

FILED
San Francisco County Superior Court

JAN 23 2026

CLERK OF THE SUPERIOR COURT
By Alicia Green Deputy

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO
DEPARTMENT 304

JEFF V. LACAP, an individual, OFELIA
MIRANDA DE QUIROZ, an individual, on
behalf of themselves and all others similarly
situated and aggrieved,

Plaintiffs,

v.

COMFORT CALIFORNIA, INC., a California
corporation; SUNBURST HOSPITALITY
CORPORATION, a Delaware corporation; and
DOES 1 through 100, inclusive,

Defendants.

Case No. CGC-22-603274

ORDER GRANTING FINAL APPROVAL
OF CLASS ACTION SETTLEMENT AND
MOTION FOR AWARD OF ATTORNEYS'
FEES AND COSTS

Plaintiffs' motion for final approval of class action settlement and motion for award of attorneys' fees and costs came before this Court on January 23, 2026. Having considered the motion and accompanying memorandum, the Settlement Agreement,¹ and the file in this case, the Court hereby finds and orders as follows.

1. Unless otherwise specified, terms in this Order Granting Final Approval of Class Action Settlement and Motion For Award of Attorneys' Fees and Costs (the "Final Approval Order") shall have the same definition as used in the Settlement Agreement.

¹ "Settlement Agreement" or "Settlement" refers to the Second Amended Class and PAGA Settlement attached as Exhibit 1 to the Declaration of Paolo Policastro filed on November 17, 2025.

1 2. The Court granted preliminary approval of the Class and PAGA representative action
2 settlement on July 31, 2025 ("Preliminary Approval Order"). ILYM Group, Inc. distributed notice to all
3 members of the putative class by first-class mail. The Class Notice was not sent via email as directed by
4 the Preliminary Approval Order. All Settlement Class Members whose Class Notice was deemed
5 undeliverable by first-class mail were sent the Class Notice via email, where available, at the direction of
6 the Court. The Class Notice informed the putative class of the terms of the Settlement, of their right to
7 receive their proportional Settlement Payment, of their right to request exclusion from the Class and the
8 Settlement, of their right to comment upon or object to the Settlement, and to appear by themselves or by
9 counsel at the Final Approval Hearing.

10 3. The Court finds that the Class Notice and notice procedure met the requirements of due
11 process and constituted the best notice practicable under the circumstances.

12 4. No Settlement Class Member filed a written objection to the proposed Settlement as part of
13 this notice process or stated an intention to appear at the Final Approval Hearing. No Settlement Class
14 Member appeared and objected at the Final Approval Hearing.

15 5. One (1) Settlement Class Member, Sharon Wong, requested to be excluded from the
16 Settlement. The Court hereby excludes Sharon Wong from the Settlement Class and the Settlement. This
17 Order is binding on all remaining Settlement Class Members.

18 6. With respect to the Settlement Class and for purposes of approving this Settlement only,
19 this Court finds and concludes that: (a) the members of the Class are ascertainable and so numerous that
20 joinder of all members is impracticable; (b) there are questions of law or fact common to the Class, and
21 there is a well-defined community of interest among members of the Class with respect to the subject
22 matter of the Action; (c) the Class Representatives' claims are typical of the claims of the members of the
23 Class; (d) the Class Representatives have fairly and adequately protected the interests of the members of
24 the Class; (e) a class action is superior to other available methods for an efficient adjudication of this
25 controversy; and (f) the counsel of record for the Class Representatives, i.e., Class Counsel, are qualified
26 to serve as counsel for Plaintiffs in their individual and representative capacities for the Class.
27
28

1 7. The Court hereby certifies the following Class for settlement purposes only: All current
2 and former California non-exempt hourly employees of Defendants who worked at any time during the
3 Class Period. The Class Period is December 2, 2018 through May 6, 2024.

4 8. For settlement purposes only, the Court finally appoints Plaintiffs Jeff V. Lacap and Ofelia
5 Miranda De Quiroz as the Settlement Class Representatives.

