

Electronically Received 09/25/2024 10:39 AM

FILED
Superior Court of California
County of Los Angeles

09/30/2024

David W. Slayton, Executive Officer / Clerk of Court

By: A. Morales Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

SABRINA GUTIERREZ, individually and
on behalf of all others similarly situated

Plaintiffs,

vs.

SATELLITE MANAGEMENT CO.; and
Does 1 through 20, inclusive,

Defendants.

Case No. 22STCV25771

Assigned for all purposes to:
Hon. Elihu M. Berle
Dept. 6

**REVISED ~~[PROPOSED]~~ ORDER
GRANTING FINAL APPROVAL OF CLASS
ACTION SETTLEMENT AND ENTERING
JUDGMENT**

**[PROPOSED] ORDER GRANTING FINAL APPROVAL OF CLASS ACTION
SETTLEMENT AND ENTERING JUDGMENT**

1 This matter came on for hearing on September 25, 2024, at 9:00 a.m., in Department 6 of
2 the above-captioned Court on the unopposed Motion for Final Approval of Class Action
3 Settlement pursuant to California Rule of Court 3.769, this Court's Order Granting Preliminary
4 Approval on January 29, 2024 and the CLASS ACTION AND PAGA SETTLEMENT
5 AGREEMENT AND CLASS NOTICE ("Settlement Agreement"), a copy of which was attached
6 as Exhibit 1 to the Declaration of Kristy R. Connolly in Support of Plaintiff's Motion for Final
7 Approval of Class Action Settlement.

8 Having received and considered the Settlement Agreement, the supporting papers filed by
9 the Parties, and the evidence and argument received by the Court in conjunction with the
10 unopposed Motion for Preliminary Approval of Class Action Settlement granted on January 29,
11 2024 and the instant Motion for Final Approval, the Court grants final approval of the Settlement
12 and HEREBY ORDERS AND MAKES THE FOLLOWING DETERMINATIONS:

13 1. Pursuant to the Order Granting Preliminary Approval, a Notice Packet was sent to
14 each Class Member by first-class mail. These papers informed the Class of the terms of the
15 Settlement, their right to receive an Individual Settlement Payment, their right (a) to comment on
16 or object to the Settlement, (b) to request exclusion from the Settlement and pursue their own
17 remedies, and (c) of their right to appear in person or by counsel at the final approval hearing and
18 to be heard regarding approval of the Settlement. Adequate periods of time were provided by each
19 of these procedures. No member of the Class filed written objection to the proposed Settlement
20 as part of this notice process or stated an intention to appear at the final approval hearing. The
21 following Class Member has requested exclusion from the Settlement and thus is not bound by
22 this Judgment: Rafael Alcaraz Torres.

23 2. The Court finds and determines that this notice procedure afforded adequate
24 protections to Class Members and provides the basis for the Court to make an informed decision
25 regarding approval of the Settlement based on the responses of the Class. The Court finds and
26 determines that the notice provided in this case was the best notice practicable, which satisfied
27 the requirements of law and due process.

1 3. With respect to the Class and for purposes of approving this Settlement only, this
2 Court finds and concludes that: (a) the members of the Class are ascertainable and so numerous
3 that joinder of all members is impracticable; (b) there are questions of law or fact common to the
4 Class, and there is a well-defined community of interest among members of the Class with respect
5 to the subject matter of the Action; (c) the claims of Class Representative Sabrina Gutierrez are
6 typical of the claims of the members of the Class; (d) the Class Representative has fairly and
7 adequately protected the interests of the members of the Class; (e) a class action is superior to
8 other available methods for an efficient adjudication of this controversy; and (f) the counsel of
9 record for the Class Representatives, i.e., Class Counsel, are qualified to serve as counsel for the
10 Class.

11 4. The Court has certified a Class, as that term is defined in and by the terms of the
12 Settlement Agreement as all persons currently or formerly employed by Defendant as a nonexempt
13 employee in the State of California at any time from February 14, 2018 to May 1, 2023.

14 5. The Court hereby confirms Aegis Law Firm, PC as Class Counsel.

15 6. The Court hereby confirms Plaintiff Sabrina Gutierrez as the Class Representative
16 in this Action.

