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Attorneys for Plaintiff ROSIO VENTURA and DUANA MARTINEZ,
on behalf of themselves and all others similarly situated,

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

ROSIO VENTURA, individually and on behalf
of herself and all others similarly situated,

Plaintiff,

v.

CONDUENT COMMERCIAL SOLUTIONS,
LLC, a Nevada Limited Liability Company and
DOES 1-50, inclusive,

Defendants.

Case No. BCV-22-102043

**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, 1415 Truxtun Ave, Bakersfield, CA 93301, entered a Judgment and Order Granting Approval of PAGA Settlement and Release of PAGA Claims and Entry of Judgment. A true and correct copy of the, March 14, 2024 Order and Judgment Granting Final Approval of Class Action and PAGA Settlement , is attached hereto as **Exhibit A**.

Dated: March 14, 2024

Respectfully Submitted
JAMES HAWKINS APLC



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

Attorneys for Plaintiffs

EXHIBIT A

1 James R. Hawkins (SBN 192925)
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Attorneys for Plaintiff ROSIO VENTURA and DUANA MARTINEZ,
7 on behalf of themselves and all others similarly situated

FILED
KERN COUNTY
MAR 14 2024
BY _____ DEPUTY
ENDORSED

8 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**
9 **COUNTY OF KERN**

10
11 ROSIO VENTURA, individually and on
behalf of herself and all others similarly
12 situated,

13 Plaintiff,
14 v.

15 CONDUENT COMMERCIAL SOLUTIONS,
16 LLC, a Nevada Limited Liability Company,
and DOES 1-50, inclusive,

17 Defendants.
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Case No. BCV-22-102043-TSC

Assigned to: Hon. Thomas S. Clark
Dept.: 17


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

Date: March 14, 2024
Time: 8:30a.m.

Complaint Filed: August 9, 2022
Trial: Not Set

[PROPOSED] ORDER AND JUDGMENT

This matter came before the Court on March 14, 2024, on Plaintiffs Rosio Ventura and Duana Martinez's ("Plaintiffs") Motion for Approval of PAGA Settlement and Release Agreement (the "Motion for PAGA Approval").

Having considered the Parties' Settlement Agreement, the Motion for PAGA Approval and supporting papers filed by Plaintiffs, and the evidence and argument received by the Court, the Court grants approval of the Settlement Agreement and HEREBY ORDERS THE FOLLOWING:

1. Except as otherwise defined in this Order and Judgment ("Order"), all capitalized terms have the same meaning as defined in the PAGA Settlement and Release Agreement ("Settlement Agreement"), a copy of which is attached as **Exhibit 1** to the Declaration of James R. Hawkins.

2. Pursuant to the California Labor Code Private Attorneys General Act ("PAGA"), Cal. Lab. Code §§ 2699(1)(2), (1)(4), the California Labor Workforce and Development Agency ("LWDA") has been provided notice of the Settlement. In particular, on the date Plaintiffs filed the motion seeking approval of the Settlement with the Court, Plaintiffs submitted to the LWDA a Notice of Settlement enclosing a copy of the Settlement Agreement. Plaintiffs' Notice of the Settlement to the LWDA complied with the notice requirements of PAGA. Confirmation of this Notice is attached as **Exhibit 4** to the Declaration of James R. Hawkins.

3. The Court approves the Settlement as to the Aggrieved Employees and the State of California, under Labor Code § 2699(1)(2).

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

5. The proposed PAGA Settlement Notice to Aggrieved Employees, attached as **Exhibit B** to the Settlement attached to the Declaration of James R. Hawkins in Support of the PAGA Approval Motion as **Exhibit 1**, fairly and adequately describes the Action, the approved Settlement, and is the best notice practicable under the circumstances.

6. The Court approves of the release of all Released Claims as set forth in section V of

1 the Settlement Agreement against the Released Parties.

2 7. The Court approves the allocation and payment of the Gross Settlement Amount of
3 Five Hundred Thousand Dollars (\$500,000) for the resolution of this action and compromise of
4 claims brought under PAGA, to be paid in accordance with the terms of the Settlement Agreement.

