

12/15/2023

David W. Slayton, Executive Officer / Clerk of Court

By: R. Navarro Deputy

MATTHEW GUTIERREZ, SBN 271206
mg@gutierrezderham.com
GUTIERREZ DERHAM LAW FIRM LLP
6077 Coffee Rd., Ste 4
Bakersfield, CA 93308
Telephone: (323) 676-6676

Attorneys for Plaintiff, STEPHANIE ROMERO

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

[UNLIMITED CIVIL]

STEPHANIE ROMERO, an individual,

Plaintiff,

vs.

ALTA PUBLIC SCHOOLS, a corporation;
and DOES 1 through 5, inclusive,

Defendants.

Case No.: 22STCV22420

*Assigned for All Purposes to the Hon. Judge
Michael P. Linfield in Dept. 34*

**~~PROPOSED~~ ORDER AFTER HEARING
APPROVING PAGA SETTLEMENT AND
DISMISSING ENTIRE ACTION**

OSC Re Dismissal

Date: December 20, 2023

Time: 8:30am

Loc.: Dept. 34

Complaint Filed: July 12, 2022

On December 8, 2023, the Court adopted the tentative ruling to GRANT the motion of Plaintiff STEPHANIE ROMERO ("Plaintiff") for approval of the Los Angeles County Case No. 22STCV22420 Settlement Agreement between Plaintiff and Defendant ALTA PUBLIC SCHOOLS ("Alta") ("Settlement Agreement"), of the California Labor Code Private Attorneys General Act of 2004 ("PAGA") cause of action ("PAGA Action") as "fair, reasonable, and adequate in view of PAGA's purposes to remediate present labor law violations, deter future ones, and to maximize enforcement of state labor laws." *Moniz v. Adecco USA, Inc.*, 72 Cal.App.5th 56, 72 (2021).

Defendant shall pay **\$40,000.00** as the PAGA Settlement Amount ("PSA") in settlement of the PAGA Action. The relevant settlement period for the PAGA claims is from July 14, 2021, through December 8, 2023 ("PAGA Period"). The group of allegedly aggrieved employees affected by the

Agreement are all persons employed by Defendant in California and classified as a non-exempt employee who worked for Defendant during the PAGA Period (“Aggrieved Employees”).

Settlement payments shall be distributed by Phoenix Settlement Administrators (“Administrator”). The Court orders the following distributions from the PSA:

1. The rate of \$600/hour is reasonable for plaintiff’s attorney’s fees and the lodestar reasonable. Defendant shall pay to Plaintiff’s counsel \$11,665.50.
2. \$1,000.00 to Plaintiff’s counsel for litigation costs and expenses.
3. Administration costs in the amount of \$2,950.00 to the Administrator.
4. The “Net Settlement Amount” is the balance after deducting the sums from paragraphs 1-3 above. The Net Settlement Amount is to be paid to the LWDA and to the Aggrieved Employees.
 - a. Defendants shall pay 75% from the Net Settlement Amount the California Labor and Workforce Development Agency pursuant to Labor Code section 2699(i).
 - b. Defendant shall pay 25% from the Net Settlement Amount to the Aggrieved Employees, calculated *pro rata* according to the number of pay periods the Aggrieved Employee worked during the PAGA Period. The Settlement Administrator will report the individual PAGA payments on IRS 1099 Forms.
5. For any Aggrieved Employee whose individual PAGA settlement check is uncashed and canceled after the 180 days void date, the Administrator shall transmit the funds represented by such checks to the California Controller’s Unclaimed Property Fund in the name of the Aggrieved Employee.
6. The Court also approves the current form of the notice as provided in Exhibit D to the November 9, 2023, declaration of Matthew Gutierrez. The Administrator shall send the PAGA settlement checks to the Aggrieved Employees with the current form of the notice.
7. The entire complaint and all causes of action are dismissed with prejudice, with the Court retaining jurisdiction for enforcement pursuant to Code of Civil Procedure section 664.6. The OSC re Dismissal of December 20, 2023, is advanced to this date and vacated.

IT IS SO ORDERED. Plaintiff is to give notice.



A handwritten signature in black ink, appearing to read "Michael P. Linfield".

Dated: 12/15/2023

Hon. Judge Michael P. Linfield / Judge
Judge of the Superior Court of the State of
California