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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

JUL 25 2024

BY *Victoria Sanchez*
VICTORIA SANCHEZ, DEPUTY

Attorneys for Plaintiffs
JULIE A. VILLANUEVA, individually and on behalf of others
similarly situated

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

JULIE A. VILLANUEVA, an Individual, on
behalf of herself and all others similarly
situated

Plaintiffs,

v.

WORLDWIDE LOGISTICS, INC.; and
DOES 1 through 100, Inclusive

Defendants.

CASE NO. CIVSB2221516

[Assigned for all purposes to Hon. Jessica Morgan -
Dept. S26 SBJC]

CLASS ACTION

**[PROPOSED] FINAL ORDER AND
JUDGMENT FOLLOWING GRANTING OF
PLAINTIFF'S MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: July 25, 2024
Time: 8:30 a.m.
Dept: S26 - SBJC

Action Filed: 9/28/2022
Trial Date: None Set

The above-entitled action is a class and PAGA action brought by Plaintiff Julie A. Villanueva ("Plaintiff") against Defendant Worldwide Logistics, Inc. ("Defendant") (together, the "Parties"). The Parties reached a settlement subject to Court approval as represented in the Joint Stipulation and Settlement of Class and PAGA Action (herein after "Settlement" or "Settlement Agreement") that was filed previously with this Court as part of Plaintiff's Motion for Preliminary Approval. On July 25,

2024, this Court conducted a Final Approval Hearing pursuant to Rule 3.769 of the California Rules of Court and this Court's previous Order Granting Plaintiff's Motion for Preliminary Approval of Class Action Settlement (the "Preliminary Approval Order") entered herein on February 7, 2024. Due and adequate notice having been given to the Class as required in said Preliminary Approval Order, and the Court having considered all papers filed and proceedings had herein and otherwise being fully informed in the matter, and good cause appearing therefore:

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

1. For the reasons set forth in the Preliminary Approval Order, which are adopted and incorporated herein by reference, this Court finds that the applicable requirements of the California Code of Civil Procedure § 382 and Rule 3.769 of the California Rules of Court have been satisfied with respect to the Class and the proposed Settlement. The Court hereby makes final its earlier provisional certification of the Class for settlement purposes, as set forth in the Preliminary Approval Order, and finds that the Class is properly certified as a class for settlement purposes only.

2. This Final Order and Judgment Granting Plaintiff's Motion for Final Approval of Class Action Settlement (hereinafter the "Final Order and Judgment") hereby adopts and incorporates by reference the terms and conditions of the Settlement Agreement, together with the definitions of terms used and contained therein.

3. The Court appoints Named Plaintiff Julie Villanueva as the Class Representative.

4. The Court finds that it has jurisdiction over the subject matter of this litigation and over all Parties to it as well as all Class Members and Aggrieved Employees.

5. The Class Notice given to the Class Members fully and accurately informed the Class Members of all material elements of the proposed Settlement and of their opportunity to object to or comment thereon; was the best notice practicable under the circumstances; was valid, due, and sufficient notice to all Class Members; and complied fully with the laws of the State of California, the United States Constitution, due process, and other applicable law. The Class Notice fairly and adequately described the Settlement and provided Class Members adequate instructions and a variety of means to obtain additional information. A full opportunity has been afforded to the Class Members to participate

1 in the Final Approval Hearing, and all Class Members and other persons wishing to be heard have been
2 heard. Accordingly, the Court determines that all Class Members who did not timely and properly
3 execute a Request for Exclusion are bound by this Final Order and Judgment. No Class Member timely
4 and properly executed a Request for Exclusion, nor did any Class Member object to the Settlement.

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

18 7. The Court hereby finds that the Gross Fund Value of \$200,000.00 and the means of
19 distributing the Net Fund Value to Class Members are fair, reasonable and adequate. The Claims
20 Administrator will distribute the Net Fund Value to Class Members in accordance with the instruction
21 and timeline set forth in the Settlement Agreement.

22 8. The Court hereby confirms Bruce Kokozyan, Esq. of Kokozyan Law Firm, APC as Class
23 Counsel. The Court hereby approves attorneys' fees to Class Counsel in the amount of \$66,666.66 and
24 costs of \$18,270.90 as compensation for all attorney time spent on this matter from inception through
25 and including the Final Approval Hearing and all other work related to this case and all costs, as these
26 requests are fair and reasonable. These amounts shall be paid from the Gross Fund Value. The Court
27 finds that Class Counsel's requested attorneys' fees fall within the range of reasonableness and that the

1 results justify the award. The Court has performed a lodestar cross-check of the requested fees and finds
2 the \$1,100 per hour hourly rate requested by Class Counsel Bruce Kokozian is reasonable and
3 appropriate given his experience, skill, reputation and qualifications and prevailing market rates for
4 work of similar complexity. Costs to the Claims Administrator in the amount of \$7,750 is hereby
5 approved as fair and reasonable. This shall be paid from the Gross Fund Value.

