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17 and on behalf of all others similarly situated

18 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
19 **FOR THE COUNTY OF SONOMA**

20 DAVID LOCKHART, individually, and on
21 behalf of all others similarly situated,

22 *Plaintiff,*

23 v.

24 HABITAT FOR HUMANITY OF SONOMA
25 COUNTY, a California corporation; HABITAT
26 FOR HUMANITY, INC., a Georgia
27 corporation, and DOES 1 through 10,
28 inclusive,

Defendants.

Case No.: SCV-273164

*Assigned for all purposes to:
Hon. Kenneth G. English
Courtroom 18*

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

FINAL APPROVAL HEARING

Date: September 10, 2025

Time: 3:00 p.m.

Dept: 18

1 This matter came on for hearing on September 10, 2025 at 3:00 p.m., in Department 18
2 of the above-referenced Court on the Motion for Final Approval of Class Action and PAGA
3 Settlement pursuant to California Rules of Court, Rule 3.769. On May 7, 2025, this Court issued
4 an Order Granting Plaintiff's Motion for Preliminary Approval of Class Action and PAGA
5 Settlement. Plaintiff David Lockhart ("Plaintiff") now seeks an order granting final approval of
6 the Class Action and PAGA Settlement Agreement ("Settlement"), a copy of which is attached
7 to the Declaration of John G. Yslas in Support of Plaintiff's Motion for Preliminary Approval
8 of Class Action Settlement as **Exhibit 1**.

9 Having received and considered the Settlement, the supporting papers filed by the
10 Parties, and the evidence and argument in conjunction with the Motion for Preliminary Approval
11 of Class Action Settlement granted on May 7, 2025, and the instant Motion for Final Approval
12 of Class Action and PAGA Settlement, the Court grants final approval of the Settlement and
13 **HEREBY ORDERS AND MAKES THE FOLLOWING DETERMINATIONS:**

14 1. Pursuant to the Order Granting Plaintiff's Motion for Preliminary Approval of Class
15 Action and PAGA Settlement, the Class Notice was sent to each Class Member by First Class mail.
16 These papers informed Class Members of the terms of the Settlement, their right to receive an
17 Individual Settlement Payment, and their right to: (a) comment on or object to the Settlement; (b)
18 request exclusion from the Settlement and pursue their own remedies; (c) dispute the calculation
19 of their Individual Settlement Payment; and (d) appear at the final approval hearing. No Class
20 Members have objected to the proposed Settlement, and no Class Member has requested exclusion.

21 2. The Court finds and determines that this notice procedure afforded adequate protections
22 to Class Members and provides the basis for the Court to make an informed decision regarding
23 approval of the Settlement based on the responses of the Class. The Court finds and determines
24 that the notice provided in this case was the best notice practicable, which satisfied the
25 requirements of law and due process.

26 3. With respect to the Class and for purposes of approving this Settlement only, this Court
27 finds and concludes that: (a) the members of the Class are ascertainable and so numerous that
28 joinder of all members is impracticable; (b) there are questions of law or fact common the class

1 and a well-defined community of interest among members of the Class with respect to the subject
2 matter of the action; (c) the claims of Class Representative David Lockhart are typical of the claims
3 of the Class Members; (d) the Class Representative has fairly and adequately protected the interests
4 of the Class; (e) a class action is superior to other available methods for an efficient adjudication
5 of this controversy; and (f) counsel of record for the Class Representative are qualified to serve as
6 Class Counsel.

7 4. The Court has certified a Class for settlement purposes only, defined as “all
8 individuals who are or previously were employed by defendants Habitat for Humanity of Sonoma
9 County and Habitat for Humanity International, in California, working at or reporting to 1201
10 Piner Road, Santa Rosa, CA 95403, who were classified as non-exempt employees during the
11 period October 31, 2018 to January 22, 2024 (the “Class Period”).” The Court deems this
12 definition sufficient for purposes of California Rules of Court, Rule 3.765(a).

13 5. The Court hereby confirms John G. Yslas, Diego Aviles, Harry Erganyan, Emily
14 Borman, and Miriam Nazaretyan of Wilshire Law Firm, PLC as Class Counsel.

15 6. The Court hereby confirms Plaintiff David Lockhart as the Class Representative.

