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Clerk of the Superior Court
By T. Automation , Deputy Clerk

Attorneys for Plaintiff Irving Williams

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

IRVING WILLIAMS *et al.*

Plaintiff,

vs.

TRIDENT MARITIME SYSTEMS, LLC *et al.*

Defendants.

Case No. 37-2023-00021186-CU-OE-CTL
[Consolidated with Case No. 37-2023-
00030735-CU-OE-CTL]

*Hon. Marcella O. McLaughlin
Dept. 72*

CLASS ACTION

**Notice of Entry of Order Granting Final
Approval and Entering Judgment**

Action Filed: May 18, 2023

1 TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD, PLEASE
2 TAKE NOTICE THAT:

3 1. On January 10, 2025, at 9:30 a.m. in this Department, the Court entered the Order and
4 Judgment Granting Final Approval of Class Action Settlement and Attorneys' Fees and Costs and
5 Entering Judgment attached hereto as Exhibit 1.

6 2. The Judge confirmed the Court's Tentative Ruling attached hereto as Exhibit 2.

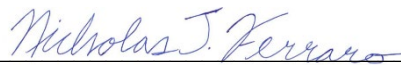
7 3. A conformed copy of this Notice will be submitted to the LWDA via its online
8 electronic portal in accordance with Labor Code § 2699(s)(3).

9 4. Notice of the Court's final ruling and entry of judgment is hereby provided.
10

11 Respectfully submitted,

12 Dated: January 14, 2025

Ferraro Vega Employment Lawyers, Inc.

14 

15 Nicholas J. Ferraro

16 Attorneys for Plaintiff Irving Williams
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EXHIBIT 1

RECEIVED
December 20, 2024

FILED
San Diego Superior Court

JAN 10 2025
Clerk of the Superior Court
By: V. Secaur, Deputy

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

IRVING WILLIAMS, *et al.*

Plaintiff,

vs.

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Defendants.

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00030735-CU-OE-CTL]

Hon. Marcella O. McLaughlin
Dept. 72

CLASS ACTION

**Amended [~~Proposed~~] Order Granting Final
Approval of Class Action Settlement and
Attorneys' Fees and Costs and Entering
Judgment**

Motion for Final Approval/Attorneys' Fees:

Date: January 10, 2025

Time: 9:30 a.m.

[Filed concurrently with Notice of Motion and
Motion for Final Approval of Class Action
Settlement, Memorandum of Points and
Authorities, Declaration of Nicholas J. Ferraro,
Declaration of Settlement Administrator, and
Declaration of Irving Williams]

Action Filed: May 18, 2023

**Amended [~~Proposed~~] Order Granting Final Approval of Class Action Settlement
and Attorneys' Fees and Costs and Entering Judgment**

1 This matter came on for hearing on January 10, 2025 at 9:30 a.m. in Department 72 of the
2 above-captioned Court, the Honorable Marcella O. McLaughlin presiding, on (1) Plaintiff's Motion for
3 Final Approval of Class Action Settlement and (2) Plaintiff's Motion for Attorneys' Fees and Costs.

4 Having received and considered the motions and supporting papers, including the Class Action
5 and PAGA Settlement Agreement ("Settlement"), the evidence and documents received by the Court
6 in connection with the Motions for Final Approval and Attorneys' Fees and Costs, and the previously
7 decided Motion for Preliminary Approval, the Court GRANTS FINAL APPROVAL of the Settlement
8 and ORDERS AND MAKES THE FOLLOWING DETERMINATIONS:

9 1. Pursuant to the terms of the Settlement and the Order Granting Preliminary Approval,
10 and the Settlement, a notice was sent to each class member by first-class U.S. mail. The notice
11 informed the class of the terms of the Settlement, their right to receive a settlement payment without
12 any required action, their right to comment upon or object to the Settlement, and their right to appear
13 in person or by counsel at the Final Approval Hearing and to be heard regarding approval of the
14 Settlement. Adequate periods of time were provided for each of these procedures.

