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Attorneys for Plaintiff ILICIA HIGGINBOTHAM
on behalf of herself and all other aggrieved employees

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE**

ILICIA HIGGINBOTHAM, an
individual, on behalf of herself and
other aggrieved employees,

Plaintiff,

vs.

NEWPORT BEACH VINEYARDS &
WINERY, LLC, a California limited
liability company; and DOES 1 through
100, inclusive,

Defendants.

CASE NO. 30-2023-01320469-CU-OE-CXC
Hon. Lon Hurwitz
Dept. CX103

**NOTICE OF ENTRY OF ORDER
GRANTING PLAINTIFF'S MOTION FOR
COURT APPROVAL OF PAGA
SETTLEMENT**

Action filed: April 20, 2023

1 TO ALL INTERESTED PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on November 8, 2024, the Honorable Lon Hurwitz entered
3 the Order Granting Plaintiff's Motion for Court Approval of PAGA Settlement; A true and
4 correct copy of which is attached hereto as **Exhibit 1**.

5
6 Dated: November 8, 2024

JANELLE CARNEY – ATTORNEY AT LAW, APC

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8
9 By:

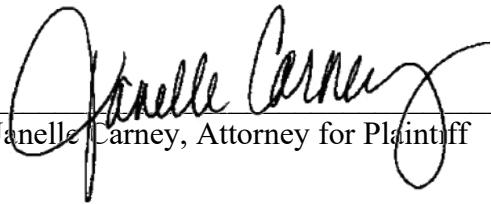

Janelle Carney, Attorney for Plaintiff

Exhibit 1

21547496

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER

NOV 08 2024

DAVID H. YAMASAKI, Clerk of the Court

BY: _____, DEPUTY

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE**

ILICIA HIGGINBOTHAM, an
individual, on behalf of herself and
other aggrieved employees,

Plaintiff,

vs.

NEWPORT BEACH VINEYARDS &
WINERY, LLC, a California limited
liability company; and DOES 1 through
100, inclusive,

Defendants.

CASE NO. 30-2023-01320469-CU-OE-CXC
Hon. Lon Hurwitz
Dept. CX103

**[PROPOSED] ORDER GRANTING
MOTION FOR COURT APPROVAL OF
PAGA SETTLEMENT AND JUDGMENT**

Date: October 11, 2024
Time: 1:30 p.m.
Dept. CX103

Action filed: April 20, 2023

**[PROPOSED] ORDER GRANTING MOTION FOR COURT APPROVAL OF PAGA
SETTLEMENT AND JUDGMENT**

1 This matter came on for hearing before the Honorable Lon Hurwitz Dept. CX-103 on
2 October 11, 2024 at 1:30 p.m. in the above-entitled Court located at Orange County Superior
3 Court, on Plaintiff, Ilicia Higginbotham, ("Plaintiff") Motion for Court Approval of PAGA
4 Settlement, ("PAGA Approval Motion"). Having considered the papers filed in support of the
5 motions; arguments of counsel; and all files, records, and other matters properly before the
6 Court, the Court hereby determines as follows:

7 (A) The settlement was entered into in good faith, and the terms of the settlement are
8 fair, reasonable and adequate and comply with the requirements of Labor Code § 2699, after
9 considering the maximum potential recovery, the merits of Plaintiff's claims, and the means by
10 which the parties arrived at the settlement.

11 **GOOD CAUSE APPEARING, IT IS HEREBY ORDERED, ADJUDGED AND**
12 **DECREEED AS FOLLOWS:**

13 (1) Plaintiff's PAGA Approval Motion is **GRANTED**.

14 (2) In accordance with the Settlement Agreement (Exhibit 1 to Decl. Carney, ROA
15 #31) and Addendum to the Settlement Agreement (Exhibit 1 to Supplemental Decl. Carney,
16 ROA #49), the Gross Settlement Amount of the settlement is \$1,164.07, whereby 75% or
17 \$873.05 is directed to go to the LWDA, and 25% or \$291.02 to aggrieved employees on a *pro*
18 *rata* basis.

19 (3) Upon the Effective Date, Plaintiff, the Settlement Group Members, shall hereby
20 release the Released Parties for the Released Claims for the PAGA Period in accordance with
21 the Supplement Agreement and Addendum to the Settlement Agreement.

22 (4) Plaintiff shall provide Notice of this Order to the LWDA within 14 calendar days
23 after its entry.

24 (5) Judgment is entered into pursuant to this order, with the Court retaining
25 jurisdiction to enforce its terms pursuant to California Code of Civil Procedure section 664.6.

