

R. Rex Parris (SBN 96567)  
Kitty K. Szeto (SBN 258136)  
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Attorneys for Plaintiffs, the Certified Class,  
and the Aggrieved Employees

**SUPERIOR COURT OF THE STATE OF CALIFORNIA**

**COUNTY OF KERN**

ALFONSO GARIBAY HERNANDEZ, an  
individual, and ERIK VALENZUELA, an  
individual, for themselves and all members of the  
certified class, and on behalf of aggrieved  
employees pursuant to the Private Attorneys  
General Act ("PAGA"),

Plaintiffs,

v.

UNITED STATES COLD STORAGE OF  
CALIFORNIA, a California corporation; and  
DOES 1 through 100, inclusive,

Defendants.

Case No. S-1500-CV-282297-SPC

[Assigned for all purposes to the Honorable  
Thomas S. Clark, Dept. 17]

**CLASS ACTION**

**[PROPOSED] ORDER**

[Filed Concurrently with Notice of Motion;  
Memorandum of Points and Authorities;  
Declarations of Kitty K. Szeto, Alfonso  
Garibay Hernandez, Erik Valenzuela, and  
Jennifer M. Keough; and [Proposed]  
Judgment]

Date: July 17, 2019

Time: 8:30 a.m.

Dept.: 17

Reservation ID #35183

1 Plaintiffs' Unopposed Motion for Final Approval of Class Action Settlement came on for  
2 hearing. The Court has considered the Stipulation of Class Action Settlement and supporting exhibits,  
3 the unopposed Motion for Final Approval of Class Action Settlement, as well as the Memorandum of  
4 Points and Authorities, and declarations in support thereof. Having heard and considered the papers  
5 and arguments presented, and good cause appearing, the court hereby rules and finds as follows:  
6

7 1. This Order incorporates by reference the definitions and all deadlines set forth in the  
8 Joint Stipulation of Settlement and Release.  
9

10 2. The Court finds the settlement to be fair, adequate, and adequate. Specifically, the Court  
11 grants final approval of:

- 12 a. The \$1,750,000.00 class action settlement as set forth in the  
13 Joint Stipulation of Settlement and Release attached as  
14 Exhibit "1" to the Declaration of Kitty K. Szeto filed  
15 concurrently with Plaintiffs' Unopposed Motion for Final  
16 Approval of Class Action Settlement;
- 17 b. Class Counsel's request for attorneys' fees in the amount of  
18 \$612,500.00 to the Parris Law Firm;
- 19 c. Class Counsel's request for reimbursement of litigation  
20 costs and expenses in the amount of \$55,012.87 to the  
21 Parris Law Firm;
- 22 d. Settlement administration costs in the amount of  
23 \$11,426.00 to JND Legal Administration;
- 24 e. A \$15,000.00 service award to Plaintiff Alfonso Garibay  
25 Hernandez and a \$10,000.00 service award to Plaintiff Erik  
26 Valenzuela; and
- 27 f. \$7,500.00 in PAGA penalties will be distributed to the  
28 Labor and Workforce Development Agency.

1           3.     The Court further finds that the settlement has been reached through arm's length, non-  
2 collusive bargaining.

3  
4           4.     The Court directs the parties and JND Legal Administration to effectuate the  
5 settlement's terms consistent with the deadlines as set forth in the Joint Stipulation of Settlement and  
6 Release.

7  
8           5.     The Court hereby retains continuing jurisdiction over the enforcement and  
9 administration of this class action settlement pursuant to California Rules of Court, Rule 3.769(h).

10  
11           **IT IS SO ORDERED.**

12  
13 Dated: \_\_\_\_\_

\_\_\_\_\_  
Honorable Thomas S. Clark  
Kern County Superior Court

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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: 43364 10th Street West, Lancaster, California 93534

**[PROPOSED] ORDER**

**\*\*\* Please See Attached List \*\*\***

\_\_\_\_\_ I deposited such envelope in the mail at Lancaster, California. The envelope was mailed with postage thereon fully prepaid.

**BY PERSONAL SERVICE**

**BY FACSIMILE**

[X] **BY ELECTRONIC SERVICE as follows:** Based on a court order, or an agreement of the parties to accept service by electronic transmission, I caused the documents to be sent to the persons at the electronic notification addressed listed on the attached Service List.

Executed on June 24, 2019 at Lancaster, California.

  
Kitty K. Szeto

**ATTACHMENT TO PROOF OF SERVICE**

HERNANDEZ, ALFONSO V. UNITED STATES COLD STORAGE OF CALIFORNIA, ET AL.  
KERN COUNTY CASE NO. S-1500-CV282297-SPC

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