15 2. Zero class members returned a written objection to the proposed Settlement as part of
16 the notice process or stated an intention to appear at the Final Approval Hearing and there we no
17 dissenting appearances from class members at the hearing. One class member requested exclusion
18 from the Settlement: Jose Lopez. This "opt out" is affirmatively excluded from the class settlement.

19 3. The Court finds and determines the notice procedure afforded adequate protections to
20 the class and provides the basis for the Court's informed decision regarding approval of the Settlement
21 based the response. The Court finds and determines the notice provided was the best notice
22 practicable, satisfying the requirements of law and due process.

23 4. The Court finds and determines the terms set forth in the Settlement: "As of the Effective
24 Date, Plaintiff and Participating Class Members, regardless of whether they have received actual notice
25 of the proposed Settlement, have conclusively compromised, settled, discharged, and provided the
26 release of Released Claims, during the applicable time period, against Defendants and the Released
27 Parties during applicable time period, and are bound by the provisions of this Settlement Agreement;
28 Notwithstanding the submission of a timely request for exclusion, Class Members are still bound by

1 the settlement and release of the PAGA Claims and the State's claims for civil penalties pursuant to
2 PAGA are also extinguished. This Settlement Agreement and the Final Approval Order and Judgment
3 to be binding on, and have res judicata and preclusive effect in, all pending and future lawsuits or other
4 proceedings that encompass Plaintiff's and Participating Class Members' claims released herein, and
5 that are maintained by or on behalf of Plaintiff and Participating Class Members" Settlement, p. 16.

6 5. For purposes of approving this Settlement only, this Court finds and concludes: (a) the
7 proposed class is ascertainable and so numerous that joinder of all members of the class is
8 impracticable; (b) there are questions of law or fact common to the proposed class, and there is a well-
9 defined community of interest among members of the class with respect to the subject matter of the
10 claims; (c) the claims of the representative are typical of the claims of the class; (d) the class
11 representative has and will fairly and adequately protect the interests of the class; (e) a class action is
12 superior to other available methods for an efficient adjudication of this controversy in the context of
13 settlement; and (f) the law firm of Ferraro Vega Employment Lawyers, Inc. is qualified and adequate
14 to serve as Class Counsel in this action.

15 6. The Court confirms certification, for settlement purposes only, of the class as defined in
16 the Settlement and approved at the preliminary approval stage.

17 7. The Court finds and determines the terms set forth in the Settlement are fair, reasonable,
18 and adequate and, having found the Settlement was reached as a result of informed and non-collusive
19 arms'-length negotiations facilitated by a neutral and experienced mediator, directs the Parties to
20 effectuate the Settlement according to its terms. The Court further finds the Parties conducted
21 extensive investigation, research, and informal discovery, and that their attorneys were able to
22 reasonably evaluate their respective positions. The Court also finds that Settlement will enable the
23 Parties to avoid additional and potentially substantial litigation costs, as well as delay and risks if the
24 Parties were to continue to litigate the case. The Court has reviewed the monetary recovery and
25 recognizes the significant value provided to the Class. Therefore, the Court approves the Settlement
26 and incorporates the terms of the Settlement in full into this Final Approval Order as though fully set
27 forth herein.

1 8. The Court finds and determines the fees and expenses in administering the Settlement
2 incurred by the Settlement Administrator of \$10,000 are fair and reasonable. The Court orders these
3 administration costs be paid in accordance with the terms of the Settlement.

4 9. The Court finds and determines the Service Award of \$10,000 to Plaintiff Williams as
5 fair and reasonable. The Court orders the service awards be paid in accordance with the terms of the
6 Settlement.

7 10. The Court finds and determines payment to the California Labor and Workforce
8 Development Agency of \$30,000, as its 75% share of the civil penalties under the Private Attorneys
9 General Act is fair, reasonable, and appropriate. The Court orders that amount be paid in accordance
10 with the terms of the Settlement and approves the settlement of claims under the Private Attorneys
11 General Act pursuant to Labor Code § 2699(s)(2).

