

FILED

6/23/2025

YUBA COUNTY SUPERIOR COURT
HEATHER PUGH
SUPERIOR COURT CLERK
BY: MAnderson

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Attorneys for Plaintiff Ashley Avery
and Proposed Class Counsel

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

ASHLEY AVERY, on behalf of herself
and all "aggrieved employees" pursuant to
Labor Code § 2698 *et seq.*,

Plaintiff,

v.

TAKLAK INC., a California corporation,
and DOES 1 through 10, inclusive,

Defendants.

CASE NO: CVCV23-00479

Assigned to the Hon. Stephen W. Berrier, Dept. 4

CLASS ACTION

**ORDER AND JUDGMENT
GRANTING FINAL APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: June 23, 2025

Time: 10:00 a.m.

Dept.: 4

Complaint Filed: May 15, 2023

1 Plaintiff's Motion for an Order Granting Final Approval of Class Action Settlement came
2 before this Court on June 23, 2025. The above-captioned Action is a class action lawsuit brought
3 by Plaintiff Ashley Avery ("Plaintiff" or "Avery") against Defendant Taklak Inc. ("Defendant")
4 (all together, the "Parties"). Plaintiff alleges, on behalf of a class of certain of Defendant's current
5 and former employees, that Defendant failed to pay all overtime and sick pay wages due, failed to
6 provide compliant meal and rest periods of compensation in lieu thereof, failed to timely pay wages
7 due upon separation of employment, and failed to comply with itemized wage statement provisions.
8 Defendant denies any and all alleged wrongdoing and denies any liability to Plaintiff or to members
9 of the Class. Defendant contends that that it has complied at all times with California law, including
10 the California Labor Code, the Industrial Commission Wage Orders, and the California Business
11 and Professions Code.

12 On March 10, 2025, this Court entered an Order Granting Preliminary Approval of
13 Settlement, resulting in certification of the following provisional Settlement Class: all current and
14 former hourly-paid or non-exempt employees of Defendant, employed by Defendant in California
15 at any time during the Class Period [May 15, 2019 through November 1, 2024].

16 That Preliminary Approval Order further directed the Parties to provide Notice to the Class,
17 which informed absent class members of: (a) the proposed Settlement, and the Settlement's key
18 terms; (b) the date, time and location of the Final Approval Hearing; (c) the right of any Class
19 Member to object to the proposed Settlement, and an explanation of the procedures to exercise that
20 right; (d) the right of any Class Member to exclude themselves from the proposed Settlement, and
21 an explanation of the procedures to exercise that right; and (e) an explanation of the procedures for
22 Class Members to participate in the proposed settlement.

23 The Court, upon Notice having been given as required in the Preliminary Approval Order,
24 and having considered the Joint Stipulation and Settlement Agreement of Class Action and PAGA
25 Claims (the "Settlement"), as well as all papers filed, hereby ORDERS, ADJUDGES AND
26 DECREES AS FOLLOWS:

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

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

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

12 4. The Court finds the Settlement was entered into in good faith, that the Settlement is
13 fair, reasonable and adequate, and that the Settlement satisfies the standards and applicable
14 requirements for final approval of this class action settlement under California law, including the
15 provisions of California Code of Civil Procedure section 382 and California Rules of Court, Rule
16 3.769. The Court approves the Gross Settlement Amount of One Hundred Thirty-Seven Thousand
17 Five Hundred Dollars (\$137,500).

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

19 6. Zero (0) Class Member have requested exclusion from the Settlement.

20 7. Upon entry of this Order, compensation to the Class Members shall be effected
21 pursuant to the terms of the Settlement.

22 8. In addition to any recovery that Plaintiff may receive from the Net Settlement
23 Amount, and in recognition of the Plaintiff's efforts on behalf of the Settlement Class, the Court
24 hereby approves the payment of an Enhancement Payment to Ashley Avery in the amount of Six
25 Thousand Dollars (\$6,000). This shall be paid from the Gross Settlement Amount.

26 9. The Court approves the payment of attorneys' fees to Class Counsel in the sum of
27 thirty-five percent (35%) of the Gross Settlement Amount, or Forty-Eight Thousand One Hundred
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1 Twenty-Five Dollars (\$48,125), and the reimbursement of litigation expenses in the sum of Twelve
2 Thousand Nine Hundred Fifty-One Dollars and Seventeen Cents (\$12,951.17) This shall be paid
3 from the Gross Settlement Amount.

4 10. The Court approves and orders payment in the amount of Seven Thousand Two
5 Hundred Fifty Dollars (\$7,250) to Phoenix Settlement Administrators for performance of its
6 settlement administration services. This shall be paid from the Gross Settlement Amount.

7 11. The Court approves the PAGA Payment and its apportionment among the Class
8 Members, and orders payment in the amount of Seven Thousand Five Hundred Dollars (\$7,500) to
9 the California Labor and Workforce Development Agency for its 75% share of PAGA penalties.
10 This shall be paid from the Gross Settlement Amount.

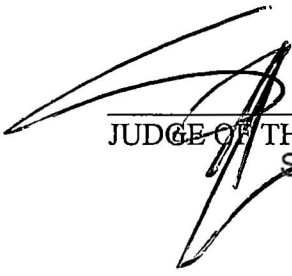
11 12. Upon the entry of this Order and Judgment, Plaintiff and all Class Members shall be
12 bound by the release of claims as set forth in the Settlement.

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

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

19 **IT IS SO ORDERED.**

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21 Dated: 6/23/2025

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23 JUDGE OF THE SUPERIOR COURT
24 Stephen W. Berrier
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