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

JOHNNY CRUZ, as an aggrieved employee
 pursuant to the Private Attorneys General Act
 ("PAGA"),

Plaintiff,

vs.

WAL-MART ASSOCIATES, INC., a Delaware
 corporation; WALMART INC. (f/k/a WAL-
 MART STORES, INC.), a Delaware
 corporation; and DOES 1 through 10, inclusive,

Defendants.

Case No.: 18STCV03128

**~~PROPOSED~~ ORDER APPROVING THE
 PARTIES' PAGA SETTLEMENT
 AGREEMENT**

[Assigned for All Purposes to
 Judge Michelle Williams Court, Dept. 74]

FILED
 Superior Court of California
 County of Los Angeles
05/28/2021

Sherri R. Carter, Executive Officer / Clerk of Court
 By: C. Guerrero Deputy

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21 Attorneys for Defendants Wal-Mart Associates, Inc., and Walmart Inc.
(f/k/a Wal-Mart Stores, Inc.)
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1 **ORDER APPROVING THE PARTIES' PAGA SETTLEMENT AGREEMENT**

2 1. The Court has received and considered the application of Plaintiffs Johnny Cruz and
3 Brittney Johnson ("Plaintiffs"), as aggrieved employees acting as private attorneys general under the
4 Labor Code Private Attorneys General Act of 2004, §§ 2698, *et seq.* ("PAGA"), for approval of the
5 Parties' Joint Stipulation of PAGA Representative Action Settlement ("PAGA Settlement Agreement").
6 **GOOD CAUSE** having been shown, the Court hereby approves the Parties' PAGA Settlement
7 Agreement.

8 2. This Order hereby adopts and incorporates by reference the terms and conditions of the
9 PAGA Settlement Agreement, together with the definitions used and contained therein.

10 3. The Court finds that it has jurisdiction over the subject matter of the action and over all
11 Parties to the action, including all Aggrieved Employees.

12 4. The Court has considered all relevant factors for determining the fairness of the PAGA
13 Settlement Agreement and has concluded that all such factors weigh in favor of approving the PAGA
14 Settlement Agreement. In particular, the Court finds that the settlement was reached following
15 meaningful discovery and investigation conducted by Plaintiffs; that the PAGA Settlement Agreement is
16 the result of serious, informed, adversarial, and arm's-length negotiations between the Parties; and that
17 the penalties obtained are genuine and meaningful.

18 5. Accordingly, the Court hereby approves the settlement as set forth in the PAGA
19 Settlement Agreement and expressly finds that the settlement is, in all respects, fair, reasonable, adequate
20 and hereby directs implementation of all remaining terms, conditions, and provisions of the PAGA
21 Settlement Agreement.

22 6. The PAGA Settlement Agreement is not an admission by Defendants, nor is this Order a
23 finding of the validity of any allegations or of any wrongdoing by Defendants Wal-Mart Associates, Inc.
24 and Walmart Inc. ("Defendants"). Neither this Order, the PAGA Settlement Agreement, nor any
25 document referred to herein, nor any action taken to carry out the PAGA Settlement Agreement, may be
26 construed as, or may be used as, an admission of any fault, wrongdoing, omission, concession, or
27 liability whatsoever by or against Defendants.

28 7. The Court approves \$5,000,000 in attorneys' fees and \$106,305.61 in costs to Plaintiffs'

1 Counsel, Capstone Law APC and the Law Offices of Mark Yablonovich. The Court finds that the
2 litigation costs and expenses were reasonably incurred, and that the requested award of attorneys' fees is
3 reasonable for a contingency fee in a PAGA action such as this.

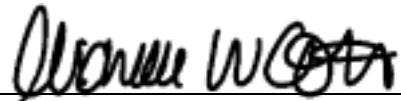
4 8. The Court approves settlement administration costs and expenses in the amount of
5 approximately \$335,000 to CPT Group, Inc.

6 9. The Court approves Service Enhancement Awards of \$15,000, each, to Plaintiffs Johnny
7 Cruz and Brittney Johnson.

8 10. The Court shall retain exclusive and continuing jurisdiction over the above-captioned
9 action and the Parties for purposes of enforcing the terms of the Settlement Agreement.

10 **IT IS SO ORDERED.**

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12 Date 05/28/2021



Hon. Michelle Williams Court
Los Angeles County Superior Court Judge

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