

Electronically Filed
12/19/2025
Superior Court of California
County of Stanislaus
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Clerk of the Court
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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF STANISLAUS**

CHRISTINA PEREZ, individually, and on behalf
of all others similarly situated,

Plaintiff,

v.

THE CARSWELL GROUP INC. DBA
INDEPENDENT MANAGEMENT SERVICES,
a Michigan corporation; and DOES 1 through 10,
inclusive,

Defendants.

Case No.: CV-23-007642 (Lead Case)
Case No.: CV-24-003622

*Assigned for all purposes to:
Hon. John R. Mayne
Dept. 21*

**REVISED [~~PROPOSED~~] JUDGMENT
AND ORDER GRANTING PLAINTIFF'S
MOTION FOR FINAL APPROVAL OF
CLASS ACTION AND PAGA
SETTLEMENT**

FINAL APPROVAL HEARING

Date: November 4, 2025
Time: 8:30 a.m.
Dept.: 21

1 This matter came on for hearing on November 4, 2025 at 8:30 a.m., in Department 21 of
2 the above-referenced Court on the Motion for Final Approval of Class Action and PAGA
3 Settlement pursuant to California Rules of Court, Rule 3.769. On June 4, 2025, this Court issued
4 a Revised Order Granting Plaintiff's Motion for Preliminary Approval of Class Action and
5 PAGA Settlement. Plaintiff Christina Perez ("Plaintiff") now seeks an order granting final
6 approval of the Class Action and PAGA Settlement Agreement ("Settlement"), a copy of which
7 is attached to the Declaration of John G. Yslas in Support of Plaintiff's Motion for Preliminary
8 Approval of Class Action Settlement as **Exhibit 1**.

9 Having received and considered the Settlement, the supporting papers filed by the
10 Parties, and the evidence and argument in conjunction with the Motion for Preliminary Approval
11 of Class Action Settlement granted on June 4, 2025, and the instant Motion for Final Approval
12 of Class Action and PAGA Settlement, the Court grants final approval of the Settlement and
13 HEREBY ORDERS AND MAKES THE FOLLOWING DETERMINATIONS:

14 1. Pursuant to the Order Granting Plaintiff's Motion for Preliminary Approval of Class
15 Action and PAGA Settlement, the Class Notice was sent to each Class Member by First Class mail.
16 These papers informed Class Members of the terms of the Settlement, their right to receive an
17 Individual Settlement Payment, and their right to: (a) comment on or object to the Settlement; (b)
18 request exclusion from the Settlement and pursue their own remedies; (c) dispute the calculation
19 of their Individual Settlement Payment; and (d) appear at the final approval hearing. No Class
20 Member has objected to the proposed Settlement, and no Class Member has requested exclusion.

21 2. The Court finds and determines that this notice procedure afforded adequate protections
22 to Class Members and provides the basis for the Court to make an informed decision regarding
23 approval of the Settlement based on the responses of the Class. The Court finds and determines
24 that the notice provided in this case was the best notice practicable, which satisfied the
25 requirements of law and due process.

26 3. With respect to the Class and for purposes of approving this Settlement only, this Court
27 finds and concludes that: (a) the members of the Class are ascertainable and so numerous that
28 joinder of all members is impracticable; (b) there are questions of law or fact common the class

1 and a well-defined community of interest among members of the Class with respect to the subject
2 matter of the action; (c) the claims of Class Representative Christina Perez are typical of the claims
3 of the Class Members; (d) the Class Representative has fairly and adequately protected the interests
4 of the Class; (e) a class action is superior to other available methods for an efficient adjudication
5 of this controversy; and (f) counsel of record for the Class Representative are qualified to serve as
6 Class Counsel.

7 4. The Court has certified a Class for settlement purposes only, defined as all individuals
8 who are or were employed by Defendant or performed work for Defendant as non-exempt
9 employees in California from December 28, 2019 through December 31, 2024. The Court deems
10 this definition sufficient for purposes of California Rules of Court, Rule 3.765(a).

11 5. The Court hereby confirms John G. Yslas, Eugene Zinovyev, John Brown, Lisa B.
12 Iturriaga, and Gabriella Solé of Wilshire Law Firm, PLC as Class Counsel.

13 6. The Court hereby confirms Plaintiff Christina Perez as the Class Representative.

