

MAR 01 2024

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and Proposed Class Counsel

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN JOAQUIN**

LORI DENTINGER, on behalf of herself
and all "aggrieved employees" pursuant to
Labor Code § 2698 *et seq.*,

Plaintiffs,

v.

PROFESSIONAL EVALUATIONS &
DEVELOPMENTAL SERVICES, LLC, a
California limited liability company, and
DOES 1 through 10, inclusive,

Defendants.

CASE NO: STK-CV-UOE-2022-11016

Assigned to the Hon. Blanca Banuelos, Dept. 10B

CLASS ACTION

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

Date: March 13, 2024

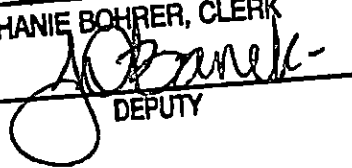
Time: 9:00 a.m.

Dept.: 10B

Complaint Filed: November 30, 2022

Plaintiff's Motion for an Order Granting Final Approval of the proposed Class and PAGA Action Settlement came before this Court on March 13, 2024. The above-captioned Action is a class action lawsuit brought by Plaintiff Lori Dentinger ("Dentinger" or "Plaintiff") against Defendant Professional Evaluations & Developmental Services, LLC ("Defendant") (collectively, the "Parties"). Plaintiff alleges, on behalf of a class of Defendant's current and former employees, that Defendant failed to pay all wages due, failed to provide meal and rest periods or compensation in lieu thereof, failed to reimburse expenses, failed to pay wages due timely upon separation of

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STEPHANIE BOHRER, CLERK
By  DEPUTY

1 employment, and failed to comply with itemized wage statement provisions. Defendant denies any
2 and all alleged wrongdoing and denies any liability to the Plaintiff or to members of the Settlement
3 Class. Defendant contends that that it has complied at all times with California law, including the
4 California Labor Code, the Industrial Commission Wage Orders, and the California Business and
5 Professions Code.

6 On November 2, 2023, this Court entered an Order Granting Preliminary Approval of
7 Settlement, resulting in certification of the following provisional Settlement Class: "All non-
8 exempt employees of Defendant Professional Evaluations & Developmental Services, LLC in
9 California at any time between November 30, 2018 and September 26, 2023. The Aggrieved
10 Employees are defined all non-exempt employees of Defendant Professional Evaluations &
11 Developmental Services, LLC in California at any time between September 22, 2021 and
12 September 26, 2023.

13 That Order further directed the Parties to provide Notice to the Settlement Class, which
14 informed absent class members in both English and Spanish of: (a) the proposed Settlement, and
15 the Settlement's key terms; (b) the date, time and location of the Final Approval Hearing; (c) the
16 right of any Class Member to object to the proposed Settlement, and an explanation of the
17 procedures to exercise that right; (d) the right of any Settlement Class Member to exclude
18 themselves from the proposed Settlement, and an explanation of the procedures to exercise that
19 right; and (e) an explanation of the procedures for class members to participate in the proposed
20 settlement.

21 The Court, upon Notice having been given as required in the Preliminary Approval Order,
22 and having considered the Settlement Agreement and Release of Claims, as well as all papers filed,
23 hereby ORDERS, ADJUDGES AND DECREES AS FOLLOWS:

- 24 1. This Court has jurisdiction over the subject matter of the Action and over all Parties
25 to the Action, including all members of the Settlement Class and all Aggrieved Employees.
- 26 2. The Court finds that the Settlement Class is properly certified for settlement
27 purposes only.

1 3. The Notice provided to the Settlement Class conforms with the requirements of
2 California Code of Civil Procedure section 382, California Civil Code section 1781, California
3 Rules of Court 3.766 and 3.769, the California and United States Constitutions, and any other
4 applicable law, and constitutes the best notice practicable under the circumstances, by providing
5 individual notice to all Settlement Class Members who could be identified through reasonable
6 effort, and by providing due and adequate notice of the proceedings and of the matters set forth
7 therein to the Settlement Class Members. The notice fully satisfied the requirements of due process.

8 4. The Court finds the settlement was entered into in good faith, that the settlement is
9 fair, reasonable and adequate, and that the settlement satisfies the standards and applicable
10 requirements for final approval of this class action settlement under California law, including the
11 provisions of California Code of Civil Procedure section 382 and California Rules of Court, Rule
12 3.769.

13 5. The Court approves the Gross Settlement Amount of Five Hundred Twenty-Five
14 Thousand Dollars (\$525,000).

15 6. Zero (0) Settlement Class Members have objected to the terms of the Settlement.

16 7. Zero (0) Settlement Class Members have requested exclusion from the Settlement.

17 8. Upon entry of this Order, compensation to the participating members of the
18 Settlement Class and Aggrieved Employees shall be affected pursuant to the terms of the Settlement
19 Agreement.

20 9. In addition to any recovery that Plaintiff may receive from the Net Settlement
21 Proceeds, and in recognition of the Plaintiff's efforts on behalf of the Settlement Class, the Court
22 hereby approves the payment of a Service Payment to Plaintiff Lori Dentinger in the amount of
23 Fifteen Thousand Dollars (\$15,000). This shall be paid from the Gross Settlement Amount.

24 10. The Court approves the payment of attorneys' fees to Class Counsel, Gaines &
25 Gaines, APLC, in the sum of One Hundred Eighty-Three Thousand Seven Hundred Fifty Dollars
26 (\$183,750), and the reimbursement of litigation expenses in the sum of Nine Thousand Five
27 Dollars (\$9,000).

1 Hundred Fifty-Three Dollars and Forty Cents (\$9,553.40). This shall be paid from the Gross
2 Settlement Amount.

3 11. The Court approves and orders payment in the amount of Five Thousand Dollars
4 (\$5,000) to Phoenix Settlement Administrators for performance of its settlement administration
5 services. This shall be paid from the Gross Settlement Amount.

6 12. The Court approves and orders payment in the amount of Thirty Thousand Dollars
7 (\$30,000) to the California Labor and Workforce Development Agency for its 75% share of PAGA
8 penalties. This shall be paid from the Gross Settlement Amount.

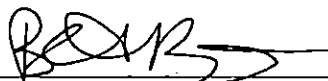
9 13. Upon the entry of this Order and Judgment, and subject to the occurrence of the
10 Effective Date, Plaintiff, all participating Settlement Class Members and all Aggrieved Employees
11 shall be bound by the Released Class Claims and Released PAGA Claims as set forth in the
12 Settlement Agreement.

13 14. This "Judgment" is intended to be a final disposition of the above captioned action
14 in its entirety and is intended to be immediately appealable.

15 15. This Court shall retain jurisdiction with respect to all matters related to the
16 administration and consummation of the settlement, and any and all claims, asserted in, arising out
17 of, or related to the subject matter of the lawsuit, including but not limited to all matters related to
18 the settlement and the determination of all controversies relating thereto.

19 **IT IS SO ORDERED.**

20
21 Dated: 3/13/24


JUDGE OF THE SUPERIOR COURT
BLANCA A. BANUELOS

22
23
24 A non-appearance compliance hearing is set for
25 July 15, 2025 at 9:00 am in Dept. 10B. The
26 Settlement Administrator shall provide written certification
27 to the court of counsel, to be filed with court
28 5 court days before hearing.

the CMC of 3/13/24 is vacated.

ORDER AND JUDGMENT GRANTING FINAL APPROVAL OF CLASS AND PAGA ACTION SETTLEMENT