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Attorneys for Plaintiff Ralph Shakespeare

Clerk of the Superior Court
By T. Automation, Deputy Clerk

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

RALPH SHAKESPEARE *et al.*

Plaintiff,

vs.

IRON WALL SECURITY, INC *et al.*

Defendants.

Case No. 37-2023-00006539-CU-OE-CTL

*Hon. Loren G. Freestone
Dept. 64*

**Notice of Entry of Order Granting Approval
of PAGA Action Settlement and Entering
Judgment**

Action Filed: February 15, 2023

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

3 1. On November 14, 2024, the Court entered the Order Granting Approval of PAGA
4 Action Settlement and Attorneys' Fees and Costs and Entering Judgment attached hereto as Exhibit
5 1.

6 2. The Judge confirmed the Court's Tentative Ruling attached hereto as Exhibit 2.

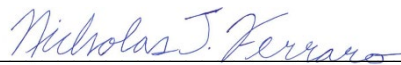
7 3. A conformed copy of this Notice will be submitted to the LWDA via its online
8 electronic portal in accordance with Labor Code § 2699(s)(3).

9 4. Notice of the Court's final ruling and entry of judgment is hereby provided.

10
11 Respectfully submitted,

12
13 Dated: December 3, 2024

Ferraro Vega Employment Lawyers, Inc.

14 

15 Nicholas J. Ferraro

16 *Attorneys for Plaintiff Ralph Shakespeare*

Exhibit 1

ELECTRONICALLY FILED
Superior Court of California,
County of San Diego
11/14/2024 12:53:05 PM

Clerk of the Superior Court
By C. Hines ,Deputy Clerk

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

RALPH SHAKESPEARE, *et al.*

Plaintiff,

vs.

IRON WALL SECURITY, INC, *et al.*

Defendants.

Case No. 37-2023-00006539-CU-OE-CTL

Hon. Loren G. Freestone
Dept. 64

**[Proposed] Order Granting Approval of PAGA
Action Settlement and Attorneys' Fees and
Costs and Entering Judgment**

Motion for Final Approval/Attorneys' Fees:

Date: September 26, 2024

Time: 10:30 a.m.

[Filed concurrently with Notice of Motion and
Motion for Approval of PAGA Action Settlement
and Attorneys' Fees and Costs, Memorandum of
Points and Authorities, Declaration of Nicholas J.
Ferraro, and Declaration of Ralph Shakespeare]

Action Filed: February 15, 2023

1 This matter came on for hearing on September 26, 2024, at 10:30 a.m., in Department 64 of the
2 above-captioned Court, the Honorable Loren G. Freestone presiding, on Plaintiff's Motion for
3 Approval of PAGA Action Settlement and for Attorneys' Fees and Costs.

4 Having received and considered the motions and supporting papers, including the Settlement
5 Agreement and Release of PAGA Claims ("Settlement") and Amendment to Settlement Agreement
6 and Release of PAGA Claims ("Amendment"), the evidence and documents received by the Court in
7 connection with the Motion for Approval of PAGA Action Settlement and Attorneys' Fees and Costs,
8 the Court GRANTS APPROVAL of the Settlement and ORDERS AND MAKES THE FOLLOWING
9 DETERMINATIONS:

10 The PAGA Settlement Approval is **GRANTED** and approved pursuant to California Labor Code
11 section 2699(1)(2). The terms of the Settlement are incorporated into this Order as though fully set forth
12 herein. After the attorneys' fees, individual enhancement, costs, and administrator's expenses are
13 deducted from the Gross Settlement Amount, the Net Settlement Amount is \$34,719.22, of which 75%
14 (\$26,039.41) shall be distributed to the LWDA and the remaining 25% (\$8,679.81) shall be distributed
15 to the aggrieved employees as their share of PAGA penalties.

16 Accordingly, the \$95,000 gross settlement shall be distributed as follows:

- 17 1. \$26,039.41 to the Labor and Workforce Development Agency for PAGA penalties
- 18 2. \$8,679.81 to the PAGA Employees
- 19 3. \$5,000.00 to Plaintiff as an enhancement payment
- 20 4. \$33,333.33 to Plaintiff's counsel for attorneys' fees
- 21 5. \$12,447.45 to Plaintiff's counsel for costs
- 22 6. \$9,500.00 to the Settlement Administrator

23 Plaintiff, Defendant, and the Settlement Administrator are ordered to carry out the terms of the
24 settlement in accordance with the Settlement Agreement.

25 The Court retains jurisdiction over the parties to enforce the terms of the Settlement and
26 Amendment.

1 Without affecting the finality of this Order or the entry of judgment in any way, the Court retains
2 jurisdiction of all matters relating to the interpretation, administration, implementation, and
3 enforcement of this Order and the Settlement and Amendment.

4 Nothing in this Order shall preclude any action to enforce the Parties' obligations under the
5 Settlement, Amendment, or under this Order, including the requirement that Defendant make payments
6 to PAGA Members in accordance with the Settlement and Amendment.

7 The Court hereby ENTERS JUDGMENT in accordance with the terms of the Settlement and
8 Amendment, in accordance with this Approval Order and Judgment.

9
10 **IT IS SO ORDERED.**

11
12 Date: 11/14/2024


The Honorable Loren G. Freestone
Judge of the Superior Court

Exhibit 2

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN DIEGO
CENTRAL COURTHOUSE

TENTATIVE RULINGS - September 25, 2024

HEARING DATE: 9/26/2024 HEARING TIME: 10:30am DEPT.: 64

JUDICIAL OFFICER: Loren G. Freestone

CASE NO.:37-2023-00006539-CU-OE-CTL

CASE TITLE: Shakespeare vs Iron Wall Security [EFILED]

CASE TYPE: (U)Other Employment

HEARING TYPE: Motion

TENTATIVE RULING

Plaintiff Ralph Shakespeare's unopposed motion to approve PAGA settlement is **GRANTED** as set forth below.

The settlement is "fair, reasonable, and adequate in view of PAGA's purposes to remediate present labor law violations, deter future ones, and to maximize enforcement of state labor laws." (*Moniz v. Adecco USA, Inc.* (2021) 72 Cal.App.5th 56, 77.)

However, in addition to seeking approval of the PAGA settlement, the motion also seeks an order "[e]ntering final judgment in this action." (ROA #41.) The proposed order likewise purports to enter judgment in accordance with the settlement. (ROA #39.) However, the operative first amended complaint alleges both a PAGA claim and nine class claims. (ROA #11.) The class claims are not part of the settlement. Nor have the class claims been dismissed. (See Cal. Rules of Court, rule 3.770.)

The motion is therefore granted to the extent it seeks approval of the PAGA settlement, but the court will hear from the parties as to the status of the class claims and appropriate modifications to the proposed order in that regard.

Once finalized and signed, Shakespeare is ordered to submit the signed order to the LWDA within 10 days.