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ERIN NAYMARK

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

ERIN NAYMARK, an individual,

Plaintiff,

vs.

TUTORED BY TEACHERS, INC., a Delaware
Corporation; and DOES 1 through 100,
inclusive,

Defendants.

Case No.: 23SMCV04750

Assigned to: Hon. Michael E. Whitaker (Dept.
207)

[PROPOSED] ORDER GRANTING
MOTION FOR APPROVAL OF PAGA
SETTLEMENT AND ENTERING
JUDGMENT THEREON

Date: July 17, 2024

Time: 8:30 a.m.

Location: Beverly Hills Courthouse –
Dept. 207

Reservation ID: 973134396193

This matter came before the Court on July 17, 2024, at 8:30 a.m. before the Honorable Michael E. Whitaker in Department 207 of the Los Angeles County Superior Court – Beverly Hills Courthouse, located at 9355 Burton Way, Beverly Hills, CA 90210 for hearing on Plaintiff Erin Naymark’s Motion for Approval of PAGA Settlement and Judgment Thereon (the “Motion”). Having received and considered the Joint Stipulation Re PAGA Settlement (the “Settlement Agreement”), the supporting papers filed by the Parties, and the evidence and argument received by the Court in conjunction with the Motion, the Court grants the Motion and HEREBY ORDERS, MAKES THE FOLLOWING DETERMINATIONS, AND ENTERS **JUDGMENT** AS FOLLOWS:

1. Plaintiff’s Motion is GRANTED;
2. The Court hereby GRANTS approval, pursuant to Labor Code section 2699(1)(2), of the Settlement Agreement, including, but not limited to, the Gross Settlement Amount, the Individual PAGA Payments, the LWDA PAGA Payment, the Representative Release Payment, the PAGA Counsel Fees Payment, the PAGA Counsel Litigation Expenses Payment, the Lien Satisfaction Payment, and the Administrator’s Expense Payment;
3. The Court APPROVES the proposed Notice of PAGA Settlement (“Notice”);
4. The Court APPROVES and APPOINTS Phoenix Class Action Administration Solutions as the Settlement Administrator;
5. The Court hereby enters final judgment in this case in accordance with the terms of the Settlement and this Order.
6. Without affecting the finality of this Order in any way, the Court retains jurisdiction, pursuant to the Settlement and Code of Civil Procedure section 664.6, of all matters relating to the interpretation, administration, implementation, effectuation, and enforcement of this order and the Settlement.

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7. The Court sets a non-appearance case review regarding the distribution of the settlement proceeds for _____, 2024 at _____ a.m./p.m. The Administrator shall file a declaration re the same at least five (5) court days before the review hearing.

IT IS SO ORDERED, ADJUDGED, AND DECREED.

Dated: _____

Hon. Michael E. Whitaker
Judge of the Superior Court