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Clerk of the Superior Court
By T. Automation , Deputy Clerk

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*Attorneys for Plaintiffs Eileen Seffron and
Juan Cabrera*

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO**

EILEEN SEFFRON and JUAN CABRERA, on
behalf of others similarly situated and the State
of California under the Private Attorneys
General Act,

Plaintiffs,

v.

SIR FITNESS HOLDINGS LLC and DOES 1
through 50, inclusive,

Defendants.

Case No. 37-2023-00040619-CU-OE-CTL

*Hon. Evan P. Kirvin
Dept. 69*

CLASS ACTION

**NOTICE OF ENTRY OF ORDER GRANTING
FINAL APPROVAL OF CLASS ACTION
SETTLEMENT AND ATTORNEYS' FEES
AND COSTS AND ENTERING JUDGMENT**

Action Filed: September 19, 2023

1 TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD, PLEASE
2 TAKE NOTICE THAT:

- 3 1. On July 2, 2026, at 9:00 a.m. in this Department, the Court entered the Order Granting Final
4 Approval of Class Action Settlement and Attorneys' Fees and Costs and Entering Judgment
5 attached hereto as Exhibit 1.
- 6 2. The Judge confirmed the Court's Tentative Ruling attached hereto as Exhibit 2.
- 7 3. A conformed copy of this Notice will be submitted to the LWDA via its online electronic portal
8 in accordance with Labor Code § 2699(s)(3).
- 9 4. Notice of the Court's final ruling and entry of judgment is hereby provided.

10
11 Respectfully submitted,

12
13 Dated: July 15, 2026

Ferraro Vega Employment Lawyers, Inc.

14
15 

Nicholas J. Ferraro

Lauren N. Vega

Conor J.D. Gómez

Attorneys for Plaintiffs Eileen Seffron and

Juan Cabrera

EXHIBIT 1

FILED
Clerk of the Superior Court

JUL - 8 2026

By: D. Tanner, Deputy

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO**

EILEEN SEFFRON and JUAN CABRERA,
on behalf of others similarly situated and the
State of California under the Private
Attorneys General Act,

Plaintiffs,

v.

SIR FITNESS HOLDINGS LLC and DOES
1 through 50, inclusive,

Defendants.

Case No. 37-2023-00040619-CU-OE-CTL

Hon. Evan P. Kirvin
Dept. 69

CLASS ACTION

**[PROPOSED] ORDER GRANTING FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT AND ATTORNEYS' FEES
AND COSTS AND ENTERING JUDGMENT**

Motion for Final Approval/Attorneys' Fees:

Date: July 2, 2026
Time: 9:00 a.m.

[Filed concurrently with Plaintiffs' Notice of
Unopposed Motion and Motion for Final
Approval of Class Action Settlement, Plaintiffs'
Memorandum of Points and Authorities,
Declaration of Nicholas J. Ferraro, Declaration
of Laura Singh, Declaration of Plaintiff
Eileen Seffron, and Declaration of Plaintiff Juan
Cabrera]

Action Filed: September 19, 2023

1 This matter came on for hearing on July 2, 2026, at 9:00 a.m. in Department 69 of the above-
2 captioned Court, the Honorable Evan P. Kirvin presiding, on (1) Plaintiffs' Motion for Final Approval
3 of Class Action Settlement and (2) Plaintiffs' Motion for Attorneys' Fees and Costs.

4 Having received and considered the motions and supporting papers, including the Class Action
5 and PAGA Settlement Agreement and Class Notice ("Settlement"), the evidence and documents
6 received by the Court in connection with the Motions for Final Approval and Attorneys' Fees and
7 Costs, and the previously decided Motion for Preliminary Approval, the Court GRANTS FINAL
8 APPROVAL of the Settlement and ORDERS AND MAKES THE FOLLOWING
9 DETERMINATIONS:

10 1. Pursuant to the terms of the Settlement and the Order Granting Preliminary Approval,
11 and the Settlement, a notice was sent to each class member by first-class U.S. mail. The notice
12 informed the class of the terms of the Settlement, their right to receive a settlement payment without
13 any required action, their right to comment upon or object to the Settlement, and their right to appear
14 in person or by counsel at the Final Approval Hearing and to be heard regarding approval of the
15 Settlement. Adequate periods of time were provided for each of these procedures.

16 2. Zero class members returned a written objection to the proposed Settlement as part of
17 the notice process or stated an intention to appear at the Final Approval Hearing and there were no
18 dissenting appearances from class members at the hearing. Five class members requested exclusion
19 from the Settlement: Devan Alatorre, Mary C. Broschious, Barbara A Fluetsch, Barbara Greenstein,
20 and Yolanda Mensik. These "opt outs" are affirmatively excluded from the class settlement.

21 3. The Court finds and determines the notice procedure afforded adequate protections to
22 the class and provides the basis for the Court's informed decision regarding approval of the Settlement
23 based on the response. The Court finds and determines the notice provided was the best notice
24 practicable, satisfying the requirements of law and due process.