6 9. The Court hereby approves a Service Award to the Named Plaintiff in the amount of
7 \$7,000, which shall be paid from the Gross Fund Value. Named Plaintiff's Service Award is approved
8 based on her contribution to the Class, risks incurred, stigma, execution of a general release and all other
9 factors presented to the Court. The Court finds this request fair and reasonable.

10 10. The Court hereby approves a PAGA Allocation of \$6,000 as fair and reasonable. \$4,500
11 (or 75%) of the PAGA Amount shall be paid to the Labor Workforce Development Agency. \$1,500 (or
12 25%) of the PAGA Amount shall be paid to the Aggrieved Employees. These amounts shall be paid
13 from the Gross Fund Value.

14 11. Upon entry of this Final Order and Judgment and Defendant's funding of the Gross Fund
15 Value, Plaintiff and Class Members shall be bound by the Settlement and this Final Order and
16 Judgment, and the Released Class Claims in favor of Defendant and other Released Parties as set forth
17 in the Settlement Agreement, and such Class Members will be barred from prosecuting against
18 Defendant and the other Released Parties any and all of the Released Class Claims for the Class Period,
19 as set forth in the Settlement Agreement.

20 12. Upon entry of this Final Order and Judgment and Defendant's funding of the Gross Fund
21 Value, Plaintiff and Aggrieved Employees shall be bound by the Settlement and this Final Order and
22 Judgment, and the PAGA Released Claims in favor of Defendant and other Released Parties as set forth
23 in the Settlement Agreement, and such Aggrieved Employees will be barred from prosecuting against
24 Defendant and the other Released Parties any and all of the PAGA Released Claims for the PAGA
25 Period, as set forth in the Settlement Agreement.

26 13. The Released Class Claims and the PAGA Released Claims shall be merged into this
27 Final Order and Judgment. All Class Members, all Aggrieved Employees, and the Named Plaintiff are
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1 permanently barred and enjoined from instituting, commencing, asserting, or continuing any of the
2 Released Class Claims or PAGA Released Claims either directly, representatively, or in any other
3 capacity or derivatively, against Defendants or the Released Parties in this or any other jurisdiction.

4 14. The Court further confirms and finds that nothing contained in the Settlement, the
5 Preliminary Approval Order, this Final Order and Judgment, or any other Order entered in this action
6 shall in any way or manner constitute an admission or determination of liability by or against
7 Defendant, or any other Released Parties with respect to any of the claims and causes of action asserted
8 in this litigation, and shall not be offered in evidence in any action or proceeding against Defendant, or
9 any other Released Parties, in any court, administrative agency, or other tribunal for any purpose
10 whatsoever, other than to the extent necessary to enforce the provisions of the Settlement Agreement or
11 this Final Order and Judgment. Neither the Settlement Agreement, the Preliminary Approval Order,
12 this Final Order and Judgment nor any other order entered in this action is a finding that certification of
13 the Class is proper for any purpose or proceeding other than for settlement purposes. This paragraph
14 shall not, however, diminish or otherwise affect the obligation, responsibilities, or duties of Defendants
15 under the Settlement Agreement and this Final Order and Judgment.

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

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

23 **JUDGMENT**

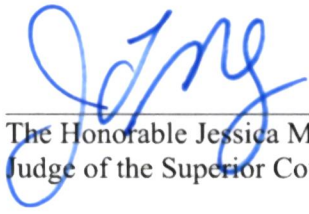
24 In accordance with, and for the reasons stated in, this Final Order and Judgment, judgment shall
25 be entered whereby Named Plaintiff, Class Members, and Aggrieved Employees shall take nothing
26 from Defendant, except as expressly set forth in the Settlement Agreement, which was previously filed
27 as part of Plaintiff's Motion for Preliminary Approval of the Class Action Settlement. Pursuant to

1 California Code of Civil Procedure Section 664.6 and Rule 3.769(h) of the California Rules of Court,
2 this Court reserves exclusive and continuing jurisdiction over this action, the Named Plaintiff, Class
3 Members, Aggrieved Employees, and Defendant, for the purposes of:

- 4 1. supervising the implementation, enforcement, construction, and interpretation of the Settlement
5 Agreement, the Preliminary Approval Order, the plan of allocation, the Final Order and
6 Judgment; and
7 2. supervising distribution of amounts paid under this Settlement.

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9 IT IS SO ORDERED.

10 Dated: 7/25/24

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12 The Honorable Jessica Morgan
13 Judge of the Superior Court
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