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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO

NOV 5 2024

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Attorneys for Plaintiffs Denise Chiaramonte and Anthony Bishop

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN BERNARDINO

DENISE CHIARAMONTE, on behalf of the
State of California, as a private attorney general,

Plaintiff,

vs.

CRACKER BARREL OLD COUNTRY
STORE, INC., a Tennessee corporation;
CBOCS WEST, INC., a Nevada corporation;
and DOES 1 through 10, inclusive,

Defendants.

Case No. CIVSB2313831

Assigned to the Hon. Joseph T. Ortiz

**[PROPOSED] ORDER APPROVING THE
PARTIES' PAGA SETTLEMENT
AGREEMENT AND JUDGMENT**

Date: November 5, 2024
Time: 9:00 a.m.
Place: Department S17

Complaint Filed: June 16, 2023
Trial Date: None Set

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1 finding of the validity of any allegations or of any wrongdoing by Defendants. Neither this Order and
2 Judgment, the Settlement, nor any document referred to herein, nor any action taken to carry out the
3 Settlement, may be construed as, or may be used as, an admission of any fault, wrongdoing, omission,
4 concession, or liability whatsoever by or against Defendants.

5 8. The Court approves the gross settlement amount of \$1,120,000. After deducting the
6 approved amounts for attorneys' fees and costs, service awards, and settlement administration costs, the
7 net settlement amount of \$694,601.85 will be allocated as follows: Seventy-Five Percent (75%), or
8 approximately \$520,951.39, shall be paid to the California Labor and Workforce Development Agency,
9 and the remaining Twenty-Five Percent (25%), or approximately \$173,650.46, shall be paid to
10 Aggrieved Employees.

11 9. The Court hereby awards a combined total of \$373,333 in attorneys' fees and
12 \$22,065.15 costs to Plaintiffs' Counsel, Capstone Law APC and Blumenthal Nordrehaug Bhowmik De
13 Blouw LLP.

14 10. The Court approves Service Awards of \$10,000, each, to Denise Chiaramonte and
15 Anthony Bishop.

16 11. The Court appoints CPT Group, Inc. to serve as the Settlement Administrator, and
17 approves Settlement Administration Costs of \$10,000.

18 12. Plaintiffs shall file a declaration from the Settlement Administrator regarding the
19 completion of settlement administration activities no later than July 25, 2025.

20 13. This Judgment shall be binding on all Aggrieved Employees and the State of California,
21 who are hereby barred by the doctrine of res judicata from re-litigating the Settled Claims during the
22 Settlement Period, as those terms are defined by the Settlement. *See Arias v. Superior Court*, 46 Cal. 4th
23 969, 986 (2009) (holding that a judgment in a representative action brought by an aggrieved employee
24 under PAGA is binding not only on the named employee plaintiff but also on state labor law
25 enforcement agencies and any aggrieved employee not a party to the proceeding).

26 14. Without affecting the finality of the Order and Judgment, the Court shall retain exclusive
27 and continuing jurisdiction under California Code of Civil Procedure § 664.6, over the above-captioned
28 action and the parties for purposes of enforcing the terms of the Judgment and the Settlement.

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15. This document shall constitute a judgment under California Code of Civil Procedure §
664.6.

IT IS SO ORDERED, ADJUDGED, AND DECREED.

Date Nov. 5, 2024



Hon. Joseph T. Ortiz **JOSEPH T. ORTIZ**
San Bernardino County Superior Court Judge