



PLAINTIFF/PETITIONER: Ted Ferguson, et al.  
 DEFENDANT/RESPONDENT: G3 Enterprises, Inc.

CASE NUMBER:  
 CV-21-000848 / Dept 23

**PROOF OF SERVICE BY FIRST-CLASS MAIL  
 NOTICE OF ENTRY OF JUDGMENT OR ORDER**

**(NOTE: You cannot serve the Notice of Entry of Judgment or Order if you are a party in the action. The person who served the notice must complete this proof of service.)**

1. I am at least 18 years old and **not a party to this action**. I am a resident of or employed in the county where the mailing took place, and my residence or business address is (*specify*):

PLEASE SEE ATTACHED PROOF OF SERVICE

2. I served a copy of the *Notice of Entry of Judgment or Order* by enclosing it in a sealed envelope with postage fully prepaid and (*check one*):

- a. ☐ deposited the sealed envelope with the United States Postal Service.  
 b. ☐ placed the sealed envelope for collection and processing for mailing, following this business's usual practices, with which I am readily familiar. On the same day correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service.

3. The *Notice of Entry of Judgment or Order* was mailed:

- a. on (*date*):  
 b. from (*city and state*):

4. The envelope was addressed and mailed as follows:

- a. Name of person served:

Street address:

City:

State and zip code:

- c. Name of person served:

Street address:

City:

State and zip code:

- b. Name of person served:

Street address:

City:

State and zip code:

- d. Name of person served:

Street address:

City:

State and zip code:

☐ Names and addresses of additional persons served are attached. (*You may use form POS-030(P).*)

5. Number of pages attached:

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

Date: December 16, 2024

Isabel Yang

(TYPE OR PRINT NAME OF DECLARANT)



(SIGNATURE OF DECLARANT)

# **EXHIBIT A**

Electronically Filed  
12/13/2024  
Superior Court of California  
County of Stanislaus  
Clerk of the Court  
By: Brenton Ratley, Deputy

Arby Aiwarzian (SBN 269827)  
Joanna Ghosh (SBN 272479)  
Matthew Richard Soto (SBN 353499)  
**LAWYERS for JUSTICE, PC**  
410 West Arden Avenue, Suite 203  
Glendale, California 91203  
Tel: (818) 265-1020 / Fax: (818) 265-1021

*Attorneys for Plaintiffs Ted Ferguson, Lisa Flathers, Joel Flores and the Class*

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

Ted Ferguson, individually, and on behalf of  
other members of the general public similarly  
situated, and LISA FLATHERS and JOEL  
FLORES, individually, and on behalf of all  
other aggrieved employees pursuant to the  
California Private Attorney General Act,

Plaintiffs,

vs.

G3 ENTERPRISES, INC., an unknown  
business entity; and DOES 1 through 100,  
inclusive,

Defendants.

Case No.: CV-21-000848

Honorable John D. Freeland  
Department 23

**CLASS ACTION**

**~~PROPOSED~~ AMENDMENT TO FINAL  
APPROVAL ORDER AND JUDGMENT**

Complaint Filed: February 23, 2021

FAC Filed: June 27, 2023

Trial Date: None Set

1 On February 23, 2021, Plaintiff Ted Ferguson (“Plaintiff Ferguson”) filed a Class Action  
2 Complaint for Damages, thereby commencing the above-captioned action (“Action”) entitled  
3 *Ferguson v. G3 Enterprises, Inc.*, Stanislaus County Superior Court, Case No. CV-21-000848  
4 and amended it on June 27, 2023, by filing a First Amended Consolidated Class Action  
5 Complaint for Damages and Enforcement Under the Private Attorneys General Act, California  
6 Labor Code § 2698, *Et. Seq.* adding named Plaintiff Lisa Flathers (“Plaintiff Flathers”) and  
7 Plaintiff Joel Flores (“Plaintiff Flores”) and a claim for unpaid penalties for alleged violations  
8 under the Private Attorneys General Act, California Labor Code § 2698, *Et. Seq.* (“PAGA”).

9 On February 21, 2024, the Court entered the Final Approval Order and Judgment,  
10 thereby granting final approval of the Settlement of the Action reached by Plaintiff Ferguson,  
11 Plaintiff Flathers, and Plaintiff Flores (collectively, the “Plaintiffs”) and G3 Enterprises, Inc.  
12 (“Defendant”) in accordance with the Class Action and PAGA Action Settlement Agreement  
13 and Release (together, “Settlement,” “Original Agreement,” or “Settlement Agreement”) which,  
14 together with the exhibits annexed thereto set forth the terms and conditions for settlement of  
15 the Action.

16 On October 31, 2024, the Declaration of Lindsay Romo Regarding Disbursement  
17 (“Settlement Administrator’s Declaration”) was filed in the Action.