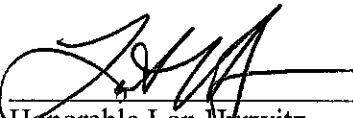
26 (6) A hearing for Final Accounting is set for April 4, 2025, at 1:30 p.m. I
27 Department CX 103.
28

1 (7) Plaintiff shall file a submission of a declaration regarding the final administration
2 of settlement funds no later than March 21, 2024 (14 days before the Final Accounting hearing).

3 (8) Declaration regarding mailing of settlement checks shall be filed by Defendant
4 45 days after mailing.
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6

7 NOV 08 2024

8 Date: _____
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Honorable Lon Hurwitz,
Judge of the Superior Court
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SUPERIOR COURT OF CALIFORNIA,
COUNTY OF ORANGE
CIVIL COMPLEX CENTER

MINUTE ORDER

DATE: 11/08/2024

TIME: 08:12:00 AM

DEPT: CX103

JUDICIAL OFFICER PRESIDING: Lon F. Hurwitz

CLERK: S. Turner

REPORTER/ERM: None

BAILIFF/COURT ATTENDANT: None

CASE NO: **30-2023-01320469-CU-OE-CXC** CASE INIT.DATE: 04/20/2023

CASE TITLE: **Higginbotham vs. Newport Beach Vineyards & Winery, LLC**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Other employment

EVENT ID/DOCUMENT ID: 74422657

EVENT TYPE: Nunc Pro Tunc Minutes

APPEARANCES

There are no appearances by any party.

It appearing to the Court that through error and/or inadvertence, the Minute Order of this Court dated 10/11/2024, does not properly reflect the order of the Court. Said Minute Order is ordered corrected *Nunc Pro Tunc* as of 10/11/2024, as indicated below:

The final accounting hearing is scheduled for **April 4, 2025**, at 1:30 p.m. in Department CX103. Counsel must submit a declaration from the administrator regarding distribution of the settlement funds at least fourteen (14) calendar days prior to the hearing.

ALL OTHER ASPECTS OF THE 10/11/2024 MINUTE ORDER REMAINS THE SAME.

Court Clerk is to give notice.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE

Civil Complex Center
751 W. Santa Ana Blvd
Santa Ana, CA 92701

SHORT TITLE: Higginbotham vs. Newport Beach Vineyards & Winery, LLC

**CLERK'S CERTIFICATE OF MAILING/ELECTRONIC
SERVICE**

CASE NUMBER:
30-2023-01320469-CU-OE-CXC

I certify that I am not a party to this cause. I certify that that the following document(s), Minute Order dated 11/08/24, was transmitted electronically by an Orange County Superior Court email server on November 8, 2024, at 8:32:10 AM PST. The business mailing address is Orange County Superior Court, 700 Civic Center Dr. W, Santa Ana, California 92701. Pursuant to Code of Civil Procedure section 1013b, I electronically served the document(s) on the persons identified at the email addresses listed below:

JANELLE CARNEY - ATTORNEY AT LAW, APC
JANELLE@JANELLECARNEYLAW.COM

Clerk of the Court, by:



, Deputy

CLERK'S CERTIFICATE OF MAILING/ELECTRONIC SERVICE

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SAN BERNARDINO

I am employed in the County of San Bernardino, State of California. I am over the age of eighteen (18) and not a party to the within action; my business address is 14758 Pipeline Avenue, Suite E, Second Floor, Chino Hills, CA 91709-6025.

On November 8, 2024, I served the foregoing document described as:

**NOTICE OF ENTRY OF ORDER GRANTING PLAINTIFF'S MOTION FOR COURT
APPROVAL OF PAGA SETTLEMENT**

on INTERESTED PARTIES in this action by placing a copy thereof enclosed in a sealed envelope addressed as stated below:

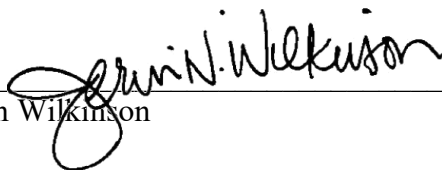
Brian E. Cole, II
Nancy ("Niki") Lubrano
CDF LABOR LAW, LLP
18300 Von Karman Ave., Ste. 800
Irvine, CA 92612
bcole@cdfsflaborlaw.com
nlubrano@cdfsflaborlaw.com
lperez@cdfsflaborlaw.com
manderson@cdfsflaborlaw.com

XX BY E-MAIL: I served the above-mentioned document by serving electronically to each of the above recipients at their respective e-mail addresses and simultaneously sending for electronic filing. My e-address is: Jerin@JanelleCarneyLaw.com.

California Labor & Workforce Development Agency
Via Online Filing
<http://www.dir.ca.gov/private-attorneys-general-act/private-attorneys-general-act.html>

Executed on November 8, 2024 at Chino Hills, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.



Jerin Wilkinson