California Rules of Court, rule 2.816(d)(1).

Tentative Ruling emailed to Defendant, as noted above.

Defendant submits on the Court's tentative ruling.

The Court adopts the tentative ruling as the final ruling as follows:

Motion for PAGA Settlement Approval

The Court finds the parties' settlement agreement to be "fair to those affected" (Williams v. Superior Court (2017) 3 Cal.5th 531, 549.) and will GRANT Plaintiff's motion for approval of the PAGA settlement on the terms and subject to compliance with the below.

Plaintiff has failed to submit (1) a proposed order and judgement, (2) a proposed notice to aggrieved employees, or (3) a fully-executed settlement agreement. Those items shall be submitted, including a

word copy of the proposed order and judgment, within 10 calendar days of this order. The settlement is not approved until the Court reviews and approves those items, which shall conform in all respects to this ruling.

Assuming satisfaction with the above, however, the Court will approve the following distributions:

1. Attorney's fees in the amount of \$60,000, or 30% of the gross settlement amount. The Court has reduced the amount requested and finds the awarded amount to be reasonable in light of the result obtained, the quality of the work performed by counsel, a review of the billing records provided, and the estimated lodestar. In approving this amount and examining the billing records as a cross-check on the overall reasonableness of the fees, the Court is not approving the hourly rates proposed by counsel. Additionally, the Court notes counsel has not differentiated the hours spent on the class claims, which were unsuccessful, and the PAGA claim sought to be settled by this motion.

2. Litigation costs in the amount of \$8,176.

3. Administration costs in the amount of \$14,000.

4. Enhancement payment to Plaintiff in the amount of \$3,000. The Court has reduced the requested amount and finds the amount of \$3,000 reasonable.

5. Taking the above distributions into account, from the gross settlement amount of \$200,000, the net settlement amount of \$114,824 remains to be distributed as provided under PAGA. This amount shall be allocated as follows:

\$86,118 (75%) to the LWDA.

\$28,706 (25%) to the Aggrieved Employees.

The Proposed Order should reference the operative settlement by ROA number—it should not be attached. Attach the Notice as an exhibit.

A final accounting is set for 12/16/2022 at 9:00 am. Counsel is to file a declaration from the administrator no later than 14 calendar days prior to that date to confirm that the distribution of funds is fully and finally complete. Upon receipt of the administrator's declaration, the Court will determine whether further briefing or the hearing is necessary.

Plaintiff to give notice, including to the LWDA, and file proof of same.

Clerk to give notice.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE

Central Justice Center
700 W. Civic Center Drive
Santa Ana, CA 92702

SHORT TITLE: Lopez vs. Buffalo Wild Wings International, Inc.

**CLERK'S CERTIFICATE OF MAILING/ELECTRONIC
SERVICE**

CASE NUMBER:
30-2016-00830429-CU-WT-CXC

I certify that I am not a party to this cause. I certify that the following document(s), Minute Order dated 04/01/22, have been transmitted electronically by Orange County Superior Court at Santa Ana, CA. The transmission originated from Orange County Superior Court email address on April 1, 2022, at 10:32:01 AM PDT. The electronically transmitted document(s) is in accordance with rule 2.251 of the California Rules of Court, addressed as shown above. The list of electronically served recipients are listed below:

ECOFF CAMPAIN & TILLES, LLP
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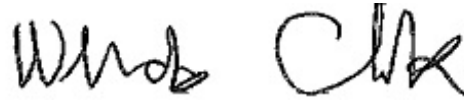
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Clerk of the Court, by:



, Deputy

CLERK'S CERTIFICATE OF MAILING/ELECTRONIC SERVICE

PROOF OF SERVICE

I am employed in the County of Los Angeles, California. I am over the age of 18 years and not a party to the within action. My business address is **3731 Wilshire Blvd. Suite 312, Los Angeles, CA 90010**. On **April 12, 2022**, I served the foregoing document(s), described as:

NOTICE OF RULING

on the person(s) listed in the attached Service List. The documents were served by the following means:

(X) BY ELECTRONIC MAIL: By transmitting the documents by electronic mail to the electronic mail address as stated on the attached service list.

() BY ELECTRONIC SERVICE: Based on a court order or an agreement of the parties to accept service by electronic transmission, I caused the documents to be sent to the persons at the electronic notification addresses listed in the attached Service List. I did not receive, within a reasonable time after the transmission, any electronic message, or this indication that the transmission was unsuccessful.

() BY FACSIMILE TRANSMISSION: from facsimile no. (213) 382-0956 to the fax numbers listed in the attached Service List. The facsimile machine I used complied with Court Rule 2.306. Pursuant to Rule 2.306, I caused the machine to print a transmission confirmation report that showed the document was transmitted complete and without error and a copy is attached.

() BY U.S. MAIL: I enclosed the documents in a sealed envelope or package addressed to the persons listed in the attached Service List and placed the envelope for collection and mailing following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

() BY OVERNIGHT DELIVERY: I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses listed in the attached Service List. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

() BY MESSENGER SERVICE: I served the documents by placing them in an envelope or packing addressed to the persons at the addresses listed in the attached Service List and providing them to a professional messenger service for delivery.

() BY PERSONAL SERVICE: I personally delivered the documents to the addresses listed in the attached Service List.

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

Executed on **April 12, 2022**, at Los Angeles, California.

Nicholas Enriquez

Name

Nicholas Enriquez
Signature

SERVICE LIST

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