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Attorneys for Plaintiff,

MARGARITA SOTELO, and all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ORANGE

(UNLIMITED JURISDICTION)

MARGARITA SOTELO, as an “aggrieved employee” on behalf of herself and other similarly situated “aggrieved employees” under the Labor Code Private Attorneys General Act of 2004,

Plaintiff,

vs.

LA REINA MARKETS, LLC; and DOES 1 to 25, inclusive,

Defendants.

Case No.: 30-2024-01373350-CU-OE-CXC

**[PROPOSED] ORDER AND JUDGMENT
APPROVING PAGA SETTLEMENT**

*Assigned for All Purposes to
Hon. Melissa R. McCormick, Dept. CX104*

Action filed: 01/16/2024

Hearing Date: 08/14/2025

Hearing Time: 2:00 p.m.

Hearing Dept: CX104

Reservation Number: 74528898

1 The Court having considered Plaintiff's Notice of Motion and Motion to Approve PAGA
2 Settlement Agreement ("Motion"), the supporting declaration and exhibits thereto, all papers filed
3 and proceedings had herein, and the absence of any objections received from the Labor &
4 Workforce Development Agency ("LWDA") regarding the proposed Settlement, and having
5 reviewed the record in the Action, and good cause appearing,

6 IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

7 1. The Court, for purposes of this Order and Judgment, refers to all defined terms as
8 set forth in the PAGA Settlement Agreement ("Settlement") attached as Exhibit "1" to the
9 Declaration Maralle Messrelan In Support of the foregoing Motion.

10 2. The Settlement is hereby accepted and approved;

11 3. Plaintiff and all Aggrieved Employees shall have, by operation of this Order and
12 Judgment, fully, finally, and forever released, relinquished, and discharged the Released Parties
13 from all Released Claims as follows:

14 **"Aggrieved Employees"** means all individuals the Defendants have employed or
15 otherwise contracted with in California as hourly, non-exempt employees, during the PAGA
16 Period.

17 **"PAGA Period"** means the period of time November 12, 2022 to the date the Court grants
18 approval of the settlement.

19 **"Released Parties"** means Defendant, as well as its directors, officers, shareholders,
20 partners, members, assignees, successors, business managers, marital community, agents,
21 contractors, insurers, attorneys, and employees, past and present, and each of them.

22 **"Released PAGA Claims"** means all claims for PAGA penalties that were alleged, or
23 reasonably could have been alleged, based on the facts and PAGA Period stated in the Operative
24 Complaint and the PAGA Notice, including but not limited to: California Labor Code Sections
25 201, 202, 203, 204, 226, 226.7, 233, 246, 246.5, 510, 512, 558, 1174, 1194, 1197, 1198 and 2802

26 4. The Parties shall bear their own respective attorneys' fees and costs, except as
27 otherwise provided for in the Settlement and approved by the Court.

28 5. The Settlement is not an admission by Defendant as defined below, nor is this
Order a finding of the validity of any allegations or of any wrongdoing by Defendant. Neither
this Order, the Settlement, nor any document referred to herein, nor any action taken to carry out
the Settlement, may be used as an admission of any fault, wrongdoing, omission, concession, or
liability whatsoever by or against Defendant

- 1 6. Defendant shall pay the Aggrieved Employees, Plaintiff's Counsel, the LWDA,
2 and the Settlement Administrator pursuant to the terms of the Settlement:
- 3 a. Actual administration costs of \$2,750.00 payable to the Settlement Administrator,
4 Simpluris, Inc., for administration of the Settlement;
- 5 b. Attorneys' fees to Plaintiff's Counsel in the total maximum amount of \$43,333.33;
- 6 c. Reimbursement for actual expenses incurred by Plaintiff's Counsel in the amount
7 of \$10,241.87; and
- 8 d. After deducting the foregoing payments, the estimated remainder of approximately
9 \$73,674.80 shall form the Net Settlement Amount. Pursuant to Labor Code section
10 2699(i), the Net Settlement Amount will then be distributed 75 percent
11 (\$55,256.10) to the LWDA, and the remaining 25 percent (\$18,418.70) to the
12 Aggrieved Employees on a pro rata basis, as set forth in the Settlement Agreement.
13 The Court approves these payments, and directs the Settlement Administrator to
14 issue checks to the LWDA and Aggrieved Employees, along with the Notice of
15 PAGA Settlement, as set forth in the Settlement Agreement, and to otherwise carry
16 out its duties as set forth in the Settlement Agreement.
- 17 7. The Court hereby confirms Maralle Messrelian of MM Law, APC as PAGA
18 Counsel.
- 19 8. The Court finds that the fees requested by Plaintiff's Counsel of \$43,333.33
20 (1/3 of the PAGA Settlement Amount) are reasonable, and the costs requested of \$10,241.87 were
21 reasonable and necessary for the prosecution of this action. The Court hereby awards attorneys'
22 fees in the amount of \$43,333.33 and costs in the amount of \$10,241.87 to Plaintiff's Counsel for
23 their current attorneys' costs. The payment of fees and costs to Plaintiff's Counsel shall be made
24 in accordance with the terms of the Settlement.
- 25 9. The Court approves of the proposed letter attached as Exhibit "A" to the
26 Settlement Agreement and Exhibit 2 to the Declaration of Maralle Messrelian to be sent to the
27 Aggrieved Employees along with their respective settlement check.
- 28 10. This action is dismissed with prejudice.

1 11. Plaintiff shall submit a copy of this Order and Judgment to the LWDA within ten
2 calendar days after entry of the Order and Judgment.

3 12. This Court shall retain jurisdiction, pursuant to C.C.P. section 664.6, over this
4 action, the Parties, and the Aggrieved Employees to the fullest extent necessary to interpret,
5 enforce, and effectuate the terms and intent of the Settlement and this Order and Judgment.

6 13. The Court sets a Final Report Hearing status conference re: final accounting for
7 March 20, 2026 at 10:00 a.m. At least 16 calendar days prior to the hearing, Plaintiff shall submit
8 a final report including the actual amounts paid to Aggrieved Employees, the other amounts
9 distributed under the Settlement, and the amounts tendered to the California State Controller's
10 Office for Unclaimed Property Division.

11 **IT IS SO ORDERED, ADJUDGED AND DECREED.**

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13 DATED: _____

14 **HON. MELISSA R. MCCORMICK**
15 **JUDGE OF THE SUPERIOR COURT**
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