

10B
12/2

RECEIVED
2025-02-07 15:58:07

DAVID GLENN SPIVAK (SBN 179684)

david@spivaklaw.com

THE SPIVAK LAW FIRM

8605 Santa Monica Bl

PMB 42554

West Hollywood, CA 90069

Telephone: (213) 725-9094

Facsimile: (213) 634-2485

File

FEB 11 2025

STEPHANIE BOHRER, CLERK

By

DEPUTY

Attorneys for Plaintiff(s),
AMBER ASHLEY DAMAS, and all others similarly situated
(Additional attorneys for Plaintiff(s) on following page)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

**FOR THE COUNTY OF SAN JOAQUIN
(UNLIMITED JURISDICTION)**

AMBER ASHLEY DAMAS, on behalf of
herself and all others similarly situated, and the
general public,

Plaintiff(s),

vs.

JUST WINGIN' IT, INC., a California
corporation; and DOES 1-50, inclusive,

Defendant(s).

Case No. STK-CV-UOE-2022-0007989

**[PROPOSED] ORDER AND
JUDGMENT APPROVING PAGA
SETTLEMENT**

Hearing Date: February 5, 2025

Hearing Time: 9:00 a.m.

Hearing Dept.: 10B, The Honorable
Blanca A. Banuelos

Action filed: September 12, 2022



SPIVAK LAW
EMPLOYEE RIGHTS

Mail:

8605 Santa Monica Bl
PMB 42554
West Hollywood, CA 90069
(213) 725-9094 Tel
(213) 634-2485 Fax
SpivakLaw.com

Office:

1875 Century Park East
Floor 7
Los Angeles, CA 90067

ADDITIONAL ATTORNEYS FOR PLAINTIFF(S)

WALTER L. HAINES (SBN 71075).

walter@uelglaw.com.

UNITED EMPLOYEES LAW GROUP

8605 Santa Monica Bl.

PMB 63354

West Hollywood, CA 90069

Telephone: (562) 256-1047

Facsimile: (562) 256-1006

Attorneys for Plaintiff(s),

AMBER ASHLEY DAMAS, and all others similarly situated



SPIVAK LAW
EMPLOYEE RIGHTS

Mail:
8605 Santa Monica Bl
PMB 42554
West Hollywood, CA 90069
(213) 725-9094 Tel
(213) 634-2485 Fax
SpivakLaw.com

Office:
1875 Century Park East
Floor 7
Los Angeles, CA 90067

1 Having considered the Parties' the PAGA Settlement Agreement ("Agreement" or
2 "PAGA Settlement"), IT IS HEREBY ORDERED THAT:

3 1. To the extent required by Labor Code § 2699(l), the Settlement and its terms
4 represent a reasonable and adequate settlement of highly disputed claims to Plaintiff, the
5 "Aggrieved Employees" (as the term is defined in the PAGA Settlement Agreement); the State of
6 California, Plaintiff's counsel, and Defendant, and is approved.

7 2. Defendant shall pay the "Gross Settlement Amount" (as the term defined in the
8 Settlement) in the amount of \$235,000.00. The Gross Settlement Amount includes: (a) Attorney
9 fees in the amount of \$78,333.00 and litigation costs in the amount of \$14,623.00; (b) "PAGA
10 Penalty Fund" (as the term defined in the PAGA Settlement Agreement) payable to the Aggrieved
11 Employees and the Labor and Workforce Development Agency ("LWDA"); and (c)
12 Administration Expenses Payment of \$3,000.00 to administer the settlement, in accordance with
13 the procedure as mentioned in the Settlement.

14 3. The allocation of the Settlement payment among the Plaintiff, the Aggrieved
15 Employees, the State of California, the Administrator and Plaintiff's counsel is fair, just,
16 reasonable, adequate, and equitable to all concerned, and is approved to the extent required under
17 Labor Code § 2699(l).

18 4. The settlement is approved on the terms stated in the Settlement.