14 7. The Court finds and determines that the terms of the Settlement are fair, reasonable,
15 and adequate, and directs the Parties to effectuate the Settlement according to its terms, having
16 found that the Settlement was reached as a result of informed and non-collusive arm's length
17 negotiations facilitated by a neutral mediator. The Court finds that the Parties conducted adequate
18 investigation, research, and discovery, and that their attorneys were able to reasonably evaluate
19 their respective positions. The Court also finds that the Settlement will enable the Parties to avoid
20 additional and potentially substantial litigation costs, as well as delay and risks if the Parties were
21 to continue to litigate the case. The Court has reviewed the monetary recovery provided as part of
22 the Settlement and recognizes the significant value accorded to the Class.

23 8. The Court hereby approves that Defendant shall pay a total of \$110,000.00 to resolve
24 this litigation.

25 9. The Court finds and determines that the Individual Settlement Payments to be paid to
26 Settlement Class Members as provided for by the Settlement are fair and reasonable. The Court
27 hereby gives final approval to and orders the payment of those amounts to be made to the
28 Settlement Class Members in accordance with the Settlement.

1 10. From the Settlement Amount, the Court finds and determines that payment of
2 \$10,000.00 in civil penalties under PAGA is fair, reasonable, and appropriate. The Labor and
3 Workforce Development Agency will receive 75% (\$7,500.00), and the remaining 25%
4 (\$2,500.00) will be distributed to Aggrieved Employees (defined as all individuals who are or were
5 employed by Defendant or performed work for Defendant as non-exempt employees in California
6 during the PAGA Period (December 28, 2022, through December 31, 2024). The Court hereby
7 grants final approval to and orders the payment of the amount in accordance with the Settlement.

8 11. From the Settlement Amount, the Court finds and determines the Enhancement
9 Payment of \$5,000.00 to the named Plaintiff is fair and reasonable. The Court hereby grants final
10 approval to and orders the payment of that amount to be paid to the named Plaintiff for her service
11 as a class representative and for her agreement to release claims.

12 12. From the Settlement Amount, the Court finds and determines that the fees and expenses
13 in administering the Settlement incurred by Phoenix Settlement Administrators (“Phoenix”) in the
14 amount of \$5,750.00 are fair and reasonable. The Court hereby grants final approval to and orders
15 the payment of that amount in accordance with the Settlement.

16 13. Pursuant to the terms of the Settlement, and the authorities, evidence, and argument
17 submitted by Class Counsel, the Court hereby awards Class Counsel attorneys’ fees in the amount
18 of \$36,666.66 and litigation costs in the amount of \$23,563.41. The Court hereby grants final
19 approval to and orders the payment of those amounts in accordance with the Settlement.

20 14. Without affecting the finality of this Order or the entry of judgment in any way, this
21 Court retains continuing jurisdiction of all matters relating to the implementation, interpretation,
22 administration, effectuation and enforcement of this order and the Settlement.

23 15. Defendant The Carswell Group Inc. dba Independent Management Services
24 (“Defendant”) shall not have any further liability for costs, expenses, interest, attorneys’ fees, or
25 for any other charge, expense, or liability, except as provided for by the Settlement.

26 16. Neither the making of this Settlement nor the entry into the Settlement constitutes an
27 admission by Defendant, nor is this order a finding of the validity of any claims in this case or of
28 any other wrongdoing. Further, the Settlement is not a concession and shall not be used as an

admission of any wrongdoing, fault, or omission of any entity or persons, nor may any action taken to carry out the terms of the Settlement be construed as an admission or concession by or against Defendant.

17. The Court enters final judgment consistent with the Settlement and prior preliminary approval order. Without affecting finality, the Court retains continuing jurisdiction over implementation, interpretation, administration, effectuation, and enforcement of the Settlement and this Order.

18. In accordance with the provisions of Code Civ. Proc. § 384, the Court sets a compliance hearing for **November 4, 2026, at 8:30 a.m. in Department 21**, to confirm full administration of the settlement. The Settlement Administrator shall submit a compliance report no later than five (5) court days before the date of the hearing, which shall include the total amount that was actually paid to the class members pursuant to the Settlement. In addition, at the time of the compliance hearing, the Court shall amend the judgment to direct that the sum of the unpaid funds be distributed to the State Controller's Unclaimed Property Fund as set forth in the Settlement Agreement. To that end, Class Counsel shall submit a proposed amended judgment at least five (5) court days before the compliance hearing.

19. Additionally, the Court orders that Notice of the Court's Order Granting Final Approval and Judgment be posted on the Settlement Administrator's website for a period of at least 90 days. (Cal. R. Ct., rule 3.771(b).)

20. The Parties will bear their own costs and attorneys' fees except as otherwise provided by this Court's Order awarding Class Counsel's attorneys' fees and litigation costs.

IT IS SO ORDERED.

Dated: 12/19/2025


Honorable John R. Mayne
Judge of the Superior Court