

**SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
**FOR THE COUNTY OF ORANGE**

ARMANDO GARCIA-AVILA, as an  
individual and on behalf of all others  
similarly situated,

Plaintiff,

v.

ORANGE COUNTY ERECTORS, INC., a  
California Corporation,

Defendant.

Case No. 30-2022-01284202-CU-OE-CXC

*[Assigned for all purposes to the Hon. Melissa  
R. McCormick, Dept. CX105]*

**ORDER GRANTING MOTION FOR  
FINAL APPROVAL OF CLASS ACTION  
AND PAGA SETTLEMENT AND  
ENTERING JUDGMENT THEREON**

Complaint Filed: October 5, 2022

1 Having considered Plaintiffs Armando Garcia-Avila and Roberto Rincon Lopez  
2 (“Plaintiffs”) for Final Approval of Class Action and PAGA Settlement, the Order Granting  
3 Preliminary Approval (ROA 122), the parties’ Stipulation of Settlement and amendment thereto  
4 (together, “Settlement Agreement” or “Settlement”), and the documents and evidence presented  
5 in support thereof, the Court hereby makes a final ruling that the Settlement is fair, reasonable,  
6 and adequate, and in the best interest of the class members. Good cause appearing therefor, the  
7 Court hereby GRANTS Plaintiffs’ Final Approval Motion and hereby ORDERS the following:

8 1. Final judgment is hereby entered in conformity with the Settlement Agreement  
9 and this Final Approval Order and Judgment.

10 2. The conditional class certification is hereby made final, and the Court thus  
11 certifies, for purposes of the Settlement, the following Settlement Class:

12 All current and former non-exempt employees who are not governed by a  
13 collective bargaining agreement and who worked for Defendant Orange  
14 County Erectors, Inc. in California from October 5, 2018 until September  
15 10, 2024 (“Class Period”).

16 3. Plaintiffs are hereby confirmed as Class Representative. Paul K. Haines, Sean M.  
17 Blakely, and Joel M. Gordon of Haines Law Group, APC are hereby confirmed as Class  
18 Counsel.

19 4. On January 21, 2025, notice was provided to Settlement Class members as set  
20 forth in the Settlement, which was approved by the Court on January 2, 2025, and the notice  
21 process has been completed in conformity with the Settlement and the Court’s Preliminary  
22 Approval Order. The Court finds that said notice was the best notice practicable under the  
23 circumstances. The Class Notice provided due and adequate notice of the proceedings and  
24 matters set forth therein, informed Settlement Class members of their rights, and fully satisfied  
25 the requirements of California Code of Civil Procedure § 1781(e), California Rule of Court  
26 3.769, and due process.

27 5. No Settlement Class members objected to or opted out of the Settlement and no  
28 Settlement Class member submitted a workweek dispute.

1           6.     The Court orders the parties and the settlement administrator to effectuate the  
2 Settlement according to its terms.

3           7.     For purposes of settlement only, the Court finds that: (a) the members of the  
4 Settlement Class are ascertainable and so numerous that joinder of all members is impracticable;  
5 (b) there are questions of law or fact common to the Settlement Class, and there is a well-  
6 defined community of interest among members of the Settlement Class with respect to the  
7 subject matter of the litigation; (c) the claims of the Class Representatives are typical of the  
8 claims of the Settlement Class members; (d) the Class Representatives have fairly and  
9 adequately protected the interests of the Settlement Class members; (e) a class action is superior  
10 to other available methods for an efficient adjudication of this controversy; and (f) Class  
11 Counsel are qualified to serve as counsel for the Class Representatives and the Settlement Class.

12           8.     The Court orders Defendant Orange County Erectors, Inc. (“Defendant”) to  
13 deposit the Gross Settlement Amount of \$750,000.00 with the Settlement Administrator,  
14 Phoenix Settlement Administrators in accordance with the terms of the Settlement Agreement.

15           9.     The Court approves an Enhancement Payment in the amount of \$5,000.00 to  
16 each Plaintiff, for a total of \$10,000.00. The court orders the Settlement Administrator to make  
17 these payments in conformity with the terms of the Settlement.

18           10.    The Court approves attorneys’ fees in the amount of \$250,000.00 and litigation  
19 costs of \$22,034.42 to Class Counsel. The court orders the Settlement Administrator to  
20 distribute these payments to Class Counsel in conformity with the terms of the Settlement.

21           11.    The Court orders that the Settlement Administrator shall be paid \$8,000.00 from  
22 the Gross Settlement Amount in conformity with the terms of the Settlement.

23           12.    The Court finds that the payment to the California Labor & Workforce  
24 Development Agency (“LWDA”) in the amount of \$30,000.00 for its share of the settlement of  
25 Plaintiff’s representative claim under the PAGA is fair, reasonable, and adequate, and orders the  
26 Settlement Administrator to distribute this payment to the LWDA in conformity with the terms  
27 of the Settlement.  
28

1           13.     This document shall constitute a final judgment pursuant to California Rule of  
2 Court 3.769(h), which provides, “If the court approves the settlement agreement after the final  
3 approval hearing, the court must make and enter judgment. The judgment must include a  
4 provision for the retention of the court’s jurisdiction over the parties to enforce the terms of the  
5 judgment. The court may not enter an order dismissing the action at the same time as, or after,  
6 entry of judgment.” Pursuant to California Code of Civil Procedure § 664.6, the Court retains  
7 jurisdiction to enforce the Settlement, the Final Approval Order, and this Judgment.

8           14.     The Settlement Administrator shall post a copy of this Final Judgment and Order  
9 on its website for 180 days.

10          15.     The Final Accounting Hearing is scheduled for August 27, 2026 at 9:00 a.m. in  
11 Department CX-105. Plaintiffs shall submit a final accounting report at least nine (9) court days  
12 before the final accounting hearing regarding the status of settlement administration. The final  
13 report must include all information necessary for the Court to determine the total amount  
14 actually paid to Settlement Class members and any amounts tendered to the State Controller’s  
15 Office under the unclaimed property law.

16  
17           **IT IS SO ORDERED, ADJUDGED AND DECREED.**

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19  
20 Dated: August 28, 2025



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Melissa R. McCormick  
Judge of the Superior Court