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FILED
Superior Court of California
County of Los Angeles

09/05/2024

David W. Slayton, Executive Officer / Clerk of Court

By: R. Duarte Deputy

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

GARNIK NAJARYAN, *an individual*,

Case No. 23STCV01869

Plaintiff,

vs.

**[PROPOSED] ORDER GRANTING
APPROVAL OF PAGA SETTLEMENT**

COMMERCIAL PROPERTY
MANAGEMENT INC., *a California
Corporation*; and DOES 1-50, inclusive,

Defendant.

[PROPOSED] ORDER

The Court has received and considered the PAGA Settlement Agreement (“Settlement Agreement”) entered into between Plaintiff GARNIK NAJARYAN, an individual (“Plaintiff”), on behalf of the State of California as a private attorney general under the California Labor Code Private Attorneys General Act (“PAGA”), and the Defendant COMMERCIAL PROPERTY MANAGEMENT INC. (“Defendant”). Having received and considered the Stipulation and Agreement and the supporting papers filed, the Court grants approval of the PAGA Settlement and HEREBY ORDERS AND MAKES THE FOLLOWING DETERMINATIONS:

1. The California Labor Workforce and Development Agency (“LWDA”) has been

1 provided notice of the Settlement in accordance with PAGA, California Labor Code § 2699(1)(2),
2 (1)(4). In particular, on the date Plaintiff filed the stipulation seeking approval of the Settlement
3 with the Court, Plaintiff submitted to the LWDA a notice of the Settlement including a copy of the
4 Settlement Agreement. Plaintiff's notice of the Settlement to the LWDA complied with the notice
5 requirements of PAGA.

6 2. The Court confirms approval of the Settlement as to the aggrieved employees,
7 defined in the Settlement as: all current and former non-exempt hourly employees of Defendant in
8 the state of California at any time from January 27, 2022, until February 22, 2024 (the "PAGA
9 Period").

10 3. The Court has jurisdiction over the subject matter of this litigation, over all aggrieved
11 employees, and over those persons undertaking affirmative obligations under the Settlement.

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

13 5. The Court finds that each aggrieved employee, in accordance with the Settlement,
14 releases all Released Claims against the Released Parties.

15 6. The Gross Settlement Amount of \$12,500, and the methodology used to calculate the
16 Individual PAGA Payments in accordance with the Settlement is approved.

17 7. The Court approves ILYM Group, Inc., to act as the Settlement Administrator (the
18 "Settlement Administrator" and/or "ILYM").

19 8. Defendant shall fully fund the Gross Settlement Amount by transmitting the funds to
20 the Administrator no later than [14] days after the Effective Date.

21 9. The Court awards the Settlement Administrator in this Action its actual fees and costs
22 in accordance with the terms of the Settlement Agreement and ILYM's administration estimate, not
23 to exceed \$1,000.

24 10. The Court approves Koul Law Firm, APC, as PAGA Counsel.

25 11. The Court awards PAGA Class Counsel attorneys' fees in the amount of \$2,500 and
26 actual litigation costs of \$883.49, both of which the Court finds to be fair and reasonable. The Court
27 authorizes the Settlement Administrator to make these payments, in accordance with the terms of
28 the Settlement Agreement.

1 12. The Court authorizes the Settlement Administrator to calculate and pay the
2 Individual PAGA Payments in accordance with the terms of the Settlement Agreement.

3 13. The Court finds that LWDA PAGA Payment of \$6,086.51 as its share of the
4 settlement of civil penalties is fair and reasonable. The Court authorizes the Settlement
5 Administrator to pay the LWDA PAGA Payment, in accordance with the terms of the Settlement
6 Agreement.

7 14. Checks for Individual PAGA Payments sent to Aggrieved Employees shall be valid
8 for 180 days after issuance. Funds remaining from any checks for Individual PAGA Payments
9 uncashed after 180 days will be transmitted to the California State Controller with the identity of
10 the employee to whom the funds belong.

11 15. Upon completion of the Settlement, the Settlement Administrator will provide
12 written certification of the completion to the Court and counsel for the Parties which shall be filed
13 with the Court within 30 days after completion of the Settlement.

14 16. Nothing in this Order or the Settlement shall be construed as an admission or
15 concession by any party.

16 17. Plaintiff is directed to submit a copy of this Order to the LWDA within 10 days of
17 entry of this Order.

18 **IT IS SO ORDERED:** Counsel for Plaintiff to give notice.

19
20 DATED: 09/05/2024



Stephanie M. Bowick

JUDGE OF THE SUPERIOR COURT
Stephanie M. Bowick / Judge

PROOF OF SERVICE

Case No.:23STCV01869

Najaryan v. Commercial Property Inc., et al.

I, NADIA CHAVEZ declare that I am a resident of or employed in the County of Los Angeles, California. I am over the age of 18 years and not a party to the entitled case. The name and address of my residence or business is KOUL LAW FIRM, 3435 Wilshire Blvd. Ste. 1710, Los Angeles, California 90010.

On August 20, 2024, I served the foregoing document described as:

- 1. JOINT STIPULATION REQUESTING APPROVAL OF SETTLEMENT PURSUANT TO THE PRIVATE ATTORNEY GENERAL ACT OF 2004 ("PAGA");**
- 2. DECLARATION OF NAZO KOULLOUKIAN IN SUPPORT OF APPROVAL OF SETTLEMENT AGREEMENT UNDER THE PRIVATE ATTORNEYS GENERAL ACT OF 2004;**
- 3. [PROPOSED] ORDER GRANTING APPROVAL OF PAGA SETTLEMENT;**
- 4. DECLARATION OF LISA MULLINS**

 X **BY E-MAIL:** I hereby certify that this document was served from Los Angeles, California, by e-mail delivery on the parties listed herein at their most recent known e-mail address from e-mail nadia@koullaw.com pursuant to California Rules of Court. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

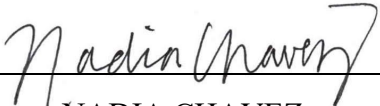
on the interested parties in this action by sending [☐] the original [or] [☒] a true copy thereof [☒] to interested parties as follows [or] [☐] as stated on the attached service list:

Fahim Farivar, Esq.
Farivar Law Firm, APC
18321 Ventura Blvd., Suite 750,
Tarzana, CA 91356
Fahim@farivarlaw.com

Attorneys for Defendant COMMERCIAL PROPERTY MANAGEMENT, INC.

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

Executed on this August 20, 2024 in Los Angeles, California.



NADIA CHAVEZ