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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO**

MYTHANH NGUYEN, individually and on
behalf of all other similarly situated,

Plaintiff,

v.

TBF ENTERPRISES, INC. and DOES 1 through
50 inclusive,

Defendants.

Case No. 37-2023-00016197-CU-OE-CTL

Hon. Matthew C. Braner
Dept. C-60

**Notice of Entry of Order Approving Class
Action Settlement and Entering Judgment**

Action Filed: April 18, 2023

1 TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD, PLEASE
2 TAKE NOTICE THAT:

- 3 1. On June 20, 2025 in this Department, the Court entered an Order and Judgment Granting
4 Approval of the Parties' Class Action Settlement, which is attached hereto as Exhibit 1.
5 2. A conformed copy of this Notice will be submitted to the LWDA via its online electronic
6 portal.
7 3. Notice of the Court's final ruling and entry of judgment is hereby provided.

8
9 Respectfully submitted,

10 Dated: July 9, 2025

Waltman Employment Law

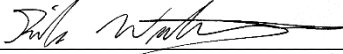
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13 Rick A. Waltman
14 Attorneys for Plaintiff Mythnah Nguyen

Exhibit 1

Order Approving Class Action Settlement and Entering Judgment

~~PROPOSED~~ AMENDED ORDER GRANTING FINAL APPROVAL OF CLASS ACTION
SETTLEMENT AND ATTORNEYS' FEES AND COSTS, AND ENTERING JUDGMENT

This matter came on for hearing on June 6, 2025, at 9:00 a.m., in Department C-60 of the above-captioned Court, the Honorable Matthew C. Braner presiding, on (1) Plaintiff's Motion for Final Approval of Class Action Settlement and (2) Plaintiff's Motion for Attorneys' Fees and Costs. At the June 6, 2025 hearing, the Court GRANTED final Approval of the Class Action Settlement Agreement ("Settlement") and GRANTED Plaintiff's Motion for Attorneys' Fees and Costs, and signed an order and judgment submitted by Plaintiff.

Since the June 6, 2025 hearing, the Settlement Administrator disclosed that, while previously zero (0) requests for exclusion had been reported, in fact three (3) individuals had submitted timely requests to be excluded from the Settlement. The Court therefore issues this amended order excluding these three (3) individuals, named below from the Settlement, and otherwise making the same findings of fact and law as stated in the June 6, 2025 order, as set out below.

Having received and considered the Parties' Stipulation to Amend the Court's order, the declarations of the Settlement Administrator, the underlying motions and supporting papers, including the Class Action Settlement Agreement, the evidence and documents received by the Court in connection with the Motions for Final Approval and Attorneys' Fees and Costs, and the previously decided Motion for Preliminary Approval, the Court GRANTS FINAL APPROVAL of the Settlement and ORDERS AND MAKES THE FOLLOWING DETERMINATIONS:

1. Pursuant to the terms of the Settlement and the Order Granting Preliminary Approval, and the Settlement, a notice was sent to each class member by first-class U.S. mail. The notice informed the class of the terms of the Settlement, their right to receive a settlement payment without any required action, their right to comment upon or object to the Settlement, and their right to appear in person or by counsel at the Final Approval Hearing and to be heard regarding approval of the Settlement. Adequate periods of time were provided for each of these procedures.

2. Zero (0) class members returned a written objection to the proposed Settlement as part of the notice process or stated an intention to appear at the Final Approval Hearing, and there were no dissenting appearances from class members at the hearing. The following three (3) individuals

1 requested exclusion from the Class Settlement, and shall therefore not be members of the Class or
2 subject to the Class Action release contained in the Class Settlement: Ruth Doty; Victoria Gutierrez;
3 Dawn Nodarse.

4 3. The Court finds and determines the notice procedure afforded adequate protections to
5 the class and provides the basis for the Court's informed decision regarding approval of the Settlement
6 based the response. The Court finds and determines the notice provided was the best notice
7 practicable, satisfying the requirements of law and due process.