5 8. Under the terms of the Settlement Agreement, 75% of the General PAGA Liability
6 Fund, or \$ 223,016⁷⁰ (estimated ~~\$223,016.30~~^{le}), will be paid to the State of California Labor
7 Workforce Development Agency ("LWDA Payment"). The remaining 25% of the PAGA Fund, or
8 \$ 74,338⁷⁷ (estimated ~~\$74,338.77~~^{le}), shall be distributed to the Aggrieved Employees in
9 accordance with the terms of the Settlement Agreement. The Court authorizes the Settlement
10 Administrator to pay the LWDA Payment and the Individual PAGA Payments, in accordance with
11 the terms of the Settlement Agreement as modified by this Approval Order.

12 9. The Court awards the Enhancement and General Release Payments to Plaintiff Rosio
13 Ventura and Plaintiff Martinez, each in the amount of \$7,500 (\$15,000 total), to be paid from the
14 Gross Settlement Amount. This payment is in exchange for a general release of known and unknown
15 claims against Defendant, and the Court recognizes their service as representatives as further
16 consideration for the payment. The Gross Settlement Amount, PAGA Fund, and the methodology
17 used to calculate the LWDA Payment and Individual PAGA Payments, in accordance with the
18 Settlement Agreement, is approved under Cal. Lab. Code § 2699(1)(2).

19 10. The Court approves ILYM Group, Inc. to serve as the Settlement Administrator and
20 authorizes the Settlement Administrator to calculate and pay the Aggrieved Employee Individual
21 PAGA Payments, in accordance with the terms of the Settlement Agreement. The Court approves
22 payment to the Settlement Administrator of its actual fees and costs in accordance with the terms of
23 the Settlement Agreement in the amount of \$7,550.95.

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

26 12. The Court awards PAGA Counsel's attorneys' fees in the amount of 1/3 of the Gross
27 Settlement Amount (estimated \$166,666.67), and actual litigation costs not to exceed \$15,000
28 (estimated \$13,427.31). The Court authorizes the Settlement Administrator to make these payments,

1 in accordance with the terms of the Settlement Agreement.

2 13. Checks for Individual PAGA Payments sent to Aggrieved Employees shall be valid
3 for 120 days after issuance. Funds remaining from any checks for Individual PAGA Payments
4 uncashed after 120 days will be transmitted to the State Controller's Office, Unclaimed Property
5 Division, in the name of the affected Aggrieved Employee.

6 14. No later than _____ (~~suggested~~ August 9, 2024), the Settlement
7 Administrator will provide written certification of completion of the Settlement Administration
8 proceedings as provided in Section VII of the Settlement Agreement to the Court and counsel for
9 the Parties and such certification shall be filed with the Court within three (3) business days.

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

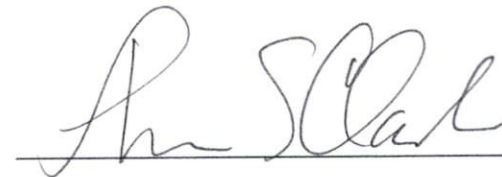
13 16. Nothing in this Order or the Settlement shall be construed as an admission or
14 concession by any party. The Settlement and this resulting Order and entry of judgement simply
15 represent a compromise of disputed allegations.

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

18 18. Plaintiffs are directed to submit a copy of this Order and entry of Judgment to the
19 LWDA within ten (10) calendar days of the date of this Order and entry of Judgment.

20 **IT IS SO ORDERED:**

21
22 DATED: 3-14-24

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24 Hon. Thomas S. Clark
25 Judge of the Superior Court
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PROOF OF SERVICE, COUNTY OF ORANGE

I am a resident of the State of California, County of Orange. I am over the age of eighteen years and not a party to the within action. My business address is 9880 Research Drive., Suite 200, Irvine, California 92618.

On March 14, 2024, I served on the interested parties in this action the following document(s) entitled:

-NOTICE OF ENTRY OF ORDER AND JUDGMENT

[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.

SERVICE LIST

Nicole Alder, Esq.
Heather Hearne, Esq.
KULLMAN
1100 Poydras Street, Suite 1600
New Orleans, LA 70163-1600
Tel: 504-524-4162
Fax: 504-460-0775
NSA@kullmanlaw.com
hdh@kullmanlaw.com

via website only

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

Attorneys for Defendant
CONDUENT COMMERCIAL SOLUTIONS, LLC

[X] STATE: I declare under penalty of perjury, under the laws of the State of California, that the above is true and correct.

Executed on March 14, 2024, at Irvine, California.


Irma Ceja