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Attorneys for Plaintiff
BARRY COLE

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

BARRY COLE, on behalf of himself and on
behalf of all similarly situated individuals,

Plaintiff,

v.

XEROX CORPORATION, a New York
corporation, and DOES 1 through 10, inclusive,

Defendants.

Case No: 24CV-06565

*Assigned for all purposes to the
Hon. Stephanie L. Jamieson*

CLASS ACTION

**NOTICE OF ENTRY OF 1) ORDER
GRANTING MOTIONS FOR FINAL
APPROVAL AND AWARD OF
REASONABLE ATTORNEYS' FEES AND
COSTS, CLASS REPRESENTATIVE
INCENTIVE AWARD/GENERAL
RELEASE PAYMENT, AND
SETTLEMENT ADMINISTRATION
FEES; JUDGMENT 2) MINUTE ORDER**

Complaint filed: December 16, 2024
Trial Date: TBD

TO ALL PARTIES AND ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that the above-mentioned Court has entered the following orders:

1) Order Granting Motions for Final Approval and Award of Reasonable Attorneys' Fees and Costs, Class Representative Incentive Award/General Release Payment, and Settlement Administration Fees; Judgment, a copy of which is attached hereto as **Exhibit 1**; and

2) Minute Order re Motion for Final Approval of Class and PAGA Action Settlement and Award of Reasonable Attorneys' Fees, Class Representative Incentive Award/General Release Payment, and Settlement Administration Fees as **Exhibit 2**.

Dated: July 29, 2025

KELLER GROVER LLP

By: _____

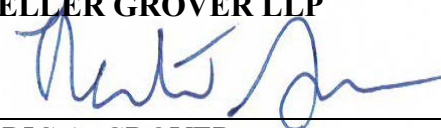

ERIC A. GROVER
ROBERT SPENCER
Counsel for Plaintiff
BARRY COLE

EXHIBIT 1

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10 Attorneys for Plaintiff
11 BARRY COLE

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **IN AND FOR THE COUNTY OF MERCED**
14

15 BARRY COLE, on behalf of himself and on
16 behalf of all similarly situated individuals,

17 Plaintiff,

18 v.

19 XEROX CORPORATION, a New York
20 corporation, and DOES 1 through 10,
21 inclusive,

22 Defendants.
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27
28

FILED
MERCED COUNTY

2025 JUL 29 AM 11:48

CLERK OF THE SUPERIOR COURT

BY  DEPUTY

Case No: 24CV-06565

Assigned for all purposes to the
Hon. Stephanie L. Jamieson

**[PROPOSED] ORDER GRANTING
MOTIONS FOR FINAL APPROVAL AND
AWARD OF REASONABLE
ATTORNEYS' FEES AND COSTS, CLASS
REPRESENTATIVE INCENTIVE
AWARD/GENERAL RELEASE
PAYMENT, AND SETTLEMENT
ADMINISTRATION FEES; JUDGMENT**

Date: July 25, 2025
Time: 8:15 a.m.
Dept: 8

Complaint filed: December 16, 2024
Trial Date: TBD

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1 These matters having come before the Court on July 25, 2025, for final approval of the
2 parties' Joint Stipulation of Class and PAGA Action Settlement and Release of Claims
3 ("Stipulation") entered into by Plaintiff Barry Cole ("Plaintiff" or "Class Representative") and
4 Xerox Corporation ("Defendant"), due and adequate notice having been given to the Class
5 Members as required by the March 28, 2025 order granting the motion for preliminary approval
6 ("Preliminary Approval Order"), and the Court, having considered all the papers filed and
7 proceedings herein, having received no objections to the settlement, having determined that the
8 settlement is fair, adequate and reasonable, and otherwise being fully informed, **IT IS**
9 **HEREBY ORDERED:**

10 1. All capitalized terms used herein shall have the same meanings as given them in
11 the Stipulation, which is attached as **Exhibit A** to the Declaration of Eric A. Grover filed on
12 July 3, 2025, and incorporated herein by reference.

13 2. The Court has jurisdiction over the subject matter of this proceeding and over all
14 Parties to this proceeding, including all Settlement Class Members.

15 3. The Court hereby unconditionally certifies the following class for settlement
16 purposes only: "All current and former non-exempt Field Technical Service Representatives who
17 worked for Defendant in California at any time or times during the Class Period." The "Class
18 Period" refers to the period from and including March 24, 2019 through October 31, 2024.

19 4. The Court finds that the term "Aggrieved Employees" means all current and
20 former non-exempt Field Technical Service Representatives who worked for Defendant in
21 California at any time or times during the PAGA Period. The "PAGA Period" refers to the
22 period from and including March 13, 2022 through October 31, 2024. All Aggrieved Employees
23 are also Class Members unless they opt-out of participation in the class action portion of the
24 Settlement.