19 5. Judgment in this matter is entered in accordance with, and incorporates by
20 reference, the terms and conditions of the Settlement. Instead of filing a request for dismissal to
21 terminate this action, this judgment will terminate the action.

22 6. The Settlement is not an admission by Defendant, or any of the "Released Parties"
23 (as the term is defined in the Settlement), nor is this judgment a finding of the validity of any
24 allegations or of any wrongdoing by Defendant or the Released Parties. Neither this judgment,
25 the Settlement, nor any document referred to therein, nor any action taken to carry out the
26 Settlement, may be construed as, or may be used as, an admission of any fault, wrongdoing,
27 omission, concession, or liability whatsoever by or against Defendant or the Released Parties.

28 7. The PAGA Settlement Agreement shall be binding on Plaintiff, all Aggrieved



SPIVAK LAW
EMPLOYEE RIGHTS

Mail:
8605 Santa Monica Bl
PMB 42554
West Hollywood, CA 90069
(213) 725-9094 Tel
(213) 634-2485 Fax
SpivakLaw.com

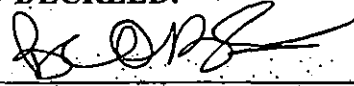
Office:
1875 Century Park East
Floor 7
Los Angeles, CA 90067

1 Employees, and the State of California, who are hereby barred from re-litigating any of the claims
2 released by the Settlement.

3 8. Pursuant to Code of Civil Procedure section 664.6 the Court shall retain exclusive
4 and continuing jurisdiction over the above-captioned action and the parties for purposes of
5 enforcing the terms of the PAGA Settlement Agreement.

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

7
8 DATED: 2/11/25

9 
THE HONORABLE BLANCA A. BANUELOS
JUDGE OF THE SUPERIOR COURT



23 **SPIVAK LAW**
EMPLOYEE RIGHTS

24 Mail:
8605 Santa Monica Bl
PMB 42554
West Hollywood, CA 90069
25 (213) 725-9094 Tel
(213) 634-2485 Fax
26 SpivakLaw.com

27 Office:
1875 Century Park East
Floor 7
28 Los Angeles, CA 90067

PROOF OF SERVICE

State of California,
County of Los Angeles

1. I am a citizen of the United States and am employed in the County of Los Angeles, State of California. I am over the age of 18 years, and not a party to the within action. My business address is 1875 Century Park East, Floor 7, Los Angeles, CA 90067.

2. I am familiar with the practice of The Spivak Law Firm, for collection and processing of correspondence for mailing with the United States Postal Service. It is the practice that correspondence is deposited with the United States Postal Service the same day it is submitted for mailing.

On Friday, February 07, 2025, I served the foregoing document described as [PROPOSED] ORDER AND JUDGMENT APPROVING PAGA SETTLEMENT on interested parties by placing a true and correct copy thereof enclosed in a sealed envelope, with postage fully prepaid, addressed as follows:

Michael J. O'Connor, Jr., Esq.
Sarkis A. Atoyan, Esq.
Hillary E. Chaffin, Esq.
ATKINSON, ANDELSON, LOYA, RUUD & ROMO
4275 Executive Square, Suite 700
La Jolla, CA 92037-1477
Michael.OConnor@aalrr.com
Sarkis.Atoyan@aalrr.com
Hillary.Chaffin@aalrr.com

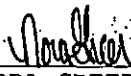
(BY MAIL) I caused such an envelope to be mailed by placing it for collection and mailing, in the course of ordinary business practice, with other correspondence of The Spivak Law Firm, 1801 Century Park East, 25th Fl, Los Angeles, CA 90067.

XXXX (BY EMAIL) I caused the documents to be sent to the persons at the electronic service addresses listed above from my electronic service address nora@spivaklaw.com.

EXECUTED on Friday, February 07, 2025, at Burbank, California.

XXXX (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

(Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.


NORA GREER