8 4. For purposes of approving this Settlement only, this Court finds and concludes: (a) the
9 proposed class is ascertainable and so numerous that joinder of all members of the class is
10 impracticable; (b) there are questions of law or fact common to the proposed class, and there is a well-
11 defined community of interest among members of the class with respect to the subject matter of the
12 claims; (c) the claims of the representative are typical of the claims of the class; (d) the class
13 representative has and will fairly and adequately protect the interests of the class; (e) a class action is
14 superior to other available methods for an efficient adjudication of this controversy in the context of
15 settlement; and (f) the law firm of Waltman Employment Law is qualified and adequate to serve as
16 Class Counsel in this action.

17 5. The Court confirms certification, for settlement purposes only, of the class as defined in
18 the Settlement and approved at the preliminary approval stage.

19 6. The Court finds and determines the terms set forth in the Settlement are fair, reasonable,
20 and adequate and, having found the Settlement was reached as a result of informed and non-collusive
21 arms'-length negotiations facilitated by a neutral and experienced mediator, directs the Parties to
22 effectuate the Settlement according to its terms. The Court further finds the Parties conducted
23 extensive investigation, research, and informal discovery, and that their attorneys were able to
24 reasonably evaluate their respective positions. The Court also finds that Settlement will enable the
25 Parties to avoid additional and potentially substantial litigation costs, as well as delay and risks if the
26 Parties were to continue to litigate the case. The Court has reviewed the monetary recovery and
27 recognizes the significant value provided to the Class. Therefore, the Court approves the Settlement
28

1 and incorporates the terms of the Settlement in full into this Final Approval Order as though fully set
2 forth herein.

3 7. The Court finds and determines the fees and expenses in administering the Settlement
4 incurred by the Settlement Administrator of \$3,950.00 are fair and reasonable. The Court orders these
5 administration costs be paid in accordance with the terms of the Settlement.

6 8. The Court finds and determines the Service Award of \$5,000.00 to Plaintiff Mythanh
7 Nguyen as fair and reasonable. The Court orders the service award be paid in accordance with the
8 terms of the Settlement.

9 9. The Court finds and determines payment to the California Labor and Workforce
10 Development Agency of \$15,000, as its 75% share of the civil penalties under the Private Attorneys
11 General Act is fair, reasonable, and appropriate. The Court orders that amount be paid in accordance
12 with the terms of the Settlement and approves the settlement of claims under the Private Attorneys
13 General Act pursuant to Labor Code § 2699(s)(2).

14 10. Pursuant to the terms of the Settlement and the statutory provisions authorizing
15 attorneys' fees under the California Labor Code and Code of Civil Procedure, as set forth in the
16 Motion for Attorneys' Fees, the Court awards Class Counsel attorneys' fees of \$89,166.66 and
17 litigation costs of \$13,204.47. Class Counsel has sufficiently explained the basis for the fee award
18 based on a percentage of the fund. The Court finds such amounts to be fair and reasonable. The Court
19 orders the Settlement Administrator to make these payments in accordance with the Settlement.

20 11. Without affecting the finality of this Order or the entry of judgment in any way, the
21 Court retains jurisdiction of all matters relating to the interpretation, administration, implementation,
22 and enforcement of this Order and the Settlement.

23 12. Nothing in this Order shall preclude any action to enforce the Parties' obligations under
24 the Settlement or under this Order, including the requirement that Defendant make payments to Class
25 Members in accordance with the Settlement.

26 13. The Court hereby ENTERS FINAL JUDGMENT in accordance with the terms of the
27 Settlement, and in accordance with this Final Approval Order and Judgment.
28

1 14. The Parties shall comply with Cal. Rules of Court Rule 3.771(b), by filing a Notice of
2 Entry of Judgment with the Court.

3 **IT IS SO ORDERED.**

4
5 Date: 6/20/25



The Honorable Matthew C. Braner
Judge of the Superior Court