25 5. Distribution of notice of the settlement directed to the Class Members as set
26 forth in the Stipulation has been completed in conformity with the Preliminary Approval Order.
27 The class notice program set forth in the Stipulation and completed in conformity with the
28 Preliminary Approval Order provided due and adequate notice of the nature of the case, the

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1 proposed settlement, and the other matters set forth in the Preliminary Approval Order. The
2 notice program provided adequate and appropriate notice to persons entitled to notice of the
3 settlement and therefore fully satisfied the requirements of due process. There is __ request for
4 exclusion. Accordingly, all Class Members are Settlement Class Members covered by and
5 included within the settlement and within this Order granting final approval and judgment (the
6 "Final Approval Order and Judgment").

7 6. No Class Member objected to the settlement or the proposed award of attorneys'
8 fees, costs, or the Class Representative Incentive Award/General Release Payment, and based
9 on the record as a whole, the Court hereby affirms the findings in the Preliminary Approval
10 Order and finds that the settlement is, in all respects, fair, adequate, and reasonable, and directs
11 the parties to effectuate the settlement according to the terms set forth in the Stipulation and this
12 Final Approval Order and Judgment. The Court finds that the settlement has been reached as a
13 result of intensive, serious, and non-collusive arm's-length negotiations. In granting final
14 approval of the Stipulation, the Court considered the nature of the claims, the amounts and
15 kinds of benefits paid in settlement, the allocation of settlement proceeds among the Settlement
16 Class Members, and the fact that a settlement represents a compromise of the Parties' respective
17 positions rather than the result of a finding of liability at trial. Additionally, the Court finds that
18 the terms of the Stipulation have no obvious deficiencies and do not improperly grant
19 preferential treatment to any individual Class Member.

20 7. Pursuant to the Stipulation, Plaintiff and all Settlement Class Members release
21 all Released Claims against the Released Parties.

22 8. As noted, the Court finds the terms of the settlement to be fair, reasonable, and
23 adequate. Within 28 calendar days of the Effective Date, Defendant shall deposit with
24 Simpluris, Inc. ("Simpluris"), the Court-approved Settlement Administrator, \$650,000 plus the
25 amount equal to the employer-side payroll taxes. Simpluris shall disburse the settlement funds
26 in accordance with this Final Approval Order and Judgment and the terms of the Stipulation.

27 9. The Court hereby confirms Eric A. Grover and Robert W. Spencer of Keller
28 Grover LLP and Daniel F. Gaines of Gaines & Gaines, APLC as Class Counsel.

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1 10. Pursuant to the terms of the Stipulation and the authorities, evidence, and
2 argument set forth in Class Counsel's application, an award of attorneys' fees of \$216,667 as
3 final payment for and complete satisfaction of all attorneys' fees owed to Class Counsel is
4 hereby granted. The Court finds that Class Counsel's request falls within the range of
5 reasonableness and that the result achieved justifies the award. The payment of fees to Class
6 Counsel shall be made in accordance with the terms of the Stipulation.

7 11. Pursuant to the terms of the Stipulation and the authorities, evidence, and
8 argument set forth in Class Counsel's application, an award of costs of \$15,273.13 as payment
9 for litigation costs incurred by Class Counsel is hereby granted. The payment of costs to Class
10 Counsel shall be made in accordance with the terms of the Stipulation.

11 12. The Court hereby confirms its prior approval of Plaintiff Barry Cole as the Class
12 Representative and orders payment in the amount of \$10,000 to the Class Representative for his
13 service representing the Class and for his general release of his individual claims. The payment
14 of the Class Representative Incentive Award/General Release Payment shall be made in
15 accordance with the terms of the Stipulation.

16 13. The Court approves the payment of \$7,500.00 to Simpluris for its settlement
17 administration services in this matter in accordance with the terms of the Stipulation.

18 14. The Court approves the payment of the entire Net Settlement Amount to
19 Settlement Class Members in accordance with the terms of the Stipulation.

20 15. The Court sets a compliance hearing to confirm full administration of the
21 settlement in accordance with the Stipulation and the terms of this Final Approval Order and
22 Judgment. The compliance hearing is set for _____, 2026 at ____ a.m./p.m. in
23 Department 8. The Court shall approve the distribution of any residual funds at the time of the
24 compliance hearing. Class Counsel shall submit a compliance report five court days prior to the
25 compliance hearing.

26 16. If this settlement does not become final and effective in accordance with the
27 terms of the Stipulation, this Final Approval Order and Judgment and all orders entered in
28 connection herewith, shall be vacated and shall have no further force or effect.

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1 17. Neither the Final Approval Order nor the Judgment in paragraph 18 below nor
2 the Stipulation is, may be construed as, or may be used as, an admission or concession by or
3 against the Defendant, or any of the other Released Parties (as defined in the Stipulation) of the
4 validity of any claim or any actual or potential fault, wrongdoing or liability.

