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as an individual and on behalf of all employees similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

JORGE L. VASQUEZ HERNANDEZ,
individually, and on behalf of all others
similarly situated,

Plaintiff,

vs.

CALIBER AEROSPACE, LLC, a Texas
Limited Liability Company; EMPLOYER
SOLUTIONS STAFFING GROUP II, LLC,
a Minnesota Limited Liability Company;
and DOES 1 through 10, inclusive,

Defendants

Case No.: 23STCV20323

[Assigned for all purposes to Hon. Holly J. Fujie,
Department 56]

**[PROPOSED] JUDGMENT FOLLOWING
ORDER GRANTING FINAL APPROVAL
OF CLASS AND PAGA REPRESENTATIVE
ACTION SETTLEMENT**

Date: November 5, 2024
Time: 8:30 a.m.
Courtroom: Dept. 56
Judge: Hon. Holly J. Fujie

Action Filed: August 24, 2023
Trial Date: Not Set

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

Plaintiff JORGE L. VASQUEZ HERNANDEZ (“Plaintiff”) and Defendants CALIBER AEROSPACE, LLC and EMPLOYER SOLUTIONS STAFFING GROUP II, LLC (“Defendants”) reached terms of settlement for a putative class and PAGA representative action. On or about November 5, 2024, the Court issued an Order granting Plaintiff’s motion for final approval of a proposed class and PAGA representative action settlement of the claims asserted against Defendant in this action (“Final Approval Order”). The settlement is memorialized in the CLASS ACTION AND PAGA REPRESENTATIVE ACTION SETTLEMENT AGREEMENT (*see* Declaration of Lilit Tunyan In Support of Plaintiff’s Motion for Final Approval of Class and PAGA Representative Action Settlement [Tunyan Decl.”], at Exh. 1). The CLASS ACTION AND PAGA REPRESENTATIVE ACTION SETTLEMENT AGREEMENT is referred to herein as the “Settlement.”

The Court’s Final Approval Order is incorporated herein in its entirety. The Court now enters Judgment following the entry of the Final Approval Order. The Judgment set forth herein is intended to be a final disposition of the Action in its entirety and is intended to be immediately appealable.

JUDGMENT

In accordance with and for the reasons stated in the Final Approval Order, Judgment shall be entered whereby the Plaintiff, all Settlement Class Members, and all PAGA Employees shall take nothing from Defendant, except as expressly set forth in the Final Approval Order and the Settlement.

The Class Members are:

All current and former non-exempt employees of Defendant Caliber Aerospace, LLC and all current and former non-exempt employees of Defendant Employer Solutions Staffing Group II, LLC placed at Caliber Aerospace, LLC within the State of California during the Class Period (the “Class Period” is June 20, 2022 through April 11, 2024.)

There were no objections and requests for exclusion submitted by Class Members.

The Court also defines the following “PAGA Employees” impacted by the proposed settlement of PAGA claims:

All current and former non-exempt employees of Defendant Caliber Aerospace, LLC and all current and former non-exempt employees of Defendant Employer Solutions Staffing Group II, LLC placed at Caliber Aerospace, LLC within the State of California during the PAGA Period (the “PAGA Period” is June 20, 2022 through April 11, 2024.)

Class and PAGA Representative Action claims are released, pursuant to the terms of the Settlement, as follows:

Effective on the date when Defendants fully fund the entire Gross Settlement Amount and fund all employer payroll taxes owed on the Wage Portion of the Individual Class Payments, Plaintiff, Class Members who have not submitted a valid and timely Request for Exclusion as to claims other than the PAGA claim, and Class Counsel will release claims against all Released Parties as follows:

Release by Participating Class Members Who Are Not Aggrieved Employees: All Participating Class Members, on behalf of themselves and their respective former and present representatives, agents, attorneys, heirs, administrators, successors, and assigns, release Released Parties from all claims that were alleged, or reasonably could have been alleged, based on the Class Period facts stated in the Operative Complaint. Except as set forth in Section 5.3 of Agreement, Participating Class Members do not release any other claims, including claims for vested benefits, wrongful termination, violation of the Fair Employment and Housing Act, unemployment insurance, disability, social security, workers' compensation, or claims based on facts occurring outside the Class Period.

Release by Non-Participating Class Members Who Are Aggrieved Employees: All Non-Participating Class Members who are Aggrieved Employees are deemed to release, on behalf of themselves and their respective former and present representatives, agents, attorneys, heirs, administrators, successors, and assigns, the Released Parties from all claims for PAGA penalties that were alleged, or reasonably could have been alleged, based on the PAGA Period facts stated in the Operative Complaint and the PAGA Notice.

"Released Parties" means: Defendants and each of their former and present directors, officers, shareholders, owners, agents, employees, attorneys, insurers, predecessors, successors, assigns.

Distributions pursuant to the Settlement shall issue in the amounts authorized in the Final Approval Order, according to the deadlines specified in the Settlement.

Pursuant to California Code of Civil Procedure Section 664.6 and Rule 3.769(h) of the California Rules of Court, this Court reserves exclusive and continuing jurisdiction over this action, the Plaintiff, Settlement Class Members, and Defendant, for the purposes of:

- (a) supervising the implementation, enforcement, construction, and interpretation of the Settlement, the Preliminary Approval Order, the plan of allocation, the Final Approval Order, and the Judgment; and
- (b) supervising distribution of amounts paid under this Settlement.

IT IS SO ORDERED.

Dated: _____

Hon. Holly J. Fujie
LOS ANGELES COUNTY SUPERIOR COURT JUDGE

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA)
3) ss
4 COUNTY OF LOS ANGELES)

5 I am employed in the county of Los Angeles, State of California. I am over the age of 18
6 and not a party to the within action; my business address is 535 N Brand Blvd. Suite 285
7 Glendale, California 91203.

8 On the date indicated below, I served the document described as: **PROPOSED] JUDGMENT**
9 **FOLLOWING ORDER GRANTING FINAL APPROVAL OF CLASS AND PAGA**
10 **REPRESENTATIVE ACTION SETTLEMENT** on the interested parties in this action by
11 sending a true copy thereof to interested parties as follows and as stated on the attached service
12 list:

13 John R. Carrigan, Jr.
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15 Sarah Fan
16 HFan@cozen.com

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Attorneys for Defendant EMPLOYER SOLUTIONS STAFFING GROUP II, LLC

21 [✓] **BY ELECTRONIC SERVICE:** Based on an agreement of the parties to accept electronic service,
22 I caused the documents to be sent to the persons at the electronic service addresses listed above
23 via electronic mail. I did not receive an error message.

24 [✓] **BY E-MAIL:** I hereby certify that this document was served from Glendale, California,
25 by e-mail delivery on the parties listed herein at their most recent known e-mail address
26 or e-mail of record in this action.

27 I declare under penalty of perjury under the laws of the State of California that the
28 above is true and correct. Executed on October 10, 2024 at Glendale, California.

Lilit Tunyan

Name



Signature