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10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
11 **COUNTY OF STANISLAUS**

12 **NICOLE PRIOLA, an individual,**

13 **Plaintiff,**

14 **vs.**

15 **COPPER AND GOLD, LLC, a limited**  
16 **liability corporation, PENNY NEWMAN**  
17 **GRAIN CO., a corporation; and DOES 1-**  
18 **10, inclusive,**

19 **Defendants.**

20 **CASE NO: CV-22-005730**

21 **[PROPOSED] ORDER APPROVING PAGA**  
22 **SETTLEMENT AND DISMISSING ACTION**  
23 **WITH PREJUDICE**

24 **Date: April 5, 2024**  
25 **Time: 8:30 am**  
26 **Dept.: 24**

27 Plaintiff's Motion for Approval of PAGA Settlement and to Dismiss Action with Prejudice  
28 ("Motion") came before the Court on April 5, 2024, at 8:30 am. The Court, having considered the  
papers and arguments submitted in support of the Motion, HEREBY ORDERS THE  
FOLLOWING:

1. Pursuant to the California Labor Code Private Attorneys General Act ("PAGA"),  
Cal. Lab. Code §§ 2699(1)(2), (1)(4), the Labor Workforce and Development Agency ("LWDA")

1 has been given notice of the Settlement. In particular, on the date Plaintiff filed the motion seeking  
2 approval of the Settlement with the Court, Plaintiff submitted to the LWDA a Notice of Settlement  
3 enclosing a copy of the Settlement. Plaintiff's Notice of Settlement to the LWDA complied with  
4 the requirements of PAGA.

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

8         4.       The Court approves the Settlement under Cal. Lab. Code § 2699(1)(2) as fair,  
9 reasonable and adequate as to the following group of individuals, collectively referred to as the  
10 "Aggrieved Employees": all current and former non-exempt employees of Copper and Gold  
11 employed in California between October 10, 2021, and the date of this Order.

12         5.       The Court approves the following release of claims: the LWDA and each Other  
13 Aggrieved Employee, including Plaintiff, discharge Defendants and each of their affiliates, parents,  
14 divisions, owners, subsidiaries, related entities, successors, predecessors, and business concerns,  
15 past and present, and each of them, as well as each of their stockholders, partners, trustees,  
16 members, managers, directors, officers, agents, attorneys, assigns, servants and current and former  
17 employees, insurers, past and present, and each of them (collectively referred to as "Releasees")  
18 from any and all claims seeking civil penalties under the California Labor Code predicated on the  
19 facts and theories outlined in the PAGA Notice and/or based on the PAGA Claim asserted in the  
20 Action or that could have been asserted in the Action, during the PAGA Period (the "PAGA  
21 Released Claims"). The PAGA Released Claims specifically include, but are not limited to, claims  
22 for violations of Labor Code sections 201, 202, 204, 226(a), 510, 512, 1194, and 1197 based on the  
23 same facts and theories outlined in the PAGA Notice and/or asserted in the PAGA Claim.

24         6.       The Court approves the allocations and payment of the total amount of One  
25 Thousand Five Hundred Dollars (\$1,500) for the compromise of claims brought under PAGA, to  
26 be paid in accordance with the terms of the Settlement.

27         7.       Under the terms of the Settlement, 75% of the Net Settlement Amount will be paid  
28 to the State of California Labor Workforce Development Agency ("LWDA Payment"); the

1 remaining amount of the Net Settlement Amount shall be distributed to the Aggrieved Employees  
2 in accordance with the terms of the Settlement.

3 8. The Court retains jurisdiction under Code of Civil Procedure Section 664.6 for  
4 purposes of administration and enforcement of the Settlement.

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

8 10. Plaintiff is directed to submit a copy of this Judgment to the LWDA within 10 days  
9 of the date of this Order.

10 11. The Action is hereby DISMISSED WITH PREJUDICE.

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12 **IT IS SO ORDERED:**

13  
14 Dated: \_\_\_\_\_

15 Stanislaus County Superior Court Judge  
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