5 18. Pursuant to Rule 3.769(h), California Rules of Court, the Court hereby enters
6 Judgment in this action; provided, however, that without affecting the finality of the settlement
7 or the Judgment entered herein, this Court shall retain exclusive and continuing jurisdiction
8 over the Action and the Parties, including all Settlement Class Members, for purposes of
9 enforcing and interpreting the Final Approval Order, the Stipulation, and the settlement funding
10 and claims distribution process established therein.

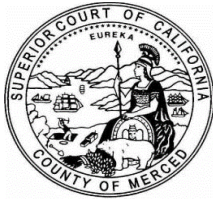
11 **IT IS SO ORDERED.**

12
13 Dated: 7/25, 2025



HON. STEPHANIE L. JAMIESON
JUDGE OF THE SUPERIOR COURT

EXHIBIT 2



**Superior Court of California, County of Merced
MINUTE ORDERS**

Barry Cole

vs

Xerox Corporation

24CV-06565

Date of Hearing: 07/25/2025

8:15 AM - 9:00 AM

Motion

Heard By: Jamieson, Stephanie
Courtroom Reporter: Electronic Recording

Location: Courtroom 8
Courtroom Clerk: S. Ontiveros; F. Bucio
Court Interpreter:

Parties Present:

Future Hearings:

January 26, 2026 8:15 AM

Further Proceedings

Jamieson, Stephanie

Courtroom 8

Exhibits:

The case is regularly called for hearing:

There are no parties present in court today.

The Court has read and considered the contents of the case.

The Court states its tentative ruling.

The Court finds that there was no request for oral argument made.

The Court orders:

The tentative ruling is adopted in full by the Court as follows:

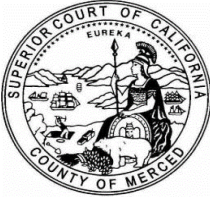
Motion for Final Approval of Class and PAGA Action Settlement and Award of Reasonable.

Attorneys' Fees, Class Representative Incentive Award/General Release Payment, and Settlement Administration Fees. The unopposed motion for final approval of the class action settlement and for award of reasonable attorneys' fees and costs, class representative incentive award and general release payment, and settlement administration fees is GRANTED. The Court will sign the proposed order and judgment lodged with the court on July 3, 2025. A compliance hearing will be set Monday, January 26, 2026, at 8:15 a.m. in Courtroom 8.

Hearing: Other - Status of Final Approval.

Given the above order and entry of judgment, the status hearing for the motion for final approval is DROPPED FROM CALENDAR.

The Order is signed and executed in court. The courtroom clerk delivers the documents to the Clerk's Office for processing.



Superior Court of California, County of Merced MINUTE ORDERS

PROOF OF SERVICE

I, JOEY GONZALEZ, am employed in the County of San Francisco, State of California. I am over the age of eighteen and not a party to the within action. My business address is 1965 Market Street, San Francisco, California 94103. On **July 29, 2025**, in the case of *Cole v. Xerox Corporation*, Merced County Superior Court Case Number 24CV-06565, I served the foregoing document(s):

NOTICE OF ENTRY OF 1) ORDER GRANTING MOTIONS FOR FINAL APPROVAL AND AWARD OF REASONABLE ATTORNEYS' FEES AND COSTS, CLASS REPRESENTATIVE INCENTIVE AWARD/GENERAL RELEASE PAYMENT, AND SETTLEMENT ADMINISTRATION FEES; JUDGMENT 2) MINUTE ORDER

on the interested party(ies) below, using the following means:
interested party(ies) below, using the following means:

JANICE P. BROWN, ESQ. jbrown@meyersnave.com NADIA P. BERMUDEZ, ESQ. nbermudez@meyersnave.com AMANDA K. REASONS, ESQ. areasons@meyersnave.com MEYERS NAVE 600 B Street, Suite 1650 San Diego, California 92101 Telephone: (619) 330-1700 Facsimile: (619) 330-1701 Gisselle E. Lopez glopez@meyersnave.com	<i>Attorneys for Defendant</i> XEROX CORPORATION
DANIEL F. GAINES, ESQ. daniel@gaineslawfirm.com GAINES & GAINES, APLC 4550 East Thousand Oaks Boulevard, Suite 100 Westlake Village, California 91362 Telephone: (818) 703-8985 Facsimile: (818) 703-8984	<i>Attorneys for Plaintiff</i> BARRY COLE

☒	(BY ELECTRONIC SERVICE) by electronically mailing a true and correct copy in PDF format through our electronic mail system to the email address(es) set forth above, or as stated on the attached service list per agreement between the parties.
☒	(STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.



JOEY GONZALEZ