

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

Rene C. Davidson Courthouse

DOE 1 Plaintiff/Petitioner(s) VS. Aronson Industries, Inc. et al Defendant/Respondent (s)	No. 25CV132788 Date: 09/01/2026 Time: 2:30 PM Dept: 21 Judge: S. Raj Chatterjee ORDER Hearing on Motion - Other Final Approval of Class/PAGA Settlement; filed by DOE 1 (Plaintiff) CRS# 867236504757 filed by DOE 1 (Plaintiff) on 08/06/2026
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Prior to the hearing, the Court issued a tentative ruling which was contested, and the matter is argued, submitted and affirmed as set forth below.

The Motion for Final Approval of Settlement filed by DOE 1 on 08/06/2026 is Granted in Part.

The motion of plaintiffs for final approval of class action and PAGA settlement is GRANTED.

APPROVAL OF THE SETTLEMENT

The complaint alleges various Labor Code claims.

The case preliminarily settled for a total of \$950,000. The settlement agreement states there will be attorneys' fees of up to \$ 316,666.66 (33%), costs of up to \$20,000, Service Payment of \$15,000 to each Plaintiff; a PAGA payment of \$25,000 (\$16,250 to the LWDA), and administrative expenses of up to \$10,000. After these expenses, the amount available to be distributed to the Class would be \$557,083.34. There are an estimated 243 Class Members, so the average net recovery for each class member would be \$2292.

The motion makes an adequate analysis as required by Kullar v. Foot Locker Retail, Inc. (2008) 168 Cal.App.4th 116.

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The proposed class notice form and procedure are adequate. No Class Member objected to the Settlement. No class member opted out of the Settlement.

The proposed class is appropriate for class certification.

The unclaimed funds will be distributed to Placer County Community Foundation. This is consistent with CCP 384. Counsel has provided a declaration in support of the motion that provides the information required by CCP 382.4.

APPROVAL OF FEES, COSTS, AND SERVICE AWARD

"Because absent class members are not directly involved in the proceedings, oversight to ensure settlements are fair and untainted by conflict is the responsibility of both the class representative and the court." (Mark v. Spencer (2008) 166 Cal.App.4th 219, 227.) "[T]horough judicial review of fee applications is required in all class action settlements and the fairness of the fees must be assessed independently of determining the fairness of the substantive settlement terms. (Consumer Privacy Cases (2009) 175 Cal.App.4th 545, 555-556.)

The court starts with its benchmark, then cross-checks with the lodestar, and makes adjustments if the benchmark is significantly different from the lodestar. (Laffitte v.

Robert Half Internat. Inc. (2016) 1 Cal.5th 480, 505 ["If the multiplier calculated by means of a lodestar cross-check is extraordinarily high or low, the trial court should consider whether the percentage used should be adjusted"].)

The Ninth Circuit's benchmark is 25%. (Laffitte v. Robert Half Internat. Inc. (2016) 1 Cal.5th 480, 495.)

When using the percentage of recovery approach, this court's benchmark for fees is 30% of a total fund. Courts have benchmarks ranging from 25% to 33%. Laffitte v. Robert Half Internat. Inc. (2016) 1 Cal.5th 480, 495; Schulz v. Jeppesen Sanderson, Inc. (2018) 27 Cal.App.5th 1167, 1175; Consumer Privacy Cases (2009) 175 Cal.App.4th 545, 557 fn 13; Chavez v. Netflix, Inc. (2008) 162 Cal.App.4th 43, 66 fn 11; Schulz v. Jeppesen Sanderson, Inc. (2018) 27 Cal.App.5th 1167, 1175.) The benchmark of 30% of \$950,000 suggests fees of \$285,000.

When cross-checking with the lodestar/multiplier, the court will evaluate the lodestar based on

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reasonable fees that would have been charged at hourly rates and then apply a multiplier. The multiplier includes contingent fee risk and other factors.

Counsel assert they spent approximately 302 hours on the case. This is reasonable.

The court finds that a blended rate of \$700 is appropriate for the case. (Meridian Financial Services, Inc. v. Phan (2021) 67 Cal.App.5th 657, 708-709 [blended rate]; Espejo v. Copley Press, Inc. (2017) 13 Cal.App.5th 329, 337 [blended rate]; 569 East County Boulevard LLC v. Backcountry Against the Dump, Inc. (2016) 6 Cal.App.5th 426, 438-440 fn 14, fn 16 [blended rate].) Regarding the amount of the blended rate, the court considers the evidence and its own knowledge and familiarity with the legal market. (Meridian Financial Services, Inc. v. Phan (2021) 67 Cal.App.5th 657, 709.)

This results in a lodestar of \$211,400.

The court applies a 1.2 multiplier for risk. This results in a multiplier adjusted lodestar of \$253,680.

Considering the percentage analysis fees of \$285,000 and the multiplier adjusted lodestar fees of \$253,680, the court will award fees of \$316,666.66. This is the requested amount. This is above the Court's benchmark because counsel resolved the case promptly and obtained an average net recovery for each class member of \$2292. The award of fees is appropriate to compensate counsel in this case, to incentivize the prosecution of meritorious cases, and does not result in an unreasonable windfall to counsel at the expense of their clients.

The court approves costs of \$17,852.94.

The court approves settlement administration costs of \$10,000.

The court approves an award of \$15,000 to Plaintiff Diaz. The court approves an award of \$10,000 to Plaintiff Zamudio. Plaintiffs submitted declarations with evidence. (Clark v. American Residential Services LLC (2009) 175 Cal.App.4th 785, 804-807.) The court awards a larger amount to Diaz because he was employed by defendant at the time the case was filed and assumed a greater personal risk than would be taken by a former employee.

SETTLEMENT ADMINISTRATION

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“The settlement-fund proceeds, having been generated by the value of the class members' claims, belong solely to the class members.” (Klier v. Elf Atochem North America, Inc. (5th Cir. 2011) 658 F.3d 468, 474.) “Ultimately, “[t]he goal of any distribution method is to get as much of the available damages remedy to class members as possible and in as simple and expedient a manner as possible.”” (In re LIBOR-Based Financial Instruments Antitrust Litigation (S.D.N.Y. 2018) 327 F.R.D. 483, 496.) If there are unclaimed funds after an initial distribution to the class members, then the Court can order a second distribution to the class members who cashed their initial checks. (4 Newberg & Rubenstein on Class Actions (6th ed. 2022) §§ 12:28, 12:30.)

The Court ORDERS that a compliance hearing on final distribution is set for 3/1/27.

The Court ORDERS that at least five court days before the compliance hearing on final distribution the plaintiff must file a statement regarding the status of the distribution including total funds distributed to class, total number and dollar value of checks cashed, and total number and dollar value of checks not cashed.

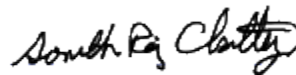
The Court ORDERS that funds not be distributed to the cy pres beneficiary until after Court approval of a final accounting.

The Court ORDERS that 10% of any fee award to be kept in the administrator's trust fund until after Court approval of a final accounting.

The court ORDERS that counsel for plaintiff transmit the appropriate documents to the Judicial Council. (CCP 384.5; Govt Code 68520.)

The Court orders counsel to obtain a copy of this order from the eCourt portal.

Dated : 09/01/2026



S. Raj Chatterjee / Judge

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