

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: Meg Razi (SBN 237184) FIRM NAME: LAWYERS for JUSTICE, PC STREET ADDRESS: 410 West Arden Ave., Suite 203 CITY: Glendale TELEPHONE NO.: 818.265.1020 EMAIL ADDRESS: ATTORNEY FOR (name): Plaintiff's Candon Lovett, et al. SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA STREET ADDRESS: 1225 Fallon Street MAILING ADDRESS: CITY AND ZIP CODE: Oakland, CA 94612 BRANCH NAME: Rene C. Davidson Courthouse	STATE BAR NUMBER: FOR COURT USE ONLY
PLAINTIFF/PETITIONER: Candon Lovett, et al. DEFENDANT/RESPONDENT: Wonder Ice Cream, Inc. et al.	
NOTICE OF ENTRY OF JUDGMENT OR ORDER (Check one): ☒ UNLIMITED CASE (Amount demanded exceeded \$35,000) ☐ LIMITED CASE (Amount demanded was \$35,000 or less)	CASE NUMBER: RG21109738 / Dept. 21

TO ALL PARTIES :

1. A judgment, decree, or order was entered in this action on (date): September 10, 2024
2. A copy of the judgment, decree, or order is attached to this notice.

EXHIBIT A - Amendment to Final Order and Judgment

Date: September 10, 2024

 Meg Razi
 (TYPE OR PRINT NAME OF ☒ ATTORNEY ☐ PARTY WITHOUT ATTORNEY)


 (SIGNATURE)

EXHIBIT A

Meg Razi (SBN 237184)
LAWYERS for JUSTICE, PC
410 West Arden Avenue, Suite 203
Glendale, California 91203
Tel: (818) 265-1020 / Fax: (818) 265-1021

Attorneys for Plaintiffs

FILED
ALAMEDA COUNTY

SEP 10 2024

CLERK OF THE SUPERIOR COURT

By 

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ALAMEDA

CANDON LOVETT, KENNITH BOOZE,
DEARTIS SUDDUTH, JONATHAN
GIRVIN, individually, and on behalf of other
members of the general public similarly
situated and on behalf of other aggrieved
employees pursuant to the California Private
Attorneys General Act,

Plaintiffs,

v.

WONDER ICE CREAM, INC. a
California corporation; WONDER ICE
CREAM COMPANY, LLC, an unknown
business entity; WIC, LLC, an unknown
business entity; WONDER ICE CREAM,
LLC, an unknown business entity, and
DOES 1 through 100, inclusive,

Defendants.

Case No. RG21109738

Honorable Noel Wise
Department. 21

CLASS ACTION

**~~PROPOSED~~ AMENDMENT TO FINAL
ORDER AND JUDGMENT**

1 1. The above-entitled action was commenced as follows:

2 2. On August 4, 2021, Plaintiff Candon Lovett ("Plaintiff Lovett"), and Plaintiff
3 Kenneth Booze ("Plaintiff Booze") filed a Class Action Complaint for Damages initiating the action
4 entitled *Candon Lovett, et al. v. Wonder Ice Cream, Inc., et al.*, in the Superior Court of California
5 for the County of Alameda, Case No. RG21109738 ("Action"). On September 1, 2021, Plaintiff
6 Lovett, Plaintiff Booze and Deartis Sudduth filed a First Amended Class Action Complaint for
7 Damages in the Action, which added Plaintiff Deartis Sudduth ("Plaintiff Sudduth") as a named
8 Plaintiff to the Action.

9 3. On April 28, 2022, Plaintiff Jonathan Girvin ("Plaintiff Girvin") filed a Class Action
10 Complaint for Restitution initiating the action entitled *Jonathan Girvin v. Wonder Ice Cream, LLC,*
11 *et al.* in the Superior Court of California, County of Santa Clara, Case No. 22CV397371 ("*Girvin*
12 *Action*").

13 4. On May 5, 2023, Plaintiff Lovett, Plaintiff Booze, and Plaintiff Sudduth, filed a
14 Second Amended Action Complaint for Damages & Enforcement Under the Private Attorneys
15 General Act, California Labor Code § 2698, *Et Seq.* in the Action, which added Plaintiff Girvin as
16 a named plaintiff and added a cause of action under the California Labor Code Private Attorneys
17 General Act of 2004, Cal. Lab. Code § 2698, et seq. ("PAGA") to the Action.

18 5. On January 8, 2024, the Court entered the Final Approval of Class Action
19 Settlement, thereby granting final approval of the settlement of the Action reached by Plaintiff
20 Lovett, Plaintiff Booze, Plaintiff Sudduth, and Plaintiff Girvin (collectively, "Plaintiffs") and
21 Defendant Wonder Ice Cream, Inc ("Defendant") in accordance with the First Amended Joint
22 Stipulation of Class Action and PAGA Settlement and Release (collectively, "Settlement," or
23 "Settlement Agreement"), which together with the exhibits annexed thereto, set forth the terms and
24 conditions for settlement of the Action.

