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ELECTRONICALLY FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF TULARE

05/13/2025

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and Proposed Class Counsel

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF TULARE

MAYRA DIAZ, on behalf of herself and on
behalf of all similarly situated individuals,

Plaintiffs,

v.

KAWEAH DELTA HEALTH CARE
DISTRICT, a California public entity, and
DOES 1 through 10, inclusive,

Defendants.

CASE NO: VCU297155

*Assigned to the Honorable Bret D. Hillman,
Dept. 2*

CLASS ACTION

**[PROPOSED] ORDER AND JUDGMENT
GRANTING FINAL APPROVAL OF CLASS
AND REPRESENTATIVE ACTION
SETTLEMENT**

Date: May 13, 2025

Time: 8:30 a.m.

Dept.: 2

Complaint Filed: April 3, 2023

1 Plaintiffs’ Motion for an Order Granting Final Approval of Class and Representative Action
2 Settlement came before this Court on May 13, 2025. The above-captioned Action is a class action
3 and Private Attorney General Act (“PAGA”) lawsuit brought by Plaintiffs Mayra Diaz and Robert
4 Villareal (“Plaintiffs”) against Defendant Kaweah Delta Health Care District (“Defendant”)
5 (collectively, the “Parties”). Plaintiffs allege, on behalf of a class of certain of Defendant’s current
6 and former employees, that Defendant failed to pay all minimum wages due. Defendant denies any
7 and all alleged wrongdoing and denies any liability to Plaintiffs or to members of the Class or
8 PAGA Aggrieved Employees. Defendant contends that it has complied at all times with California
9 law, including the California Labor Code, the Industrial Commission Wage Orders, and the
10 California Business and Professions Code.

11 On November 19, 2024, this Court entered a Minute Order granting preliminary approval
12 of class action and PAGA settlement, resulting in certification of the following provisional Class
13 for settlement purposes only: all current and former non-exempt employees of Defendant who
14 worked anytime during the period of October 19, 2019 and June 27, 2021 and whose time was
15 rounded (“Rounding Sub-Class”); and all current and former non-exempt employees of Defendant
16 who were subject to on-call time during any workweek from October 19, 2019 through November
17 19, 2024 (“On-Call Sub-Class”). The PAGA Aggrieved Employees are defined as all On-Call
18 Subclass Members who were subject to on-call time during any workweek from April 3, 2022
19 through November 19, 2024 (“PAGA Period”).

20 The Preliminary Approval Order further directed the Parties to provide Notice to the Class,
21 which informs absent Class Members of: (a) the proposed Settlement, and the Settlement’s key
22 terms; (b) the date, time and location of the Final Approval Hearing; (c) the right of any Class
23 Member to object to the proposed Settlement, and an explanation of the procedures to exercise that
24 right; (d) the right of any Class Member to exclude themselves from the proposed Settlement, and
25 an explanation of the procedures to exercise that right; and (e) an explanation of the procedures for
26 Class Members to participate in the proposed Settlement.

The Court, upon Notice having been given as required in the Preliminary Approval Order, and having considered the Settlement Agreement for Class and Representative Action (the “Settlement”), as well as all papers filed, hereby **ORDERS, ADJUDGES AND DECREES AS FOLLOWS:**

1. This Court has jurisdiction over the subject matter of the Action and over all Parties to the Action, including all members of the Class and all PAGA Aggrieved Employees.

2. The Court finds that the Class is properly certified for settlement purposes only.

3. The Notice provided to the Class conforms with the requirements of California Code of Civil Procedure § 382, California Civil Code § 1781, California Rules of Court 3.766 and 3.769, the California and United States Constitutions, and any other applicable law, and constitutes the best notice practicable under the circumstances, by providing individual notice to all Class Members who could be identified through reasonable effort, and by providing due and adequate notice of the proceedings and of the matters set forth therein to the Class Members. The Notice fully satisfied the requirements of due process.

4. The Court finds the Settlement was entered into in good faith, that the Settlement is fair, reasonable and adequate, and that the Settlement satisfies the standards and applicable requirements for final approval of this class action settlement under California law, including the provisions of California Code of Civil Procedure § 382 and California Rules of Court, Rule 3.769.

5. The Court approves the Class Settlement Amount of Four Hundred Seventy-Five Thousand Dollars (\$475,000).

6. Zero (0) Class Members have objected to the terms of the Settlement.

7. Eleven (11) Class Members have requested exclusion from the Settlement. The following persons shall not be bound by the terms of the Settlement or this Order and Judgment: Jill Avila-Anderson, Kristina Bragg, Catalina Carrillo Baiza, Doris Crofts, Beth Nelson, Meghan Orozco, Wendy Parsons, Robie Rinaldi, Darleen Thompson, Kayla Ourique, and Rachel Perez.

8. Upon entry of this Order, compensation to the Class Members and all PAGA Aggrieved Employees shall be affected pursuant to the terms of the Settlement.

1 9. In addition to any recovery that Plaintiffs may receive from the Net Settlement
2 Amount, and in recognition of the Plaintiffs' efforts on behalf of the Settlement Class, and in
3 exchange for their full and general releases against Defendant, the Court hereby approves the
4 payment of the Enhancement Payments to Plaintiffs Mayra Diaz and Robert Villareal in the amount
5 of Five Thousand Dollars (\$5,000) each (\$10,000 total). This shall be paid from the Class
6 Settlement Amount.

7 10. The Court approves the payment of attorneys' fees to Class Counsel in the sum of
8 \$133,549.50 and the reimbursement
9 of litigation expenses in the sum of Eleven Thousand Seven Hundred Nineteen Dollars and Ninety-
10 Seven Cents (\$11,719.97). This shall be paid from the Class Settlement Amount.

11 11. The Court approves and orders payment in the amount of Thirty-Two Thousand
12 Five Hundred Dollars (\$32,500) to Phoenix Settlement Administrators for the performance of its
13 settlement administration services. This shall be paid from the Class Settlement Amount.

14 12. The Court approves and orders payment in the amount of Thirty-Seven Thousand
15 Five Hundred Dollars (\$37,500) to the California Labor and Workforce Development Agency for
16 its 75% share of PAGA penalties,

17 This shall be paid from the Class Settlement Amount.

18 13. Upon the entry of this Order and Judgment, Plaintiffs and all Class Members who
19 did not exclude themselves from the Settlement and all PAGA Members shall be bound by the
20 releases of claims as set forth in the Settlement.

21 14. This "Judgment" is intended to be a final disposition of the above captioned action
22 in its entirety and is intended to be immediately appealable.

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1 15. This Court shall retain jurisdiction with respect to all matters related to the
2 administration and consummation of the Settlement, and any and all claims asserted in, arising out
3 of, or related to the subject matter of the lawsuit, including but not limited to all matters related to
4 the settlement and the determination of all controversies relating thereto.

5 **IT IS SO ORDERED.** Final compliance hearing: 12/9/25 8:30 AM Dept. 2

6
7 Dated: May 13, 2025



JUDGE OF THE SUPERIOR COURT