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11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

12 **FOR THE COUNTY OF LOS ANGELES – SANTA MONICA COURTHOUSE**

13 MAYRA ROXANA XICAY DUARTE,

Case No.: 23SMCV02600

14 Plaintiffs,

INDIVIDUAL AND REPRESENTATIVE
ACTION

15 v.

*[Assigned to Hon. Mark H. Epstein
in Dept. I]*

16 WESTWOOD HEALTHCARE &
17 WELLNESS CENTRE, LP; and DOES 1
18 to 50,

**[PROPOSED] ORDER GRANTING
PLAINTIFF’S MOTION FOR
APPROVAL OF PAGA SETTLEMENT,
AND PAYMENT OF ATTORNEYS’
FEES AND COSTS, AND
ADMINISTRATION COSTS**

19 Defendants.

*[Concurrently Filed with Notice of Motion
and Motion]*

Date: May 28, 2026

Time: 9:00 a.m.

Dept.: I

Hearing Reservation No.: 440816883182

20 On May 28, 2026, the Court considered the Motion of Plaintiff Mayra Roxana Xicay

21 Duarte for approval of the Parties’ proposed Private Attorneys General Act (“PAGA”)

22 Settlement, and Payment of Attorneys’ Fees and Costs, and Administration Costs.

23 **[PROPOSED] ORDER GRANTING PLAINTIFF’S MOTION FOR APPROVAL OF PAGA SETTLEMENT**

1 The Court having read and considered the papers on the motion submitted by
2 Plaintiff's Counsel, having heard the presentation of Plaintiff's Counsel and Defendants'
3 counsel, having reviewed all of the submissions presented with respect to the proposed
4 Settlement, and having determined that the Settlement is fair, adequate, and reasonable, it is
5 hereby ORDERED ADJUDGED, and DECREED that:

6 1. The Settlement, as set forth in the Parties' PAGA Settlement Agreement
7 ("Settlement Agreement"), is in all respects fair, reasonable, and it is approved pursuant to
8 Cal. Lab. Code §2699. Except as expressly set forth herein, the Parties shall effectuate the
9 Settlement Agreement according to its terms. The Settlement Agreement, and every term and
10 provision thereof, shall be deemed incorporated herein as if explicitly set forth and shall have
11 full force of an Order of this Court;

12 2. Pursuant to PAGA, Cal. Lab. Code §§ 2699(1)(2), (1)(4), the Labor Workforce
13 and Development Agency ("LWDA") has been given notice of the Settlement. In particular,
14 on or about the date Plaintiff filed the Motion seeking approval of the Settlement with the
15 Court, Plaintiff submitted the Motion and all supporting documents to the LWDA online as
16 reflected by the Proof of Service filed concurrently with the Motion;

17 3. Aggrieved Employees are defined as: all non-exempt employees employed
18 Defendant in California at any time between from May 15, 2022 to December 10, 2024
19 ("PAGA Period");

20 4. Distribution of the Gross Settlement Amount of \$100,000.00, is approved in
21 accordance with the Settlement Agreement and on account of disputed and alleged civil
22 penalties, as follows: (a) payment of \$40,000.00 in attorneys' fees to Plaintiff's Counsel,
23 Mooradian Law, APC; (b) payment of \$9,458.04 in attorneys' costs to Plaintiff's Counsel; (c)
24 payment to CPT Group, Inc., the selected administrator, for administration expenses totaling
25 \$5,750.00; (d) payment to the Labor and Workforce Development Agency ("LWDA")
26 totaling \$33,593.97, which amount represents 75% of the total PAGA Settlement Sum after
27 attorneys' fees and costs, and administration costs; and (e) payment of \$11,197.99, which

1 amount represents 25% of the total PAGA Settlement Sum after attorneys' fees and costs,
2 administration costs, on a pro-rata basis to all Aggrieved Employees;

3 5. The Notice of Settlement of PAGA Representative Action is approved and
4 shall be disseminated to Aggrieved Employees in accordance with the Settlement Agreement,
5 in English and Spanish;

6 6. Plaintiff is directed to submit a copy of this Order to the LWDA within 10 days
7 of the date of this Order;

8 7. The Court retains exclusive and continuing jurisdiction over this Action for the
9 purposes of supervising, administering, implementing, interpreting, and enforcing this Order,
10 as well as the Settlement.

11
12
13 Dated: _____

By: _____

Honorable Mark H. Epstein
Judge of the Superior Court