25 6. Supplemental Declaration of Yami Burns on Behalf of Settlement Administrator
26 Regarding Disbursement of Settlement Funds ("Supplemental Declaration") was submitted for
27 filing in the Action concurrently with this document.
28

1 7. Pursuant to the Supplemental Declaration, on February 9, 2024, Phoenix issued
2 Individual Settlement Payments to four hundred seventy-seven (477) Settlement Class Members
3 (Supplemental Declaration ¶ 2).

4 8. Phoenix is holding back 10% of the Class Counsel Fees in the amount of \$36,000.00
5 (10% of the \$360,000.00 Class Counsel Fees) in Phoenix's trust fund until the completion of the
6 distribution process and the Court's approval of a final accounting (Id at ¶ 3).

7 9. Pursuant to the Supplemental Declaration, all settlement checks issued shall be valid
8 and negotiable for one hundred and eighty (180) calendar days from the date the checks were issued,
9 and thereafter shall be cancelled. Pursuant to the Settlement referenced herein, all of the funds
10 associated with those checks shall be transmitted to California Rural Assistance, Inc., following the
11 check cashing deadline of August 8, 2024, one hundred and eighty (180) calendar days after the
12 check cashing deadline.

13 10. As of the date of the Supplemental Declaration, as of check cashing deadline (i.e.,
14 August 8, 2024), there were one hundred and thirty-seven (137) settlement checks that were not
15 cashed, deposited, or otherwise negotiated. The funds associated with those settlement checks is
16 \$42,560.18.

17 11. All disbursements were completed in compliance with the First Amended Joint
18 Stipulation of Class Action and PAGA Settlement Agreement and Release ("Settlement"), and the
19 Final Approval Order and Judgment.

20 12. Pursuant to the Supplemental Declaration, on August 9, 2024, Phoenix distributed
21 \$42,560.18, the value of the one hundred and thirty-seven (137) settlement checks that were not
22 cashed, deposited, or otherwise negotiated, to the California Rural Legal Assistance, Inc.

23 Good cause appearing,

24 **THE COURT HEREBY ORDERS, ADJUDGES, AND DECREES AS FOLLOWS:**

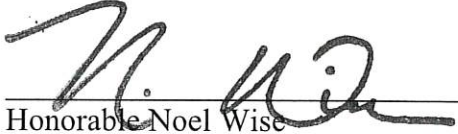
- 25 1. The Court approves the payment of \$42,560.18 disbursed to the California Rural Legal
26 Assistance, Inc., representing the value of the one hundred and thirty-seven (137) settlement
27 checks that were not cashed, deposited, or otherwise negotiated;
- 28 2. Phoenix will release the 10% Class Counsel Fees holdback in the amount of \$36,000.00 to

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Class Counsel, Lawyers for Justice, PC;

3. After the Entry of this Amendment to Final Order and Judgment, pursuant to California Code of Procedure, Plaintiff shall submit the Amendment to Final Approval Order and Judgment to the Judicial Council; and
4. Upon entry of this Order or the date of the final compliance hearing of August 20, 2024, the Action shall be closed.

Dated: SEP 10 2024



Honorable Noel Wise
Judge of the Alameda Superior Court

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 410 West Arden Avenue, Suite 203, Glendale, California 91203.

On September 10, 2024, I served the foregoing document(s) described as: **NOTICE OF ENTRY OF JUDGMENT OR ORDER** on interested parties in this action by Electronic Service as follows:

Nathan K. Low [_nlow@fisherphillips.com](mailto:nlow@fisherphillips.com)
FISHER & PHILLIPS LLP
1 Montgomery Street, Suite 3400
San Francisco, California 94104

Attorney for Defendant Wonder Ice Cream, Inc.

Chair, Judicial Council of California
Attn: Appellate Court Services
(Civil Case Coordination)
455 Golden Gate Avenue, 5th Floor
San Francisco, California 94102-3688
Emails: coordination@jud.ca.gov , bernadine.adams@jud.ca.gov , donna.newman@jud.ca.gov

[X] BY E-MAIL

The above-referenced document(s) was transmitted to the person(s) at the e-mail address(es) listed herein at their most recent known e-mail address or e-mail of record in this action. I did not receive, within reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

State of California, Labor & Workforce Development Agency
Web URL:

<http://www.dir.ca.gov/Private-Attorneys-General-Act/Private-Attorneys-General-Act.html>

[X] BY ONLINE SUBMISSION

The foregoing documents were transmitted to the California Labor and Workforce Development Agency through the online system established for the submission of notices and documents, in conformity with California Labor Code section 2699(l). I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

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1 [X] **STATE**

2 I declare under penalty of perjury under the laws of the State of California that the above
3 is true and correct.

4 Executed on September 10, 2024, at Glendale, California.

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7 Deven Launchbaugh
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