

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

JUN 05 2025

E. Escobedo

SM2

JUN 05 2025

MATTHEW GUTIERREZ, SBN 271206
mg@lawyersforlegal.com
AMBER B. DERHAM, SBN 255853
abd@lawyersforlegal.com
LAWYERS FOR LEGAL RIGHTS LLP
6077 Coffee Rd., Ste 4
Bakersfield, CA 93308
Telephone: (323) 676-6676
E-service: service@lawyersforlegal.com
Attorneys for Plaintiff, HUGO VAZQUEZ,
individually and as a proxy for the State of California

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF RIVERSIDE
[UNLIMITED CIVIL]

HUGO VAZQUEZ, an individual, and as a
proxy for the State of California,

Plaintiff,

vs.

THE J.N. LEWIS GROUP, INC, a
corporation; PALM SPRINGS SUNRISE
PALMS HOMEOWNERS ASSOCIATION, a
corporation; and DOES 1 through 5, inclusive,

Defendants.

Case No.: CVPS2304090

*Assigned for All Purposes to the Hon. Judge
Harold W. Hopp in Dept. 1*

**[PROPOSED] ORDER APPROVING
PAGA SETTLEMENT**

Date: June 5, 2025

Time: 8:30 A.M.

Loc.: Dept. 1

Complaint Filed: August 23, 2023

Trial Date: None Set

RES ID: 528173563212

The Court has read and considered the motion of Plaintiff HUGO VAZQUEZ ("Plaintiff") for approval of the Riverside County Case No. CVPS2304090 PAGA Settlement Agreement and PAGA Release between Plaintiff and Defendants THE J.N. LEWIS GROUP, INC., PALM SPRINGS SUNRISE PALMS HOMEOWNERS ASSOCIATION, and JAMES N. LEWIS ("Defendants") ("PAGA Settlement Agreement"), of the California Labor Code Private Attorneys General Act of 2004 ("PAGA") cause of action ("PAGA Action"). The motion for approval of the parties' PAGA settlement

1 is GRANTED. The Court finds the settlement is “fair, reasonable, and adequate in view of PAGA’s
2 purposes to remediate present labor law violations, deter future ones, and to maximize enforcement of
3 state labor laws.” *Moniz v. Adecco USA, Inc.*, 72 Cal.App.5th 56, 72 (2021).

4 Defendants shall pay \$5,000 as the PAGA Settlement Amount (“PSA”) in settlement of the
5 PAGA Action. The relevant settlement period for the PAGA claims is from August 22, 2022, through
6 May 13, 2025 (“PAGA Period”). The group of allegedly aggrieved employees affected by the PAGA
7 Settlement Agreement are twenty-seven (27) non-exempt former employees of Defendants who
8 performed work during the PAGA Period (“Aggrieved Employees”). This settlement does not affect the
9 right of Aggrieved Employees to seek to recover lost wages. This settlement only affects the civil
10 penalties under PAGA.

11 Settlement payments shall be distributed by Phoenix Settlement Administrators
12 (“Administrator”). The Court orders the following distributions from the PSA:

- 13 1. Administration costs in the amount of \$2,225.00 to the Administrator.
- 14 2. The “Net Settlement Amount” is the balance after deducting the sums from paragraph 1
15 above. The Net Settlement Amount is to be paid to the LWDA and to the Aggrieved
16 Employees at the same time.
 - 17 a. The Administrator shall pay 75% of the Net Settlement Amount to the California Labor
18 and Workforce Development Agency pursuant to Labor Code section 2699(i).
 - 19 b. The Administrator shall pay 25% of the Net Settlement Amount to the Aggrieved
20 Employees, calculated pro rata according to the number of pay periods the Aggrieved
21 Employee worked during the PAGA Period. The Settlement Administrator will report the
22 individual PAGA payments on IRS 1099 Forms.
- 23 3. For any Aggrieved Employee whose individual PAGA settlement check is uncashed and
24 canceled after the 180 days void date, the Administrator shall transmit the funds represented
25 by such checks to the California Controller’s Unclaimed Property Fund in the name of the
26 Aggrieved Employee.
- 27 4. The Court also approves the current form of the notice as provided in Exhibit K to the March
28 10, 2025. declaration of Matthew Gutierrez. The Administrator shall send the PAGA

1 settlement checks to the Aggrieved Employees with the current form of the notice.

Final Report (Nonappearance) hearing

- 2 5. The Court sets a ~~status conference~~ on **February 4, 2026**, at 8:30 a.m. to review the
3 administrator's report of distribution of funds and disposition of funds from the uncashed
4 checks. The administrator shall file a declaration five days prior to the status conference.

5 **IT IS SO ORDERED.**

6
7 Dated: May 5, 2025 Harold W. Hopp

Hon. Judge Harold W. Hopp
Judge of the Superior Court of the State of California