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12 individually and on behalf of all others similarly situated.

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

14 **FOR THE COUNTY OF SAN DIEGO**

15 LUIS RASCON, individually and on behalf
16 of all others similarly situated,

17 Plaintiff,

18 vs.

19 ADESA CALIFORNIA, LLC; and DOES 1
20 through 20, inclusive,

21 Defendants.

Case No. 37-2023-00012038-CU-OE-CTL

*Assigned for all purposes to
Hon. James A. Mangione, Dept. C-75*

**~~PROPOSED~~ ORDER GRANTING
MOTION FOR APPROVAL OF PAGA
SETTLEMENT AND ENTERING
JUDGMENT**

Date: May 24, 2024

Time: 9:00 a.m.

1 The Court has received and considered the PAGA Settlement Agreement between
2 Plaintiff Luis Rascon, as an individual, and on behalf of the people of the State of California and
3 as an "aggrieved employee" acting as a private attorney general under the Labor Code Private
4 Attorneys General Act of 2004, § 2699, *et seq.* ("PAGA") and Defendant ADESA California,
5 LLC in the above-captioned action.

6 **NOW THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED:**

7 The Court hereby approves the Parties' proposed PAGA Settlement and hereby enters
8 FINAL JUDGMENT based on the terms set forth in the Parties' Settlement in favor of Plaintiff
9 and the Aggrieved Employees in the amount of \$250,000.00. Of this total amount, \$83,333.33 (or
10 1/3) is awarded as attorney fees paid to Plaintiff's Counsel, \$10,445.95 is awarded as costs paid
11 to Plaintiff's Counsel, and \$12,500.00 is awarded as administrative costs paid to the Settlement
12 Administrator, Phoenix Settlement Administrators. The Court orders the Settlement
13 Administrator to carry out its duties as set forth in the PAGA Settlement Agreement
14 ("Settlement"). This Order of Approval of PAGA Settlement and Judgment incorporates the
15 Settlement. This Judgment also incorporates by reference the definitions in the Settlement, and
16 all terms defined therein shall have the same meaning as set forth in the Settlement .

17 Upon Defendant's fulfillment of its payment obligations under the Agreement, the
18 California Labor Workforce Development Agency ("LWDA") and any other representative,
19 proxy, or agent thereof, including, but not limited to any and all Aggrieved Employees during the
20 PAGA Period, are precluded from pursuing any action for civil penalties under PAGA against the
21 Released Parties from "all PAGA claims alleged or which could have been alleged against
22 ADESA California, LLC, its parent ADESA, Inc., or its successor in interest ADESA US Auction
23 LLC, based on the facts alleged in the operative complaint, which arose during the PAGA Period"
24 as set forth in the Settlement. The PAGA Release of Claims is defined in sections 1.27 and 5.2 of
25 the Agreement.

26 Plaintiff separately will generally release the Released Parties and waive Civil Code §
27 1542 protections as set forth in section 5.1 of the Agreement.

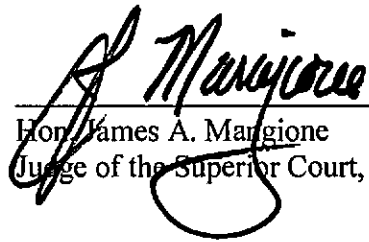
1 The Settlement is not an admission by Defendant or of any of the Released Parties of the
2 validity of any claims in this lawsuit or of any wrongdoing. Neither this Order of Approval and
3 Judgment nor the Settlement may be used as an admission by or against Defendants or the
4 Released Parties.

5 This Judgment is intended to be a final disposition in its entirety of the above captioned
6 action. Without affecting the finality of this judgment in any way, the Court retains jurisdiction
7 of all matters relating to the interpretation, administration, implementation, effectuation, and
8 enforcement of the Settlement pursuant to C.C.P. § 664.6, including after entry of this Order and
9 Judgment.

10 The Parties are ordered to comply with the terms of the Settlement. The Court hereby
11 enters final judgment based upon the terms of this Order and Settlement.

12 IT IS SO ORDERED.

13
14 Dated: 5.24.24



Hon. James A. Mangione
Judge of the Superior Court, County of San Diego