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FILED

JAN 24 2025

EL DORADO CO. SUPERIOR COURT
BY [Signature] (DEPUTY)

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF EL DORADO**

JERROD WALLACE, an individual, on behalf of
himself, the State of California, as a private
attorney general, and on behalf of all others
similarly situated,

Plaintiff,

v.

ORION MANAGED SERVICES, LLC, a
Delaware Limited Liability Company; and DOES
1 TO 50,

Defendants.

Case No. 22CV1463

**~~[PROPOSED]~~ ORDER GRANTING
APPROVAL OF PAGA SETTLEMENT
AND ENTERING JUDGMENT**

Hearing Date: 1/24/2025

Time: 8:30 A.M.

Dept.: 9

Judge: Hon.

Complaint Filed: October 11, 2022

[PROPOSED] ORDER AND JUDGMENT

This matter came before the Court on _____ 2025, in Department 9 of the above-captioned Court on Plaintiff Jerrod Wallace's ("Plaintiff") motion for approval of a settlement agreement pursuant to the California Labor Code Private Attorneys General Act ("PAGA") (the "Settlement").

Having received and considered the Settlement Agreement, the supporting papers filed by Plaintiff, and the evidence and argument received by the Court, the Court grants approval of the PAGA Settlement and HEREBY ORDERS AND MAKES THE FOLLOWING DETERMINATIONS:

1. Except as otherwise defined in this Order and Judgment ("Order"), all capitalized terms have the same meaning as defined in the Settlement Agreement that is attached as Exhibit 1 to the Declaration of Jonathan Melmed in Support of Motion to Approve the Settlement Pursuant to the Private Attorney General Act of 2004 ("JM Decl.").

2. The California Labor Workforce and Development Agency ("LWDA") has been provided notice of the Settlement in accordance with PAGA, California Labor Code § 2699(1)(2), (1)(4). Plaintiff's notice of the Settlement to the LWDA complied with the notice requirements of PAGA and is attached as Exhibit 3 to the JM Decl.

3. The Court confirms approval of the Settlement as to the Aggrieved Employees and the State of California.

4. The Court has jurisdiction over the subject matter of this litigation, over all Aggrieved Employees, and over those persons undertaking affirmative obligations under the Settlement.

5. The Settlement is approved under Labor Code § 2699(1)(2).

6. The Cover Letter to Aggrieved Employees, attached as Exhibit 5 to the JM Decl., fairly and adequately describes the Action, the approved Settlement, and is the best notice practicable under the circumstances.

7. The Court finds that each Aggrieved Employee, in accordance with the Settlement, releases all Released Claims against the Released Parties.

1 8. The Gross Settlement Amount, Net Settlement Fund and the methodology used to
2 calculate the LWDA Payment and PAGA Aggrieved Employee Payment (which is comprised of
3 the Individual PAGA Payments), in accordance with the Settlement is approved.

4 9. The Court approves Simpluris to act as the Settlement Administrator. The Court
5 awards the Settlement Administrator in this Action its actual fees and costs in accordance with the
6 terms of the Settlement Agreement, not to exceed \$3,000.00.

7 10. The Court approves Jonathan Melmed, and Meghan N. Higday of Melmed Law
8 Group P.C. as PAGA Counsel.

9 11. The Court awards PAGA Counsel attorneys' fees in the amount of \$27,516.67 and
10 actual litigation costs of \$10,162.94, both of which the Court finds to be fair and reasonable. The
11 Court authorizes the Settlement Administrator to make these payments, in accordance with the terms
12 of the Settlement Agreement.

13 12. The Court authorizes the Settlement Administrator to calculate the Net Settlement
14 Amount, inclusive of the LWDA Payment and Employee Payment, in accordance with the terms of
15 the Settlement Agreement.

16 13. The Court finds that the LWDA Payment of \$25,777.79 as its share of the settlement
17 of civil penalties is fair and reasonable. The Court authorizes the Settlement Administrator to pay
18 the LWDA Payment, in accordance with the terms of the Settlement Agreement as modified by the
19 Approval Order.

20 14. The Court finds that the Employee Payment of \$8,592.60 as the Aggrieved
21 Employees' share of the settlement of civil penalties is fair and reasonable. The Court authorizes
22 the Settlement Administrator to pay the Employee Payment, in accordance with the terms of the
23 Settlement Agreement.

24 15. Checks for Individual PAGA Payments sent to Aggrieved Employees shall be valid
25 for 180 days after issuance. Funds remaining from any checks for Individual PAGA Payments
26 uncashed after 180 days will be dispersed to State of California Unclaimed Wage or Property Fund,
27 in accordance with the terms of the Settlement Agreement.

28 16. Upon completion of the Settlement, the Settlement Administrator will provide

1 written certification of the completion to the Court and counsel for the Parties which shall be filed
2 with the Court on or before _____.

3 17. Without affecting the finality of this order and entry of judgment, the Court retains
4 exclusive and continuing jurisdiction over this Action for purposes of supervising, administering,
5 implementing, and enforcement of this Order and the Settlement.

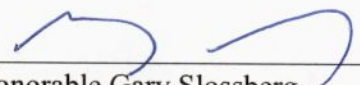
6 18. Nothing in this Order or the Settlement shall be construed as an admission or
7 concession by any party. The Settlement and this resulting Order and entry of judgement simply
8 represent a compromise of disputed allegations.

9 19. The Court enters final judgment in accordance with the terms of the Settlement
10 Agreement and this Order.

11 20. Plaintiff is directed to submit a copy of this Order and entry of judgment to the
12 LWDA within 10 days of the date of this Order and entry of judgment.

13 **IT IS SO ORDERED:**

14
15 DATED: 1/24/25



Honorable Gary Slossberg
Judge of the Superior Court, El Dorado
County