16 7. The Court finds and determines that the terms of the Settlement are fair, reasonable,
17 and adequate, and directs the Parties to effectuate the Settlement according to its terms, having
18 found that the Settlement was reached as a result of informed and non-collusive arm’s length
19 negotiations facilitated by a neutral mediator. The Court finds that the Parties conducted adequate
20 investigation, research, and discovery, and that their attorneys were able to reasonably evaluate
21 their respective positions. The Court also finds that the Settlement will enable the Parties to avoid
22 additional and potentially substantial litigation costs, as well as delay and risks if the Parties were
23 to continue to litigate the case. The Court has reviewed the monetary recovery provided as part of
24 the Settlement and recognizes the significant value accorded to the Class.

25 8. The Court hereby approves that Defendant shall pay a total of \$110,000.00 to resolve
26 this litigation.

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1 9. The Court finds and determines that the Individual Settlement Payments to be paid
2 to Settlement Class Members as provided for by the Settlement are fair and reasonable. The Court
3 hereby gives final approval to and orders the payment of those amounts to be made to the
4 Settlement Class Members in accordance with the Settlement.

5 10. From the Settlement Amount, the Court finds and determines that payment of
6 \$10,000.00 in civil penalties under PAGA is fair, reasonable, and appropriate. The Labor and
7 Workforce Development Agency will receive 75% (\$7,500.00), and the remaining 25%
8 (\$2,500.00) will be distributed to Aggrieved Employees (defined as “any individual who is or
9 previously was employed by defendants Habitat for Humanity of Sonoma County and Habitat for
10 Humanity International, in California, working at or reporting to 1201 Piner Road, Santa Rosa,
11 CA 95403, who was classified as a non-exempt employee during the period February 28, 2022 to
12 January 22, 2024 (the “PAGA Period”).”) The Court hereby grants final approval to and orders
13 the payment of the amount in accordance with the Settlement.

14 11. From the Settlement Amount, the Court finds and determines the Class
15 Representative Service Payment of \$7,500.00 to the named Plaintiff is fair and reasonable. The
16 Court hereby grants final approval to and orders the payment of that amount to be paid to the named
17 Plaintiff for her service as a class representative and for her agreement to release claims.

18 12. From the Settlement Amount, the Court finds and determines that the fees and expenses
19 in administering the Settlement incurred by ILYM Group, Inc. (“ILYM”) in the amount of
20 \$6,850.00 are fair and reasonable. The Court hereby grants final approval to and orders the payment
21 of that amount in accordance with the Settlement.

22 13. Pursuant to the terms of the Settlement, and the authorities, evidence, and argument
23 submitted by Class Counsel, the Court hereby awards Class Counsel attorneys’ fees in the amount
24 of \$36,666.66 and litigation costs in the amount of \$11,994.18. The Court hereby grants final
25 approval to and orders the payment of those amounts in accordance with the Settlement.

26 14. Without affecting the finality of this Order or the entry of judgment in any way, this
27 Court retains continuing jurisdiction of all matters relating to the implementation, interpretation,
28 administration, effectuation and enforcement of this order and the Settlement.

1 15. Defendant Habitat for Humanity of Sonoma County (“Defendant”) shall not have any
2 further liability for costs, expenses, interest, attorneys’ fees, or for any other charge, expense, or
3 liability, except as provided for by the Settlement.

4 16. Neither the making of this Settlement nor the entry into the Settlement constitutes an
5 admission by Defendant, nor is this order a finding of the validity of any claims in this case or of
6 any other wrongdoing. Further, the Settlement is not a concession and shall not be used as an
7 admission of any wrongdoing, fault, or omission of any entity or persons, nor may any action taken
8 to carry out the terms of the Settlement be construed as an admission or concession by or against
9 Defendant.

10 17. Upon completion of administration of the Settlement, the Settlement Administrator will
11 provide written certification of such completion to the Court, which shall be filed with the Court
12 seven days before the non-appearance compliance hearing set for **September 10, 2026 at 3:00**
13 **p.m.**

14 18. The Court hereby enters final judgment in accordance with the terms of the Settlement,
15 the Order Granting Plaintiff’s Motion for Preliminary Approval of Class Action Settlement, and
16 this Order.

17 19. The Parties will bear their own costs and attorneys’ fees except as otherwise provided
18 by this Court’s Order awarding Class Counsel’s attorneys’ fees and litigation costs.

19 **IT IS SO ORDERED.**

20
21 Dated: _____

Honorable Kenneth G. English
Judge of the Superior Court