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9 and the Aggrieved Employees

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **COUNTY OF ALAMEDA**

12 ANGIE PHAN and CASSANDRA
13 KAVATHAS, in their representative capacity,
14 on behalf of the State of California, the general
15 public and all aggrieved employees of
16 Defendants,

17 Plaintiffs,

18 v.

19 TFC PARTNERS, INC., d/b/a NFC AMENITY
20 MANAGEMENT, a California corporation, and
21 DOES 1 THROUGH 50, inclusive,

22 Defendants.

Case No.: 23CV056741

[Assigned for All Purposes to Hon. Peter Borkon;
Dept. 15]

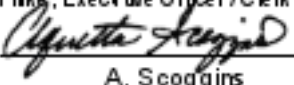
REPRESENTATIVE ACTION

**AMENDED [~~PROPOSED~~] ORDER
GRANTING PLAINTIFFS' UNOPPOSED
MOTION FOR APPROVAL OF PAGA
ACTION SETTLEMENT**

Date: October 23, 2025
Time: 2:30 p.m.
Judge: Hon. Peter Borkon
Dept.: 15

RES ID: 146576949773

Complaint Filed: December 15, 2023
Trial Date: October 13, 2025

FILED
Superior Court of California
County of Alameda
10/29/2025
Clad Flike, Executive Officer / Clerk of the Court
By:  Deputy
A. Scoggins

1 Plaintiffs Angie Phan and Cassandra Kavathas (“Plaintiffs”) Unopposed Motion for Approval of
2 PAGA Action Settlement came before this Court on October 23, 2025 at 2:30 p.m. in Department 15 of
3 the Superior Court for the County of Alameda, located at 1225 Fallon Street Oakland, California 94512.
4 The Court, having reviewed and considered the Private Attorneys General Act Settlement Agreement and
5 Release (“Settlement Agreement”), Plaintiffs’ Motion for Approval of PAGA Action Settlement, all
6 papers filed in support thereof, and the oral argument presented, HEREBY ORDERS, ADJUDGES, AND
7 DECREES THE FOLLOWING:

8 1. In accordance with California Labor Code § 2699(1)(2), the Court has reviewed the
9 Agreement. The Court APPROVES the Settlement as set forth in the Agreement and the Gross Settlement
10 Amount of \$257,163.00 and finds that the allocation of civil penalties for the claims under PAGA is fair,
11 reasonable, and appropriate.

12 2. The LWDA was provided with notice of the Settlement on September 19, 2025 and no
13 objection has been received to the Settlement from the LWDA.

14 3. The Settlement covers Plaintiffs and all “Aggrieved Employees,” defined as “current and
15 former non-exempt employees who worked as front desk and concierge employees for NFC in California
16 during the PAGA Period.” The PAGA Period is defined as the period from October 11, 2022, to (1) the
17 Court’s approval of the Settlement, or (2) the date on which they pay periods are no more than 12,299, or
18 (3) July 1, 2025, whichever date is later.

19 4. The Court ORDERS the Gross Settlement Amount be divided 75% or \$192,872.25 to the
20 LWDA as the LWDA PAGA Payment, less PAGA Counsel’s Fees, PAGA Litigation Expenses Payment,
21 and Administration Expenses payment, and 25% or \$64,290.75 be paid to the Aggrieved Employees, in
22 the manner outlined in the Settlement Agreement.

23 5. The Court ORDERS that PAGA Counsel’s Fees Payment, PAGA Litigation Expenses
24 Payment, and Administration Expenses Payment be deducted from the LWDA PAGA Payment, in
25 accordance with the terms of the Settlement Agreement. The amounts, respectively, to be deducted from
26 the LWDA PAGA Payment are as follows:

27 a. **PAGA Counsel’s fees:** \$85,721.00;

28 b. **PAGA Litigation Expenses:** \$12,809.30; and

1 c. **Apex Administration Expenses: \$6,000.00;**

2 6. The Court finds that the PAGA Penalties totaling \$88,341.95 after deduction of PAGA
3 Counsel's Fees Payment, PAGA Litigation Expenses Payment, and Administration Expenses Payment,
4 are adequate, fair and reasonable.

5 7. Plaintiffs are ORDERED to submit this Order and Judgment to the LWDA within 10
6 calendar days of entry of this Order and Judgment.

7 8. Apex Class Action, LLC shall be appointed as settlement administrator and shall
8 administer the settlement in accordance with the Settlement Agreement and this Order and Judgment.

