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MAY 13 2024

SHASTA COUNTY SUPERIOR COURT
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on behalf of himself and all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SHASTA

RAMON ESTRADA, on behalf of
himself and all others similarly situated,

Plaintiffs,

v.

URBAN RETREAT, INC., a California
corporation; and DOES 1 to 10, inclusive,

Defendants.

CLASS ACTION

Case No.: 23CV-0201662

~~PROPOSED~~ ORDER AND JUDGMENT
GRANTING PLAINTIFF'S FINAL
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT AND RELEASE

Final Approval Hearing:

Date: May 13, 2024

Time: 8:30 a.m.

Department 8

Honorable Benjamin L. Hanna

Action filed: February 28, 2023

Trial Date: January 30, 2024

[PROPOSED] ORDER GRANTING FINAL APPROVAL

The Parties reached a Settlement subject to Court approval as represented in the Joint Stipulation of Class Action and PAGA Settlement and Release (Settlement Agreement), attached to Declaration of Gregg Lander in Support of Plaintiff's Motion for Preliminary Approval of Class Action and PAGA Settlement and filed with this Court on December 13, 2023. On May 13, 2024, this Court conducted a Final Settlement Fairness Hearing under Rule 3.769 of the California Rules of Court and this Court's January 8, 2024 Order After Hearing on Motion for

BY FAX

1 Preliminary Approval of Class and PAGA Settlement (the Preliminary Approval Order). Due and
2 adequate notice having been given to the Settlement Class as required in said Preliminary
3 Approval Order, and the Court having considered all papers filed and proceedings had herein and
4 otherwise being fully informed in the matter, and good cause appearing therefor, hereby orders:

5 1. For the reasons set forth in the Preliminary Approval Order, which are adopted
6 and incorporated herein by reference, this Court finds that the applicable requirements of the
7 California Code of Civil Procedure section 382 and Rule 3.769 of the California Rules of Court
8 have been satisfied with respect to the Class and the proposed Settlement. The Court hereby
9 makes final its earlier provisional certification of the Class, as set forth in the Preliminary
10 Approval Order.

11 2. This Order and Judgment Granting Final Approval of Class Action and PAGA
12 Settlement hereby adopts and incorporates by reference the terms and conditions of the Parties'
13 Settlement Agreement, together with the definitions of terms used and contained therein.

14 3. The Court finds that it has jurisdiction over the subject matter of the Class Action
15 and over all Parties to the Class Action, including all members of the Settlement Class.

16 4. The Class Notice given to the Class Members fully and accurately informed the
17 Class Members of all material elements of the proposed Settlement and of their opportunity to
18 object to or comment thereon was the best notice practicable under the circumstances; was valid,
19 due, and sufficient notice to all Class Members; and complied fully with the laws of the State of
20 California, the United States Constitution, due process, and other applicable law. The Class
21 Notice fairly and adequately described the Settlement and provided Class Members adequate
22 instructions and a variety of means to obtain additional information; provided Class Members
23 with a full opportunity and the means to seek exclusion; and described to Class Members the
24 consequences of remaining in the Action as opposed to seeking exclusion. A full opportunity has
25 been afforded to the Class Members to participate in the Final Approval Hearing, and all Class
26 Members and other persons wishing to be heard have been heard. Accordingly, the Court
27 determines that all Class Members are bound by this Order and Judgment. There are zero
28 objections and opt opts to the class portion of the Settlement.

