

FILED

OCT 10 2024

CLERK OF THE SUPERIOR COURT
COUNTY OF STANISLAUS

BY

DEPUTY

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF STANISLAUS**

BRETT KELLY on behalf of himself, all
others similarly situated, and on behalf of
the general public,

Plaintiffs,

v.

CONRAD WOOD PRESERVING CO.
dba CONRAD FOREST PRODUCTS; and
DOES 1-100,

Defendants.

Case No. CV-23-003516

[Consolidated with Case No. CV-23-004867]

**~~PROPOSED~~ ORDER GRANTING
PLAINTIFF'S MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT, ATTORNEYS' FEES,
COSTS, CLASS REPRESENTATIVE
ENHANCEMENT PAYMENT, AND
ENTERING OF FINAL JUDGMENT**

Date: October 10, 2024

Time: 8:30 a.m.

Dept.: 24

1 5. The Court has certified a Class, as that term is defined in and by the terms of the
2 Settlement Agreement, and the Court deems this definition sufficient for purposes of California
3 Rule of Court 3.765(a).

4 6. The Court hereby approves the terms set forth in the Settlement Agreement and
5 finds that the Settlement is, in all respects, fair, adequate, and reasonable, and directs the Parties
6 to effectuate the Settlement according to its terms. The Court finds that the Settlement was reached
7 as a result of informed and non-collusive arm's-length negotiations facilitated by a neutral
8 mediator. The Court further finds that the Parties conducted extensive investigation, research, and
9 discovery and that their attorneys were able to reasonably evaluate their respective positions. The
10 Court also finds that Settlement will enable the Parties to avoid additional and potentially
11 substantial litigation costs, as well as delay and risks if the Parties were to continue to litigate the
12 case. The Court has reviewed the monetary recovery provided as part of the Settlement and
13 recognizes the significant value accorded to the Class.

14 7. The Court hereby confirms David Mara and Matthew Crawford of Mara Law Firm,
15 PC as Class Counsel in this action.

16 8. The Court hereby confirms the Plaintiff Brett Kelly as the Class Representative in
17 this action.

18 9. The Court finds and determines that the Individual Settlement Amounts provided
19 for by the terms of the Settlement to be paid to the Class are fair and reasonable. The Court hereby
20 gives final approval to and orders the payment of those amounts be made to the participating
21 members of the Class in accordance with the terms of the Settlement.

22 10. The Court finds and determines that payment to the California Labor and
23 Workforce Development Agency of \$37,500 as its share of the settlement of civil penalties in this
24 case is fair, reasonable, and appropriate. The Court hereby gives final approval to and orders that
25 the payment of that amount be paid in accordance with the Settlement.

26 11. The Court finds and determines the Class Representative Enhancement Payment in
27 the sum of \$15,000 to Plaintiff Brett Kelly to be fair and reasonable. The Court hereby orders the
28

19. The Parties shall bear their own costs and attorneys' fees except as otherwise provided for by the Settlement Agreement and this Court's Order Granting Final Approval.

20. Without affecting the finality of this Order in any way, the Court retains jurisdiction of all matters relating to the interpretation, administration, implementation, effectuation and enforcement of this order and the Settlement.

JUDGMENT

21. This document shall constitute a judgment for purposes of California Rules of Court, Rule 3.769(h). In accordance with, and for the reasons stated in this Order, judgment shall be entered within the meaning and for purposes of Code of Civil Procedure sections 577, 904.1(a), and Rules 3.769, and 8.104 of the California Rules of Court whereby named Plaintiff/Class Representative and all Class Members shall take nothing from Defendant except as expressly set forth in the Settlement Agreement, in conjunction with Plaintiff's Motion for Preliminary Approval of the Class Action Settlement. The Court pursuant to California Rule of Court 3.769(h) shall retain jurisdiction over the parties to enforce the terms of the judgment.

Date:

10/10/27

By:

Honorable Sonny S. Sandhu
Judge of the Superior Court