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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE — CIVIL COMPLEX CENTER

CHARLES L. BING, on behalf of himself and
all others similarly situated,

Plaintiff,

vs.

MIRAMAR HEALTH, LLC, a limited liability
company; MIRAMAR HEALTH, INC., a
California corporation; and DOES 1 through 100,
Inclusive,

Defendants.

Case No.: 30-2022-01274896-CU-OE-CXC

CLASS ACTION AND PAGA ACTION

*[Assigned for all purposes to Hon.
Melissa R. McCormick, Dept. CX-105]*

**ORDER GRANTING FINAL
APPROVAL OF CLASS ACTION
AND PAGA ACTION SETTLEMENT;
AND ENTERING JUDGMENT**

Action Filed: August 11, 2022

1 The Motion of Plaintiff Charles L. Bing (“Plaintiff Bing”) and Plaintiff Jonathan Wilder
2 (“Plaintiff Wilder”) (collectively “Plaintiffs”) for Final Approval of Class Action Settlement
3 (the “Motion”) came on regularly for hearing before this Court on April 9, 2026 at 2:00 p.m.
4 Having considered the Class Action and PAGA Action Settlement Agreement (the “Settlement
5 Agreement”) and the documents and evidence, including the supplemental submissions,
6 presented in support thereof; the Court hereby makes a final ruling that the Settlement is fair,
7 reasonable, and adequate, and in the best interests of the class members. Good cause appearing
8 therefor, the Court hereby GRANTS Plaintiffs’ Motion for Final Approval of Class Action and
9 PAGA Action Settlement and hereby ORDERS the following;

10 1. The Court hereby enters the judgment in accordance with the Settlement
11 Agreement, the July 30, 2025 Order Granting Preliminary Approval (ROA 152), and this Final
12 Approval Order and Judgment.

13 2. The Court finds that the Settlement Class is ascertainable, and that there is a
14 sufficiently well-defined community of interest among the members of the Settlement Class in
15 questions of law and fact. Therefore, the preliminary certification is hereby made final, and the
16 Court certifies, for purposes of the Settlement, the following Settlement Class: **All current and
17 former non-exempt employees who worked for Defendants Miramar Health, LLC, and
18 Miramar Health, Inc. (together “Miramar”) in California at any time from August 11,
19 2018 through November 21, 2023 (the “Class Period”).**

20 3. Additionally, the Court confirms that the Aggrieved Employees in the PAGA
21 settlement are: **“all Settlement Class members (whether or not they opt-out from the Class
22 Action Settlement) who worked for Miramar in California at any point from August 11,
23 2021 through November 21, 2023 (the "PAGA Period").”** Aggrieved Employees could not
24 opt-out of the PAGA settlement, and all Aggrieved Employees included in the PAGA
25 settlement will receive a payment from the PAGA Amount, as detailed in Settlement.

26 4. The Court hereby appoints Plaintiff Bing and Plaintiff Wilder as Class
27 Representatives, and appoints Abramson Labor Group as Class Counsel.
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1 5. The Court finds that notice was provided to Settlement Class members as set
2 forth in the Settlement, and the notice process has been completed in conformity with the
3 Settlement. The Court finds that said notice was the best notice practicable under the
4 circumstances. The Class Notice provided due and adequate notice of the proceedings and
5 matters set forth therein, informed Settlement Class members of their rights, and satisfied the
6 requirements of California Code of Civil Procedure § 1781(e), California Rule of Court 3.769,
7 and due process.

8 6. The Court finds that no Settlement Class member objected to the Settlement,
9 that no Settlement Class member opted out of the Settlement, that no Settlement Class member
10 disputed the Settlement, and that the 100% participation rate in the Settlement supports final
11 approval.

12 7. For purposes of settlement only, the Court finds that: (a) the members of the
13 Settlement Class are ascertainable and so numerous that joinder of all members is
14 impracticable; (b) there are questions of law or fact common to the Settlement Class, and there
15 is a well-defined community of interest among members of the Settlement Class with respect to
16 the subject matter of the litigation; (c) the claims of the Class Representatives are typical of the
17 claims of the members of the Settlement Class; (d) the Class Representatives has fairly and
18 adequately protected the interests of the Settlement Class members; (e) a class action is
19 superior to other available methods for an efficient adjudication of this controversy; and (f)
20 Class Counsel are qualified to serve as counsel for the Class Representatives and the Settlement
21 Class.

22 8. The Parties, their counsel, and the settlement administrator are ordered to
23 administer the settlement in accordance with the terms of the Settlement Agreement.

24 9. The gross settlement amount is \$296,485.50. The court approves the following
25 deductions from the gross settlement amount:

26 a. \$95,000.00 to Plaintiffs' counsel for Plaintiffs' attorneys' fees;

27 b. \$15,170.08 to Plaintiffs' counsel for Plaintiffs' litigation costs;
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- 1 c. \$5,000.00 to each Plaintiff (totaling \$10,000.00) for Plaintiffs' Enhancement
2 Awards;
3 d. \$4,200.00 to Phoenix Settlement Administrators for settlement
4 administration; and
5 e. \$30,000.00 for PAGA civil penalties, 75% of such penalties, or \$22,500.00,
6 will be paid to the Labor & Workforce Development Agency ("LWDA"),
7 and the remaining 25%, or \$7,500.00, will be payable to Aggrieved
8 Employees as the "PAGA Amount."

9 10. This document shall constitute a final judgment pursuant to Cal. Rule of Court
10 3,769(h), which provides, "If the Court approves the settlement agreement after the final
11 approval hearing, the court must make and enter judgment. The judgment must include a
12 provision for the retention of the court's jurisdiction over the parties to enforce the terms of the
13 judgment. The court may not enter an order dismissing the action at the same time as, or after,
14 entry of judgment." The Court will retain jurisdiction to enforce the Settlement and this Final
15 Approval Order and Judgment pursuant to Civil Procedure Code section 664.6.

16 11. A copy of this Final Approval Order and Judgment shall be posted on the
17 Settlement Administrator's website for at least 180 days.

18 12. The Final Accounting hearing is set for January 14, 2027 at 9:00 a.m. in
19 Department CX-105. At least 9 court days before the Final Accounting hearing, Class Counsel
20 and the Settlement Administrator shall submit a final accounting report of the distribution of
21 the settlement funds to Class Members and Aggrieved Employees, identifying the distributions
22 made pursuant to this Final Approval and Judgment, and identifying the number of and value of
23 any uncashed checks, and the status of any unresolved issues.

24 **IT IS SO ORDERED, ADJUDGED AND DECREED.**

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27 Dated: April 9, 2026



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Melissa R. McCormick
Judge of the Superior Court