12 11. Pursuant to the terms of the Settlement and the statutory provisions authorizing
13 attorneys' fees under the California Labor Code and Code of Civil Procedure, as set forth in the Motion
14 for Attorneys' Fees, the Court awards Class Counsel attorneys' fees of \$243,309 and litigation costs
15 of \$22,473.84. Class Counsel has sufficiently explained the basis for the fee award based on a
16 percentage of the fund. The Court finds such amounts to be fair and reasonable. The Court orders the
17 Settlement Administrator to make these payments in accordance with the Settlement.

18 12. Without affecting the finality of this Order or the entry of judgment in any way, the
19 Court retains jurisdiction of all matters relating to the interpretation, administration, implementation,
20 and enforcement of this Order and the Settlement.

21 13. Nothing in this Order shall preclude any action to enforce the Parties' obligations under
22 the Settlement or under this Order, including the requirement that Defendant make payments to Class
23 Members in accordance with the Settlement.

1 14. The Court hereby ENTERS FINAL JUDGMENT in accordance with the terms of the
2 Settlement, in accordance with this Final Approval Order and Judgment.

3 15. The Parties shall comply with Cal. Rules of Court Rule 3.771(b), by filing a Notice of
4 Entry of Judgment with the Court.

5
6 **IT IS SO ORDERED.**

7
8 Date: 1/10/2025


The Honorable Marcella O. McLaughlin
Judge of the Superior Court

EXHIBIT 2

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN DIEGO
CENTRAL COURTHOUSE

TENTATIVE RULINGS - January 09, 2025

HEARING DATE: 01/10/2025 HEARING TIME: 9:30 AM DEPT.: C-72

JUDICIAL OFFICER: Marcella O. McLaughlin

CASE NO.: 37-2023-00021186-CU-OE-CTL

CASE TITLE: Williams vs TRIDENT MARITIME SYSTEMS LLC [IMAGED]

CASE TYPE: (U) Other Employment

HEARING TYPE:

The unopposed motion for final approval of class settlement is GRANTED.

A. The court finds that the settlement is fair, reasonable, and adequate. See *Dunk v. Ford Motor Co.* (1996) 48 Cal.App.4th 1794, 1801; *Moniz v. Adecco USA, Inc.* (2021) 72 Cal.App.5th 56, 77. Accordingly, the court approves the parties' proposed settlement,

B. The litigation costs of \$22,473.84, payable to class counsel, and the claims administration costs of \$10,000, payable to CPT Group, are reasonable for a case of this type. Moreover, the litigation costs awarded are slightly less than the amount originally estimated in the preliminary approval papers (\$25,000). Thus, the requested litigation and claims administration costs are approved.

C. The proposed service award of \$10,000 to plaintiff is reasonable under the circumstances and therefore approved.

D. Finally, with respect to attorneys' fees, "[t]he law empowers the court to set the amount of fees independently without disapproving the entire settlement." *Garabedian v. Los Angeles Cellular Telephone Co.* (2004) 118 Cal.App.4th 123, 129. Here, the attorney's fees proposal of \$243,309 represents one-third of the gross settlement amount. This is not out of line with class action fee awards calculated using the percentage-of-the-benefit method. See *Chavez v. Netflix, Inc.* (2008) 162 Cal.App.4th 43, 66 fn. 11.

Moreover, according to counsel's supporting declaration, counsel expended a total of 461 hours prosecuting this consolidated action. (Ferraro Decl., ¶ 9.) This results in a blended hourly rate of approximately \$527.79 (\$243,309 divided by 461), which is reasonable for similar work in San Diego County during the relevant time period. The requested fee award is also less than counsel's theoretical lodestar of \$276,000 (using counsel's higher design hourly rate of \$600). (See *id.* at ¶ 10.) Thus, the requested fees represent, in effect, a negative multiplier.

In sum, based on the evidence submitted, the court finds that the requested attorneys' fee award of \$243,309 is reasonable under the circumstances and hereby approved. See *Nemecek & Cole v. Horn* (2012) 208 Cal.App.4th 641, 651 ("The amount to be awarded as attorney fees is left to the sound discretion of the trial court, which is in the best position to evaluate the services rendered by an attorney in his courtroom.").

E. The court will sign the amended proposed order (ROA 53) submitted with the moving papers.