18 The Settlement Administrator’s Declaration reflects the following: On March 13, 2024,  
19 Simpluris, Inc. (“Simpluris”) mailed Individual Class Payment checks to the one thousand two  
20 hundred and nineteen (1,219) Participating Class Members and Individual PAGA Payment  
21 checks to eight hundred and thirteen (813) Aggrieved Employees (Settlement Administrator’s  
22 Declaration, ¶ 4). The check cashing period expired on September 9, 2024, which was 180 days  
23 from the issuance date of March 13, 2024 (*Id.*, ¶ 7). As of October 31, 2024, there are one  
24 hundred twenty (120) uncashed checks and the associated remaining amount of funds for those  
25 checks is \$53,295.00 (*Id.*, ¶ 8).

26 Pursuant to the Settlement Agreement, Individual Class Payment checks and Individual  
27 PAGA Payment checks which are not negotiated within 180 calendar days after the date they  
28 were mailed shall be void, and such monies not disbursed or negotiated as part of the Settlement

1 shall be paid to the California State Controller's Office, Unclaimed Property Division in the  
2 name of the Participating Class Member and/or Aggrieved Employee in the respective  
3 amount(s) payable to them, where the Participating Class Member and/or Aggrieved Employee  
4 can later claim their funds.

5 On September 30, 2024, Simpluris sent the remaining uncashed funds in the amount of  
6 \$53,295.00 to the California State Controller's Office, Unclaimed Property Division in the  
7 names of Participating Class Members and/or Aggrieved Employees, in the respective  
8 amount(s) payable to them. (*Id.*, ¶ 8).

9 On November 14, 2024, the Court issued a tentative ruling finding that the Settlement  
10 Administrator's Declaration demonstrated compliance with the terms of the Settlement  
11 Agreement, that the Compliance Hearing scheduled for November 15, 2024 was not required,  
12 and directed Class Counsel to prepare and submit an amended form of judgment. This tentative  
13 ruling was adopted by the Court as its order on November 15, 2024.

14 Having reviewed the Settlement Administrator's Declaration, and good cause appearing,

15 **THE COURT HEREBY ORDERS, ADJUDGES, AND DECREES AS FOLLOWS:**

16 1. The Court approves the payment of \$53,295.00 to the California State  
17 Controller's Office, Unclaimed Property Division in the names of the Participating Class  
18 Members and/or Aggrieved Employees in the respective amount(s) payable to them, where the  
19 Participating Class Members and/or Aggrieved Employees can later claim their funds.

20 2. After entry of this Amendment to Final Approval Order and Judgment, pursuant  
21 to California Code of Civil Procedure section 384.5, Plaintiff shall submit the Amendment to  
22 Final Approval Order and Judgment to the Judicial Council of California.

23 3. Upon the entry of this Amendment to Final Approval Order and Judgment, the  
24 Action shall be closed.

25 **IT IS SO ORDERED.**

26  
27 DATE: 12/13/2024

28   
The Honorable John D. Freeland  
Judge of the Superior Court of California

**PROOF OF SERVICE**

*STATE OF CALIFORNIA, COUNTY OF LOS ANGELES*

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 410 West Arden Avenue, Suite 203, Glendale, California 91203.

On December 16, 2024, I served the foregoing document(s) described as: **NOTICE OF ENTRY OF JUDGMENT OR ORDER** on interested parties in this action by Electronic Service as follows:

Raymond W. Bertrand ([raymondbertrand@paulhastings.com](mailto:raymondbertrand@paulhastings.com))  
Tammy Morrow ([tammymorrow@paulhastings.com](mailto:tammymorrow@paulhastings.com))  
**PAUL HASTINGS LLP**  
4747 Executive Drive  
Twelfth Floor  
San Diego, California 92121

*Attorneys for Defendant G3 ENTERPRISES, INC.*

Chair, Judicial Council of California  
(Civil Case Coordination)  
455 Golden Gate Avenue, 5<sup>th</sup> Floor  
San Francisco, California 94102-3688  
*Email:* [coordination@jud.ca.gov](mailto:coordination@jud.ca.gov), [donna.newman@jud.ca.gov](mailto:donna.newman@jud.ca.gov)

**[X] BY EMAIL**

The above-referenced document(s) was transmitted to the person(s) at the e-mail address(es) listed herein at their most recent known e-mail address or e-mail of record in this action. I did not receive, within reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

State of California, Labor & Workforce Development Agency Web URL:  
<http://www.dir.ca.gov/Private-Attorneys-General-Act/Private-Attorneys-General-Act.html>

**[X] BY ONLINE SUBMISSION**

The foregoing documents were transmitted to the California Labor and Workforce Development Agency through the online system established for the submission of notices and documents, in conformity with California Labor Code section 2699(l). I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

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**[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 December 16, 2024, at Glendale, California.

  
\_\_\_\_\_  
Isabel Yang