9 9. The Court finds that the costs of the administration of the settlement are reasonable. The
10 Court awards and therefore ORDERS that the Settlement Administrator issue to Apex Class Action, LLC
11 administration costs in the amount of \$6,000.00 for services performed and the costs incurred in
12 connection with administration of the Settlement within the timeframe prescribed by the Settlement
13 Agreement.

14 10. The Court finds that PAGA Counsel's request for attorneys' fees in the amount of
15 \$85,721.00, or 1/3 of the Gross Settlement Amount, falls within the range of reasonableness and the result
16 achieved justifies the award sought. The Court awards and therefore ORDERS that the Settlement
17 Administrator issue attorneys' fees in the amount of \$85,721.00 to ARCH Legal, P.C within the timeframe
18 prescribed by the Settlement Agreement.

19 11. The Court ORDERS that 10% of the fee award (\$8,572) shall be kept in the Settlement
20 Administrator's trust fund until the completion of the distribution process and Court approval of the final
21 accounting. The Administrator shall not release these funds to counsel until the Court determines that
22 these conditions have been met.

23 12. The Court also finds that PAGA Counsel's request for actual litigation costs incurred in
24 the amount of \$12,809.30 falls within the range of reasonableness and the result achieved justifies the
25 award sought. The Court awards and thus ORDERS that the Settlement Administrator issue payment for
26 litigation costs incurred in the amount of \$12,809.30 to ARCH Legal, P.C. within the timeframe prescribed
27 by the Settlement Agreement.

28 13. As of the Effective Date, all Aggrieved Employees and PAGA Counsel will release all

1 claims for Civil Penalties pursuant to Labor Code section 2698 *et seq.* that were, or reasonably could have
2 been, alleged based on the facts contained in the Operative Complaint and the PAGA Notice, including
3 claims for PAGA penalties arising out of or based on: (1) Failed to provide legally compliant meal periods,
4 or premium pay in lieu thereof; (2) Failed to provide legally compliant rest periods, or premium pay in
5 lieu thereof; (3) Failed to pay minimum and regular time wages for all hours worked; (4) Failed to pay all
6 overtime wages, (5) Failed to indemnify business expenses; (6) Failed to maintain accurate records; (7)
7 Failed to furnish accurate itemized wage statements; (8) Failed to timely pay all wages due upon separation
8 of employment; and (9) Failed to produce employment records for inspection.

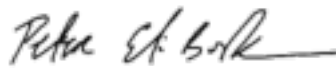
9 14. The Released PAGA Claims shall cover the period of October 11, 2022, to July 1, 2025.
10 Upon the Effective Date, Plaintiffs and the Aggrieved Employees will be forever barred from pursuing
11 the Released PAGA Claims against the Released Parties.

12 15. The Court sets a compliance hearing for June 23, 2026, at 2:30 p.m. in Department 15.
13 Plaintiff's counsel shall file a declaration by June 9, 2026, addressing whether all funds have been
14 distributed pursuant to the terms of the Settlement Agreement.

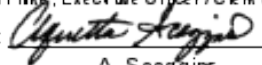
15 16. Final Judgment in this Action is entered in conformity herewith, along with the Settlement
16 Agreement.

17 **IT IS SO ORDERED, ADJUDGED, AND DECREED. FINAL JUDGMENT IS HEREBY**
18 **ENTERED.**

19
20 Dated: 10/29/2025



21 Hon. Peter Borkon
22 JUDGE OF THE SUPERIOR COURT
23 **Peter Borkon / Judge**
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SUPERIOR COURT OF CALIFORNIA COUNTY OF ALAMEDA	Reserved for Clerk's File Stamp
COURTHOUSE ADDRESS: Rene C. Davidson Courthouse 1225 Fallon Street, Oakland, CA 94612	FILED Superior Court of California County of Alameda 10/29/2025
PLAINTIFF/PETITIONER: Angie Phan et al	Chad Finke, Executive Officer / Clerk of the Court By:  Deputy A. Scoggins
DEFENDANT/RESPONDENT: TFC PARTNERS, INC., d/b/a NFC AMENITY MANAGEMENT	
CERTIFICATE OF ELECTRONIC SERVICE CODE OF CIVIL PROCEDURE 1010.6	CASE NUMBER: 23CV056741

I, the below named Executive Officer/Clerk of Court of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served one copy of the Order Amended Proposed Order Granting Plaintiffs' Unopposed Motion for Approval of PAGA Action Settlement entered herein upon each party or counsel of record in the above entitled action, by electronically serving the document(s) from my place of business, in accordance with standard court practices.

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Dated: 10/29/2025

Chad Finke, Executive Officer / Clerk of the Court

By:



A. Scoggins, Deputy Clerk