25 4. For purposes of approving this Settlement only, this Court finds and concludes: (a) the
26 proposed class is ascertainable and so numerous that joinder of all members of the class is
27 impracticable; (b) there are questions of law or fact common to the proposed class, and there is a well-
28 defined community of interest among members of the class with respect to the subject matter of the

1 claims; (c) the claims of the representatives are typical of the claims of the class; (d) the class
2 representatives have and will fairly and adequately protect the interests of the class; (e) a class action
3 is superior to other available methods for an efficient adjudication of this controversy in the context of
4 settlement; and (f) the law firm of Ferraro Vega Employment Lawyers, Inc. is qualified and adequate
5 to serve as Class Counsel in this action.

6 5. The Court confirms certification, for settlement purposes only, of the class as defined in
7 the Settlement and approved at the preliminary approval stage.

8 6. The Court finds and determines the terms set forth in the Settlement are fair, reasonable,
9 and adequate and, having found the Settlement was reached as a result of informed and non-collusive
10 arms'-length negotiations facilitated by a neutral and experienced mediator, directs the Parties to
11 effectuate the Settlement according to its terms. The Court further finds the Parties conducted
12 extensive investigation, research, and informal discovery, and that their attorneys were able to
13 reasonably evaluate their respective positions. The Court also finds that Settlement will enable the
14 Parties to avoid additional and potentially substantial litigation costs, as well as delay and risks if the
15 Parties were to continue to litigate the case. The Court has reviewed the monetary recovery and
16 recognizes the significant value provided to the Class. Therefore, the Court approves the Settlement
17 and incorporates the terms of the Settlement in full into this Final Approval Order as though fully set
18 forth herein.

19 7. The Court finds and determines the fees and expenses in administering the Settlement
20 incurred by the Settlement Administrator of \$16,000 are fair and reasonable. The Court orders these
21 administration costs be paid in accordance with the terms of the Settlement.

22 8. The Court finds and determines the Service Award totaling \$20,000 (\$10,000 to Plaintiff
23 Seffron and \$10,000 to Plaintiff Cabrera) to Plaintiffs as fair and reasonable. The Court orders the
24 service awards be paid in accordance with the terms of the Settlement.

25 9. The Court finds and determines payment to the California Labor and Workforce
26 Development Agency of \$15,000, as its 75% share of the civil penalties under the Private Attorneys
27 General Act is fair, reasonable, and appropriate. The Court orders that amount be paid in accordance
28

1 with the terms of the Settlement and approves the settlement of claims under the Private Attorneys
2 General Act pursuant to Labor Code § 2699(s)(2).

3 10. The Court finds and determines that the Net Settlement Amount to be paid to the
4 participating class members is \$430,695.07. The Court orders the Net Settlement Amount be paid in
5 accordance with the terms of the Settlement.

6 11. Pursuant to the terms of the Settlement and the statutory provisions authorizing
7 attorneys' fees under the California Labor Code and Code of Civil Procedure, as set forth in the Motion
8 for Attorneys' Fees, the Court awards Class Counsel attorneys' fees of \$249,975 and litigation costs
9 of \$18,329.93. Class Counsel has sufficiently explained the basis for the fee award based on a
10 percentage of the fund. The Court finds such amounts to be fair and reasonable. The Court orders the
11 Settlement Administrator to make these payments in accordance with the Settlement.

12 12. Without affecting the finality of this Order or the entry of judgment in any way, the
13 Court retains jurisdiction of all matters relating to the interpretation, administration, implementation,
14 and enforcement of this Order and the Settlement.

15 13. Nothing in this Order shall preclude any action to enforce the Parties' obligations under
16 the Settlement or under this Order, including the requirement that Defendants make payments to Class
17 Members in accordance with the Settlement.

18 14. The Court hereby ENTERS FINAL JUDGMENT in accordance with the terms of the
19 Settlement, in accordance with this Final Approval Order and Judgment.

20 15. The Parties shall comply with Cal. Rules of Court Rule 3.771(b), by filing a Notice of
21 Entry of Judgment with the Court.

22
23 **IT IS SO ORDERED.**

24
25 Date: 7-08-20

26 
The Honorable Evan P. Kirvin
Judge of the Superior Court

EXHIBIT 2

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN DIEGO
CENTRAL COURTHOUSE
TENTATIVE RULING**

HEARING DATE: 7/2/2026

JUDICIAL OFFICER: EVAN P. KIRVIN

CASE NO.: 37-2023-00040619-CU-OE-CTL

CASE TITLE: Seffron vs SIR Fitness Holdings LLC [E-FILE]

Plaintiffs Eileen Seffron and Juan Cabrera ("Plaintiffs")' unopposed Motion for Final Approval of Class Action Settlement is GRANTED.

Plaintiffs' unopposed Motion for Attorneys' Fees and Costs is GRANTED.

In its prior order the Court granted preliminary approval of the parties' settlement agreement based on the find that the monetary terms of the settlement, scope of release, and notice plan were reasonable.

There have been no significant changes to alter the Court's preliminary opinion. The administrator has fulfilled its notice obligations to the Class, there have been no objections and only five out of 1,151 Class Members have requested exclusion.

Counsel's requested fees and costs are reasonable considering that they work on a contingency basis, as are Plaintiffs' requested individual service awards.

Therefore, Plaintiffs' motions are GRANTED. The Court will sign the proposed order.

A settlement compliance hearing is scheduled for January 8, 2027, at 9:00 a.m.