

David Lavi, Esq. (State Bar No. 277604)
Email: dlavi@ebralavi.com
Arie Ebrahimian, Esq. (State Bar No. 274961)
Email: arie@ebralavi.com
E&L, LLP
8889 W. Olympic Blvd., 2nd Floor
Beverly Hills, California 90211
Telephone: (213) 213-0000
Facsimile: (213) 213-0025

Attorneys for PLAINTIFF XAVIER LAMATEZE CARPENTER,
on behalf of himself and others similarly situated

FILED
Superior Court of California
County of Los Angeles

02/04/2026

David W. Slayton, Executive Officer / Clerk of Court

By: E. Muñoz Deputy

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE**

XAVIER LAMATEZE CARPENTER, on
behalf of himself and others similarly situated,

Plaintiff,

vs.

CLIPPER CORPORATION, a California
corporation; TRINET HR II, INC., a Delaware
corporation; and DOES 1 to 100, inclusive,

Defendants.

Case No.: 23STCV03647

*[Assigned for All Purposes to the Hon. William
F. Highberger, Judge; Dept. 10]*

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT, CLASS
REPRESENTATIVE'S SERVICE
PAYMENT, ATTORNEYS' FEES AND
COSTS, SETTLEMENT ADMINISTRATOR
FEES, AND PAYMENT TO THE LABOR
WORKFORCE DEVELOPMENT AGENCY
FOR PRIVATE ATTORNEYS GENERAL
ACT OF 2004 ("PAGA") PENALTIES**

Hearing Information:

Date : February 2, 2026

Time : 11:00(relocated)

Dept. : 10

1 The Motion for Final Approval of Class Action and PAGA Settlement, inclusive of award for
2 Attorneys' Fees and Costs, Class Representative Service Payment, Settlement Administrator Fees,
3 and payment to the Labor Workforce Development Agency for Private Attorneys General Act of 2004
4 ("PAGA") penalties ("Final Approval Motion"), filed by Plaintiff Xavier Lamateze Carpenter
5 ("Plaintiff"), came on for hearing on February 2, 2026, in Department 10 of the Superior Court of
6 California for the County of Los Angeles, the Honorable William F. Highberger presiding.

7 David Lavi of E&L, LLP appeared for Plaintiff. Luiza Manuelian of Landegger Verano LLP
8 appeared for Defendant Clipper Corporation ("Defendant CLIPPER"), Chris Boman of Fisher &
9 Phillips, LLP appeared for Defendant TriNet HR II, Inc. ("Defendant TRINET") (collectively,
10 Defendant CLIPPER and Defendant TRINET are referred to as "Defendants"). Plaintiff and
11 Defendants are referred to herein together as the "Parties."

12 Unless otherwise defined herein, all capitalized words and terms in this Order Granting Final
13 Approval of Class Action and PAGA Settlement ("Order of Final Approval") shall have the same
14 meanings as set forth in the Class Action and PAGA Settlement Agreement dated on or about August
15 15, 2024 ("Settlement Agreement"), and attached to the Declaration of David Lavi filed on April 29,
16 2025.

17 On June 30, 2025, the Court entered an Order Granting Motion for Preliminary Approval of
18 Class and PAGA Action Settlement ("Preliminary Approval Order"), preliminarily approving the
19 proposed settlement of this action pursuant to the terms of the Settlement Agreement and directing
20 that notice be given to the Settlement Class Members pursuant to the Notice Program (as defined in
21 Section 7.4, *et seq.*, in the Settlement Agreement).

22 Pursuant to the Notice Program, the Settlement Class Members were notified of the terms of
23 the proposed Settlement Agreement and of the Final Approval Hearing to determine: (1) whether the
24 terms and conditions of the Settlement Agreement are fair, reasonable and adequate for the release of
25 the Released Claims against the Released Parties; (2) whether this Order of Final Approval and
26 corresponding Judgment should be entered; (3) whether the Court should approve the provisions of
27 the Settlement Agreement with respect to the Class Representative Service Payment requested by
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1 Plaintiff; (4) whether the Court should grant Plaintiff's Counsel's E&L, LLP's application for
2 Attorneys' Fees and Costs; (5) whether the Court should grant Phoenix Class Action Administration
3 Solution ("Settlement Administrator") costs for administration of the Settlement Agreement; and (6)
4 whether the Court should approve the payment to the Labor and Workforce Development Agency
5 ("LWDA") for penalties under the Labor Code Private Attorneys General Act ("PAGA").

6 Final Approval Hearing was held on February 2, 2026. Prior to the Final Approval Hearing,
7 proof of completion of the Notice Program was filed with the Court, along with declarations of
8 compliance as prescribed in the Preliminary Approval Order. Settlement Class Members were
9 therefore notified of their right to appear at the hearing in support of or in opposition to the proposed
10 Settlement Agreement, the award of Attorneys' Fees and Costs to Plaintiff's Counsel, Class
11 Representative Service Payment to Plaintiff, the award of Settlement Administrator's costs, and
12 payment to the LWDA for PAGA penalties.