1 5. The Court has considered all relevant factors for determining the fairness of the
2 Settlement and has concluded that all such factors weigh in favor of granting final approval. In
3 particular, the Court finds that the Settlement was reached following meaningful discovery and
4 investigation conducted by Class Counsel; that the Settlement is the result of serious, informed,
5 adversarial, and arm's-length negotiations between the Parties; and that the terms of the
6 Settlement are in all respects fair, adequate, and reasonable. In so finding, the Court has
7 considered all evidence presented, including evidence regarding the strength of the Plaintiff
8 Ramon Estrada's case; the risk, expense, and complexity of the claims presented; the likely
9 duration of further litigation and appeal; the amount offered in Settlement; the extent of
10 investigation and discovery completed; and the experience and views of Class Counsel.
11 Accordingly, the Court hereby approves the settlement as set forth in the Settlement Agreement
12 and expressly finds that said Settlement is, in all respects, fair, reasonable, adequate, and in the
13 best interests of the entire Settlement Class and hereby directs implementation of all remaining
14 terms, conditions, and provisions of the Settlement Agreement.

15 6. The Court hereby approves attorneys' fees to Class Counsel in the amount of
16 \$66,666.67 as compensation for all attorney time spent on this matter from inception through and
17 including the final Settlement Fairness Hearing and all other work related to this case and all
18 costs. The Court hereby approves reimbursement of costs of \$15,096.58 to Class Counsel.
19 Payment of costs to the Settlement Administrator in the amount of \$7,000 is hereby approved as
20 fair and reasonable. No other costs or fees relief shall be awarded, either against Defendant or
21 any other of the Released Parties, as defined in the Settlement Agreement.

22 7. The Court hereby approves Class Representative Service Award in the amount of
23 \$10,000 to Plaintiff Ramon Estrada in consideration and exchange for his contributions to the
24 Class, risks incurred, stigma, execution of a general release, and all other factors presented to the
25 Court. The Court finds this request fair and reasonable.

26 8. The Court hereby approves a PAGA penalty of \$10,000 with \$7,500 payable to
27 the Labor Workforce Development Agency (LWDA), as this request is fair and reasonable.

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1 9. Upon entry of Judgment by the Court in accordance with the Settlement
2 Agreement, Plaintiff Ramon Estrada and the Class Members shall fully and finally release and
3 discharge the Releasees from the claims released in the Settlement.

4 10. The Court further confirms and finds that nothing contained in the Settlement
5 Agreement, the Preliminary Approval Order, this Final Approval Order and Judgment, or any
6 other Order entered in this action shall in any way or manner constitute an admission or
7 determination of liability by or against Defendant and its agents, officers, directors, owners,
8 subsidiaries, affiliates and parent companies, with respect to any of the claims and causes of
9 action asserted by the Settlement Class or any member thereof, and shall not be offered in
10 evidence in any action or proceeding against Defendant, or any other Released Parties in any
11 court, administrative agency, or other tribunal for any purpose whatsoever, other than to the
12 extent necessary to enforce the provisions of the Settlement Agreement or this Order. This
13 paragraph shall not, however, diminish or otherwise affect the obligation, responsibilities, or
14 duties of Defendant under the Settlement Agreement and this Final Order and Judgment.

15 11. By operation of the entry of this Order and Judgment, as of the Effective Date, the
16 parties and Settlement Class Members are ordered to perform their respective duties and
17 obligations under the Settlement Agreement.

18 12. If the Settlement does not become final and effective in accord with the terms of
19 the Settlement Agreement, then this Final Order and Judgment shall be rendered null and void
20 and shall be vacated and, in such event, all orders entered, including but not limited to all
21 releases delivered in connection herewith, shall be null and void.

22 13. The date for the Final Report (Nonappearance) Hearing is 1/21/25 at 9:00am
23 ~~2024~~. The deadline for the filing of a report concerning the amount of money distributed is in Dept. 63

24 1/13/25, 2024.

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Under California Code of Civil Procedure section 664.6 and Rule 3.769(h) of the California Rules of Court, this Court reserves exclusive and continuing jurisdiction over this action, the Plaintiff Ramon Estrada, Class Members, and Defendant, for the purposes of:

- IT IS SO ORDERED.**

BENJAMIN L. HANNA

**ORDER GRANTING PLAINTIFF'S MOTION FOR FINAL
APPROVAL OF CLASS AND PAGA SETTLEMENT AND RELEASE**