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Attorneys for Plaintiff Ricardo Loera
and Proposed Class Counsel

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

RICARDO LOERA, on behalf of himself
and all "aggrieved employees" pursuant to
Labor Code § 2698 *et seq.*,

Plaintiff,

v.

VC1 CONCRETE CONSTRUCTION,
LLC, a California limited liability
company, and DOES 1 through 10,
inclusive,

Defendants.

CASE NO: STK-CV-UOE-2022-10482

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

CLASS ACTION

~~PROPOSED~~ ^{10B} ORDER AND JUDGMENT
GRANTING FINAL APPROVAL OF CLASS
AND REPRESENTATIVE ACTION
SETTLEMENT

Date: February 27, 2025

Time: 9:00 a.m.

Dept.: 10B

Complaint Filed: November 15, 2022

FEB 13 2025

FILE BY FAX

1 Plaintiff's Motion for an Order Granting Final Approval of the proposed Class and PAGA
2 Action Settlement came before this Court on February 27, 2025. The above-captioned Action is a
3 class action lawsuit brought by Plaintiff Ricardo Loera ("Loera" or "Plaintiff") against Defendant
4 VC1 Concrete Construction, LLC ("Defendant") (collectively, the "Parties"). Plaintiff alleges, on
5 behalf of a class of Defendant's current and former employees, that Defendant failed to pay all
6 wages due, failed to provide meal and rest periods or compensation in lieu thereof, failed to
7 reimburse expenses, failed to pay wages due timely upon separation of employment, and failed to
8 comply with itemized wage statement provisions. Defendant denies any and all alleged
9 wrongdoing and denies any liability to the Plaintiff or to members of the Settlement Class.
10 Defendant contends that that it has complied at all times with California law, including the
11 California Labor Code, the Industrial Commission Wage Orders, and the California Business and
12 Professions Code.

13 On October 15, 2024, this Court entered an Order Granting Preliminary Approval of
14 Settlement, resulting in certification of the following provisional Settlement Class: "all persons
15 directly employed by Defendant in California and classified as a non-exempt employee who
16 worked between June 6, 2019 and October 15, 2024." The Aggrieved Employees are defined as
17 "all persons directly employed by Defendant in California and classified as a non-exempt employee
18 who worked between November 15, 2021 and October 15, 2024."

19 That Order further directed the Parties to provide Notice to the Settlement Class, which
20 informed absent class members in both English and Spanish of: (a) the proposed Settlement, and
21 the Settlement's key terms; (b) the date, time and location of the Final Approval Hearing; (c) the
22 right of any Class Member to object to the proposed Settlement, and an explanation of the
23 procedures to exercise that right; (d) the right of any Settlement Class Member to exclude
24 themselves from the proposed Settlement, and an explanation of the procedures to exercise that
25 right; and (e) an explanation of the procedures for class members to participate in the proposed
26 settlement.
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The Court, upon Notice having been given as required in the Preliminary Approval Order, and having considered the Settlement Agreement and Release of Claims, as well as all papers filed, hereby **ORDERS, ADJUDGES AND DECREES AS FOLLOWS:**

1. This Court has jurisdiction over the subject matter of the Action and over all Parties to the Action, including all members of the Settlement Class and all Aggrieved Employees.

2. The Court finds that the Settlement Class is properly certified for settlement purposes only.

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

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

5. The Court approves the Gross Settlement Amount of Three Hundred Twenty-Five Thousand Dollars (\$325,000).

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

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

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

1 9. In addition to any recovery that Plaintiff may receive from the Net Settlement
2 Amount, and in recognition of the Plaintiff's efforts on behalf of the Settlement Class, the Court
3 hereby approves the payment of a Service Payment to Plaintiff Ricardo Loera in the amount of
4 Twenty Thousand Dollars (\$20,000). This shall be paid from the Gross Settlement Amount.

5 10. The Court approves the payment of attorneys' fees to Class Counsel, Gaines &
6 Gaines, APLC, in the sum of One Hundred Eight Thousand Three Hundred Thirty-Three Dollars
7 and Thirty-Three Cents (\$108,333.333), and the reimbursement of litigation expenses in the sum
8 of Ten Thousand Two Hundred Fifty-Six Dollars and Twenty-Four Cents (\$10,256.24). This shall
9 be paid from the Gross Settlement Amount.

10 11. The Court approves and orders payment in the amount of Seven Thousand Dollars
11 (\$7,000) to Phoenix Settlement Administrators for performance of its settlement administration
12 services. This shall be paid from the Gross Settlement Amount.

13 12. The Court approves and orders payment in the amount of Fifteen Thousand Dollars
14 (\$15,000) to the California Labor and Workforce Development Agency for its 75% share of PAGA
15 penalties. This shall be paid from the Gross Settlement Amount.

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

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

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

5 **IT IS SO ORDERED.**

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7 Dated: 3/14/25

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9 JUDGE OF THE SUPERIOR COURT
10 BLANCA A. BAÑUELOS

11 A compliance hearing is set for November 10, 2026
12 at 9:00 am. Upon completion of administration of
13 settlement, the settlement Administrator or class
14 Counsel shall file written certification no later
15 than November 3, 2026.
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