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on behalf of himself and other aggrieved employees

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10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT**

12 CARLOS ANDRADE, on behalf of himself and
13 other aggrieved employees,

14 Plaintiff,

15 vs.

16 RESTORATION HARDWARE, INC.; DCO LA,
LLC; and DOES 1 to 100, inclusive,

17 Defendants.
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FILED
Superior Court of California
County of Los Angeles

SEP 17 2024

David W. Slayton, Executive Officer/Clerk of Court
By: M. Zarate, Deputy

Case No.: 22STCV34734

[Assigned for All Purposes to:
Hon. Richard L. Fruin, Dept. 15]

~~PROPOSED~~ **ORDER GRANTING
PLAINTIFF'S MOTION FOR APPROVAL
OF A PRIVATE ATTORNEYS GENERAL
ACT SETTLEMENT AND JUDGMENT
THEREON**

[Filed concurrently with the Notice of Motion
and Motion for Approval of Private Attorneys
General Act Settlement; Declaration of
Malcolm Clayton in Support Thereof]

Hearing Information:

Date: September 17, 2024

Time: 9:15 a.m.

Dept.: 15

Res ID: 719780950951

~~PROPOSED~~ **ORDER GRANTING PLAINTIFF'S MOTION FOR APPROVAL OF A PRIVATE ATTORNEYS
GENERAL ACT SETTLEMENT AND JUDGMENT THEREON**

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2 The Court, having reviewed and considered Plaintiff Carlos Andrade's ("Plaintiff") Motion
3 for Approval of the Private Attorneys General Act ("PAGA") Settlement and all documents submitted
4 in support of the motion, **HEREBY ORDERS AND ENTERS JUDGMENT AS FOLLOWS:**

5 1. The Court hereby grants Plaintiff's Motion for Approval of PAGA Settlement. For
6 purposes of this Final Order and Judgment ("Order"), the Court adopts all defined terms as used in
7 the Settlement Agreement. A copy of the Settlement Agreement is attached as **Exhibit 1** to the
8 Declaration of Malcolm Clayton in Support of Plaintiff's Motion for Approval of PAGA Settlement
9 and is made part of this Order.

10 2. The Court has jurisdiction over all parties and claims asserted in the Action. Pursuant to
11 Code of Civil Procedure section 664.6, the Court shall retain jurisdiction with respect to the
12 interpretation, implementation, and enforcement of the Settlement and all order and judgment entered
13 in connection therewith.

14 3. Pursuant to the California Private Attorneys General Act of 2004 ("PAGA"), Labor Code
15 section 2699, *et seq.*, the Court approves the Settlement and finds that it is fair and reasonable and provides
16 genuine and meaningful relief consistent with the underlying purpose of PAGA. The Court finds that
17 notice of the Settlement was provided to the Labor and Workforce Development Agency ("LWDA"), as
18 required by Labor Code § 2699(1)(2). The Court finds that the Settlement Agreement has been reached
19 as a result of informed and non-collusive arm's-length negotiations. The Court further finds that the
20 Parties were able to reasonably evaluate their respective positions. The Court also finds that
21 settlement now will avoid additional and potentially substantial litigation costs, as well as delay and
22 risks if the Parties were to continue to litigate the case. The Court directs the Parties to effectuate the
23 Settlement Agreement according to its terms.

24 4. The entire Net Settlement Amount (the remainder of the Settlement Amount after
25 deducting Plaintiff's counsel's fees of one-third of the Gross Settlement Amount (\$33,333.33) and
26 costs of \$14,358.57, the costs of administration (not to exceed \$3,000.00), from the Gross Settlement
27 Amount (\$100,000.00)) shall be allocated for payment of civil penalties and shall be distributed 75%
28 (\$36,981.07) to the LWDA and 25% (\$12,327.03) to the alleged Aggrieved Employees.

1 5. The Court hereby confirms Lavi & Ebrahimian, LLP as PAGA Counsel.

2 6. The Court hereby confirms Simpluris, Inc. as the Settlement Administrator and
3 confirms that costs in the amount of no more than \$3,000.00 for administration of the settlement are
4 reasonable.

5 7. The Court hereby awards to PAGA Counsel attorneys' fees in the amount of one-third
6 of the Gross Settlement Amount, which is \$33,333.33 in attorneys' fees and attorneys' costs of
7 \$14,358.57. The payment of fees and costs to PAGA Counsel shall be made in accordance with the
8 terms of the Settlement.

9 8. The Court further orders, adjudges and decrees that upon Approval by the Court of
10 this Settlement and Defendants' full funding of the entire Gross Settlement Amount, all PAGA Group
11 Members (including Plaintiff) and the State of California are deemed to release, waived, and discharged
12 the Released Parties from the Released Claims, and they each are bound by this Order and Judgment
13 and are forever barred from pursuing any of the Released Claims against any of the Released Parties.

14 9. The Settlement Administrator shall file a final report by _____, indicating the
15 total amount paid to the LWDA and the Aggrieved Employees and confirming that uncashed funds
16 have been distributed.

17 10. Judgment shall be entered forthwith in accordance with the foregoing, with each side
18 to pay his or its own attorneys' fees and costs except as expressly set forth in the Settlement
19 Agreement.

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21 Dated: Sept 17, 2024

Richard L. Fruin
Hon. Richard L. Fruin
Los Angeles Superior Court Judge