6 9. For settlement purposes only, the Court finally appoints Lavi & Ebrahimian LLP and
7 Bibiyan Law Group, PC, as Class Counsel.

8 10. The Court finds and determines that the terms of the Settlement Agreement are fair,
9 reasonable, and adequate and directs the Parties to effectuate the Settlement according to its terms. The
10 Court finds that the Settlement was reached as a result of informed and non-collusive arm's-length
11 negotiations facilitated by a neutral mediator after sufficient investigation by the Parties allowing them to
12 reasonably evaluate their respective positions. The Court has reviewed the monetary recovery provided
13 as part of the Settlement and recognizes the significant value accorded to the Class.

14 11. The Court hereby approves the Gross Settlement Amount of \$600,000. Defendants shall
15 fund the Gross Settlement Amount within 30 days of the Effective Date. The Court hereby orders the
16 Settlement Administrator to disburse the payments from the Gross Settlement Amount as set forth herein,
17 and in accordance with the terms of the Settlement Agreement.

18 12. The Court awards reasonable attorneys' fees to Class Counsel in the amount of \$200,000.

19 13. The Court awards Class Counsel \$22,645.86 for litigation costs incurred.

20 14. The Court awards \$6,000 to each Class Representative totaling \$12,000 in addition to their
21 individual settlement payments in recognition of the time and effort spent litigating the case on behalf of
22 the Class.

23 15. The Court awards \$60,000 in PAGA penalties (75% or \$45,000 allocated to the Labor and
24 Workforce Development Agency ("LWDA") and 25% or \$15,000 allocated to the PAGA Aggrieved
25 Employees). The PAGA Aggrieved Employees covered by the Settlement consist of the following
26 individuals: All current and former California non-exempt hourly employees of Defendants who worked
27 at any time during the PAGA Period. The PAGA Period is December 2, 2021 through the end of the
28 Class Period (May 6, 2024).

1 16. The Court awards \$7,150 in settlement administration fees to ILYM Group, Inc.

2 17. A status conference regarding settlement distribution is set for September 23, 2026 at 9:00
3 a.m. A status report, accompanied by an admissible evidentiary declaration, shall be filed no later than
4 five court days prior to the status conference. The status report must state: (1) the date the Settlement
5 Administrator distributed individual settlement payments; (2) the number of checks issued; (3) the
6 number of checks cashed; (4) the number of uncashed checks; and (5) the total amount of residual funds
7 available for tender to the State Controller's Office Unclaimed Property Fund.

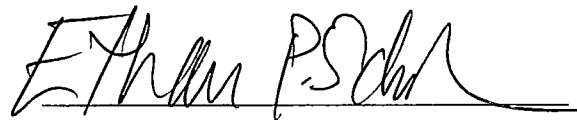
8 18. Class Counsel must submit a copy of this order to the LWDA within ten days of entry
9 pursuant to Labor Code section 2699(s)(3).

10 19. This Order shall be posted on the Settlement Administrator's website for 180 days.

11 20. The Court reserves exclusive and continuing jurisdiction over the Action, the Class
12 Representatives, the Class Members, and Defendants for the purposes of supervising the implementation,
13 enforcement, construction, administration, and interpretation of the Settlement Agreement, pursuant to
14 California Rules of Court, rule 3.769(h).

15
16 IT IS SO ORDERED.

17
18 Dated: January 23, 2026



Ethan P. Schulman
Judge of the Superior Court

CERTIFICATE OF ELECTRONIC SERVICE
(CCP 1010.6 & CRC 2.251)

I, Felicia Green, a Deputy Clerk of the Superior Court of the County of San Francisco, certify that I am not a party to the within action.

On January 23, 2026, I electronically served ORDER GRANTING FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND MOTION FOR AWARD OF ATTORNEYS' FEES AND COSTS via File & ServeXpress on the recipients designated on the Transaction Receipt located on the File & ServeXpress website.

Dated: **JAN 23 2026**

Brandon E. Riley, Court Executive Officer

By: 
Felicia Green, Deputy Clerk