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10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
FOR THE COUNTY OF PLACER

11 VICTOR M. CAMACHO MERINO, an
12 individual, on behalf of himself and the State of
13 California, as a private attorney general,

14 Plaintiff,

15 v.
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17 CENTRAL VALLEY ENGINEERING &
18 ASPHALT, INC., a California corporation; and
DOES 1 TO 50,

19 Defendants.
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Case Number: S-CV-0051278

**[Proposed] Order Granting Approval of
PAGA Settlement and Entering Judgment**

*Filed concurrently with Notice of Motion and
Motion for Approval of PAGA Settlement;
Declaration of Jonathan Melmed, Esq.; and
Declaration of Victor M. Camacho Merino]*

Date: April 24, 2025
Time: 8:30 am
Dept.: 3
Judge: Hon. Michael Jones

Complaint Filed: September 20, 2023
FAC Filed: July 15, 2024

[PROPOSED] ORDER AND JUDGMENT

This matter came before the Court on April 24, 2024, at 8:30 a.m., in Department 3 of the above-captioned Court on Plaintiff Victor M. Camacho Merino's ("Plaintiff's") motion for approval of a settlement agreement pursuant to the California Labor Code Private Attorneys General Act ("PAGA") (the "Settlement").

Having received and considered the Settlement Agreement, the supporting papers filed by Plaintiff, and the evidence and argument received by the Court, the Court grants approval of the PAGA Settlement and HEREBY ORDERS AND MAKES THE FOLLOWING DETERMINATIONS:

1. Except as otherwise defined in this Order and Judgment ("Order"), all capitalized terms have the same meaning as defined in the Settlement Agreement that is attached as Exhibit 1 to this Order.

2. The California Labor Workforce and Development Agency ("LWDA") has been provided notice of the Settlement in accordance with PAGA, California Labor Code § 2699(1)(2), (1)(4). In particular, on the date Plaintiff filed the motion seeking approval of the Settlement with the Court, Plaintiff submitted to the LWDA a notice of the Settlement enclosing a copy of the Settlement Agreement. Plaintiff's notice of the Settlement to the LWDA complied with the notice requirements of PAGA.

3. The Court confirms approval of the Settlement as to the Aggrieved Employees and the State of California.

4. The Court has jurisdiction over the subject matter of this litigation, over all Aggrieved Employees, and over those persons undertaking affirmative obligations under the Settlement.

5. The Settlement is approved under Labor Code § 2699(1)(2).

6. The Court finds that each Aggrieved Employee, in accordance with the Settlement, releases all Released Claims against the Released Parties.

7. The Gross Settlement Amount, Net Settlement Fund and the methodology used to calculate the LWDA Payment and PAGA Aggrieved Employee Payment (which is comprised of the Individual PAGA Payments), in accordance with the Settlement is approved.

8. The Court approves Apex Class Action Administration to act as the Settlement

1 Administrator. The Court awards the Settlement Administrator in this Action its actual fees and costs
2 in accordance with the terms of the Settlement Agreement of \$4,000.00.

3 9. The Court approves Jonathan Melmed, Laura M. Supanich, and Trishta Dordi of
4 Melmed Law Group P.C. as PAGA Counsel.

5 10. The Court awards PAGA Counsel attorneys' fees in the amount of \$91,666.67 and
6 actual litigation costs of \$12,029.27, both of which the Court finds to be fair and reasonable. The Court
7 authorizes the Settlement Administrator to make these payments, in accordance with the terms of the
8 Settlement Agreement.

9 11. The Court authorizes the Settlement Administrator to calculate the Net Settlement
10 Amount, inclusive of the LWDA Payment and Employee Payment, in accordance with the terms of the
11 Settlement Agreement.

12 12. The Court finds that the LWDA Payment of \$119,853.04 as its share of the settlement
13 of civil penalties is fair and reasonable. The Court authorizes the Settlement Administrator to pay the
14 LWDA Payment, in accordance with the terms of the Settlement Agreement as modified by the
15 Approval Order.

16 13. The Court finds that the Employee Payment of \$39,951.02 as the Aggrieved Employees'
17 share of the settlement of civil penalties is fair and reasonable. The Court authorizes the Settlement
18 Administrator to pay the Employee Payment, in accordance with the terms of the Settlement
19 Agreement.

20 14. The Court finds the Representative Plaintiff's Enhancement Award in the sum of
21 \$7,500.00 to the Representative Plaintiff is fair and reasonable. The Court authorizes the Settlement
22 Administrator to pay the Representative Plaintiff's Enhancement Award, in accordance with the terms
23 of the Settlement Agreement.

24 15. Checks for Individual PAGA Payments sent to Aggrieved Employees shall be valid for
25 180 days after issuance. Funds remaining from any checks for Individual PAGA Payments uncashed
26 after 180 days will be dispersed to State of California Unclaimed Wage or Property Fund, in accordance
27 with the terms of the Settlement Agreement.

28 16. Upon completion of the Settlement, the Settlement Administrator will provide written

1 certification of the completion to the Court and counsel for the Parties which shall be filed with the
2 Court on or before _____.

3 17. Without affecting the finality of this order and entry of judgment, the Court retains
4 exclusive and continuing jurisdiction over this Action for purposes of supervising, administering,
5 implementing, and enforcement of this Order and the Settlement.

6 18. Nothing in this Order or the Settlement shall be construed as an admission or concession
7 by any party. The Settlement and this resulting Order and entry of judgment simply represent a
8 compromise of disputed allegations.

9 19. The Court enters final judgment in accordance with the terms of the Settlement
10 Agreement and this Order.

11 20. Plaintiff is directed to submit a copy of this Order and entry of judgment to the LWDA
12 within 10 days of the date of this Order and entry of judgment.

13 **IT IS SO ORDERED:**

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15 DATED: _____

16 Hon. Michael Jones
17 Judge of the Superior Court, Placer
18 County
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