13 The Court, (i) having heard and considered the oral presentations made at the Final Approval
14 Hearing (including any materials and documents presented to the Court therein), (ii) having reviewed
15 and considered the Settlement Agreement, the Final Approval Motion, and supporting papers and
16 declarations, including the pleadings filed in support of the Motion for Preliminary Approval of Class
17 Action Settlement and declarations, and any supplements thereto, and any timely and proper
18 objections, and (iii) having determined that the Settlement Agreement is fair, adequate and
19 reasonable, and good cause appearing thereon, makes the following findings and determinations.

20 It is hereby ORDERED, ADJUDGED, and DECREED that:

21 1. The Court, for purposes of this Order of Final Approval, adopts all defined terms as
22 set forth in the Settlement Agreement.

23 2. The Court has jurisdiction over this action and over all claims raised therein and all
24 Parties thereto, including the Settlement Class Members.

25 3. The Settlement Class, which will be bound by this Order of Final Approval and
26 corresponding Judgment to be entered, shall include all Settlement Class Members who did not
27 submit a timely and valid request for exclusion. The Settlement Class Members who have requested
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1 exclusion are identified in **Exhibit A** to this Order.

2 4. Solely for the purposes of the Settlement Agreement and this Order of Final Approval,
3 the Court hereby certifies the following Settlement Class:

4 All non-exempt employees who worked for Defendant CLIPPER at any time
5 during the Class Period (“Class” or “Class Members”). The “Class Period” as
6 referred to herein shall be from February 17, 2019 to and through and including
December 4, 2023. The “PAGA Period” shall be the period beginning February
27, 2022 through and including December 4, 2023.

7 5. The Court finds that the requirements of Code of Civil Procedure § 382 are satisfied.
8 Specifically, with respect to the Settlement Class, the Court finds that: (a) the members of the
9 Settlement Class are so numerous that their joinder is impracticable; (b) there are questions of law
10 and fact common to the Settlement Class which predominate over any individual questions; (c) the
11 claims of the Class Representative is typical of the claims of the Settlement Class; and (d) a class
12 action is superior to other available methods for the fair and efficient adjudication of the controversy
13 considering: (i) the interests of the members of the Settlement Class in individually controlling the
14 prosecution of separate actions, (ii) the extent and nature of any litigation concerning the controversy
15 already commenced by the Settlement Class, (iii) the desirability or understandability of
16 concentrating the litigation of these claims in the particular forum, and (iv) the difficulties likely to
17 be encountered in the management of the Actions.

18 6. The Court grants final approval to the appointment of Plaintiff Xavier Lamateze
19 Carpenter as Class Representative for the Settlement Class.

20 7. The court grants final approval to the appointment of E&L, LLP as Settlement Class
21 Counsel.

22 8. Notice was provided to the Settlement Class Members in accordance with the
23 Preliminary Approval Order and the Notice Program. The notice provided to the Settlement Class (a)
24 satisfied the requirements of due process, California Code of Civil Procedure § 382 and Rule 3.766
25 of the California Rules of Court; and (b) provided the best notice practicable, and (c) was reasonably
26 calculated under the circumstances to apprise Settlement Class Members of the pendency of the
27 Actions, the terms of the Settlement Agreement, their right to appear at the Final Approval Hearing,

1 their right to object to the Settlement, and their right to exclude themselves from the Settlement. As
2 such, the Court finds that the Notice Program satisfies the requirements of California law and federal
3 due process of law.

4 9. The Settlement Agreement is in all respects fair, reasonable, adequate and in the best
5 interests of the Settlement Class and is approved. The Parties shall effectuate the Settlement
6 Agreement according to its terms. The Settlement Agreement shall be deemed incorporated herein as
7 if explicitly set forth and shall have the full force and effect of an Order of this Court.

8 10. Upon the date that Defendant CLIPPER fully funds the entire Settlement Fund (within
9 45 days of final approval), the Class Representative, and each Member of the Settlement Class, on
10 behalf of themselves and any other legal or natural persons who may claim by, through or under them,
11 are deemed to have fully, finally and forever released and discharged the Released Parties (as defined
12 in Section 1.39 of the Settlement Agreement) from any and all Released Claims (as defined in Section
13 5.2 of the Settlement Agreement) arising during the Class Period.

14 11. Members of the Settlement Class who have not validly opted-out of the Settlement
15 Agreement, including the Class Representative, are hereby barred from hereafter instituting,
16 maintaining, prosecuting, and/or asserting any of the Released Claims as part of any suit, action,
17 and/or proceeding against the Released Parties, either directly or indirectly, on their own behalf, on
18 behalf of a class or on behalf of any other person or entity.