17 7. The Court finds and determines that the terms set forth in the Settlement
18 Agreement are fair, reasonable, and adequate and directs the Parties to effectuate the Settlement
19 according to its terms, having found that the Settlement was reached as a result of informed and
20 non-collusive arm's-length negotiations facilitated by a neutral mediator. The Court further finds
21 that the Parties conducted extensive investigation, research, and discovery and that their attorneys
22 were able to reasonably evaluate their respective positions. The Court also finds that the
23 Settlement will enable the Parties to avoid additional and potentially substantial litigation costs,
24 as well as delay and risks if the Parties were to continue to litigate the case. The Court has
25 reviewed the monetary recovery provided as part of the Settlement and recognizes the significant
26 value accorded to the Class.

27 8. The Court further finds and determines that the terms of the Settlement are fair,
28 reasonable and adequate to the Class and to each Class Member and that the Settlement is ordered

1 finally approved, and that all terms and provisions of the Settlement should be and hereby are
2 ordered to be consummated.

3 9. The Court hereby approves the Gross Settlement Amount of \$900,000.00.

4 10. The Court finds and determines that the Individual Settlement Payments to be paid
5 to Participating Class Members as provided for by the Settlement are fair and reasonable. The
6 Court hereby gives final approval to and orders the payment of those amounts be made to the
7 Participating Class Members in accordance with the Settlement Agreement.

8 11. The Court finds and determines that payment to the California Labor and
9 Workforce Development Agency of \$30,000.00 as its share of the settlement of civil penalties in
10 this case is fair, reasonable, and appropriate. The Court hereby gives final approval to and orders
11 that the payment of that amount be paid in accordance with the Settlement Agreement.

12 12. The Court finds and determines that the fees and expenses in administrating the
13 Settlement incurred by Phoenix Settlement Administrator. in the amount of \$8,950.00, are fair
14 and reasonable. The Court hereby gives final approval to and orders that the payment of that
15 amount in accordance with the Settlement.

16 13. The Court finds and determines the Class Representative Service Award of
17 \$5,000 is fair and reasonable. The Court hereby orders the Administrator to make this payment
18 to the Plaintiff/Class Representative in accordance with the terms of the Settlement Agreement.

19 14. Pursuant to the terms of the Settlement, and the authorities, evidence and
20 argument submitted by Class Counsel, the Court hereby awards Class Counsel attorneys' fees
21 in the sum of \$300,000.00 and litigation costs of up to \$18,617.55. The Court finds such amounts
22 to be fair and reasonable. The Court hereby orders the Settlement Administrator to make these
23 payments in accordance with the terms of the Settlement Agreement.

24 15. Without affecting the finality of this order or the entry of judgment in any way,
25 the Court retains jurisdiction of all matters relating to the interpretation, administration,
26 implementation, effectuation, and enforcement of this order and the Settlement.

1 16. Neither Defendants nor any related persons or entities shall have any further
2 liability for costs, expenses, interest, attorneys' fees, or for any other charge, expense, or
3 liability, except as provided for by the Settlement Agreement.

4 17. Nothing in this order shall preclude any action to enforce the Parties' obligations
5 under the Settlement or under this order, including the requirement that Defendants make
6 payment to the Participating Class Members in accordance with the Settlement.

7 18. The Court hereby enters final judgment in accordance with the terms of the
8 Settlement Agreement, the January 29, 2024 Order Granting Preliminary Approval of Class
9 Action Settlement, and this Order.

10 19. The Parties will bear their own costs and attorneys' fees except as otherwise
11 provided by this Court's Order awarding Class Counsels' Award for attorneys' fees and litigation
12 costs.

13 20. Upon completion of administration of the Settlement, the Settlement
14 Administrator shall provide written certification of such completion to the counsel for the Parties
15 which shall be filed with the Court no later than **April 28, 2025**. The Court sets an Order to
16 Show Cause Hearing re: Compliance with Terms of Judgment for **May 6, 2025 at 8:30 a.m.** in
17 Department 6 of the above-entitled Court.



Elihu M. Berle

18
19
20 DATED: 09/30/2024, ~~2024~~

Elihu M. Berle / Judge

Honorable Elihu M. Berle
JUDGE OF THE SUPERIOR COURT