19 12. This Order of Final Approval and corresponding Judgment, the Settlement Agreement,
20 and any and all acts, statements, documents or proceedings relating to the Settlement Agreement, are
21 not, and shall not, be construed as or used as an admission by or against Defendants or any other
22 Released Party of any fault, wrongdoing, or liability on their part, or of the validity of any Released
23 Claim or of the existence or amount of damages.

24 13. The Court hereby Orders that Defendant CLIPPER shall deliver the Gross Settlement
25 Amount of \$125,000.00 to the Settlement Administrator, in addition to the employer's share of
26 payroll taxes owed on the wage portions of the individual class payments, as provided for in the
27 Settlement Agreement.

1 14. For the reasons set forth in the Final Approval Motion, the Court hereby awards E&L,
2 LLP attorneys' fees and costs from the Settlement Fund in the total amount of \$ 58,611.60,
3 which the Court finds fair and reasonable. The Court finds that the percentage of the benefit approach
4 is the preferred method for awarding attorneys' fees and costs in this Action, given that Plaintiff's
5 Counsel created a true common fund.

6 15. For the reasons set forth in the Final Approval Motion, the Court hereby awards
7 Plaintiff's request for Class Representative Service Payment of \$5,000.00. Such amount is reasonable
8 considering Plaintiff's service in bringing and prosecuting the Action, and the risks she has taken by
9 agreeing to be Class Representative. The foregoing sum shall be paid from the Settlement Fund in
10 accordance with the Settlement Agreement.

11 16. For the reasons set forth in the Final Approval Motion, the Court finds that the
12 Individual Class Payment, as provided for in the Settlement Agreement, is fair, reasonable, and
13 adequate, and Orders the Settlement Administrator to distribute the Individual Class Payment in
14 conformity with the terms of the Settlement Agreement.

15 17. For the reasons set forth in the Final Approval Motion, the Court hereby awards the
16 PAGA Members who worked for Defendant CLIPPER in the State of California during the PAGA
17 Period of February 27, 2022 through and including December 4, 2023 ("Aggrieved Employees"), the
18 total sum of \$2,500.00, and which amount is approved as fair and reasonable. The foregoing sum
19 shall be paid from the Settlement Fund in accordance with the Settlement Agreement.

20 18. For the reasons set forth in the Final Approval Motion, the Court hereby awards the
21 Labor Workforce Development Agency (LWDA) as Private Attorneys General Act of 2004
22 ("PAGA") penalties, the total amount of \$7,500.00, and which amount is approved as fair and
23 reasonable. The foregoing sum shall be paid from the Settlement Fund in accordance with the
24 Settlement Agreement.

25 19. For the reasons set forth in the Final Approval Motion, the Court hereby awards
26 Phoenix Class Action Administration Solutions the amount of \$4,000.00, and which the Court finds
27 fair and reasonable. The foregoing sum shall be paid from the Settlement Fund in accordance with
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1 the Settlement Agreement.

2 20. This Order of Final Approval does not constitute an expression by the Court of any
3 opinion, position or determination as to the merit or lack of merit of any of the claims or defenses of
4 Plaintiff or Defendants. This Order of Final Approval is not an admission or indication by Defendants
5 of the validity of any claims in these Actions or of any liability or wrongdoing or of any violation of
6 law.

7 21. Plaintiff and the Settlement Class, on the one hand, and the Defendants, on the other,
8 shall take nothing further from the other side except as expressly set forth in the Settlement Agreement
9 and this Order of Final Approval and corresponding Judgment.

10 22. The Parties are authorized to implement the terms of the Settlement Agreement.
11 Pursuant to California Code of Civil Procedure § 664.6 and Rule 3.769(h) of the California Rules of
12 Court, and without affecting the finality of this Order of Final Approval and corresponding Judgment,
13 the Court reserves exclusive and continuing jurisdiction over this action, the Class Representative,
14 the Members of the Settlement Class, and Defendant in order to, among other things: (i) monitor and
15 enforce compliance with the Settlement Agreement, this Order of Final Approval, and any related
16 Order of this Court; and (ii) resolve any disputes over the Settlement Agreement or the administration
17 of any benefits of the Settlement Agreement, including disputes over entitlement to payments for
18 Attorney's Fees and Costs.

19 23. The Claims Administrator shall post this Order of Final Approval on their settlement
20 website forthwith.

21 24. No objections to the Settlement Agreement were made by the Settlement Class
22 Members.

23 25. No exclusions to the Settlement Agreement were made by the Settlement Class
24 Members.

25 26. The Clerk is directed to enter this Order of Final Approval forthwith.

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IT IS SO ORDERED.

Dated: 02/04/2026



Hon. William F. Highberger
Judge of the Superior Court of Los Angeles