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HAINES LAW GROUP, APC
Paul K. Haines (SBN 248226)
phaines@haineslawgroup.com
Sean M. Blakely (SBN 264384)
sblakely@haineslawgroup.com
Liam A. Hall (SBN 358204)
lhall@haineslawgroup.com
2155 Campus Drive, Suite 180
El Segundo, California 90245
Tel: (424) 292-2350
Fax: (424) 292-2355

Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO

CARLOS ZAVALA and GONZALO
MARTINEZ, as individuals and on behalf of
all other aggrieved employees,

Plaintiffs,

vs.

PASO ROBLES TANK, INC., a California
corporation; and DOES 1 to 100, inclusive,

Defendants.

Case No. 24STCV03493

*[Assigned for all purposes to the Hon.
Timothy Patrick Dillon, Dept. SSC-15]*

~~[AMENDED PROPOSED]~~ **JUDGMENT
AND ORDER GRANTING PLAINTIFFS'
MOTION FOR APPROVAL OF
SETTLEMENT OF CLAIMS BROUGHT
UNDER THE PRIVATE ATTORNEYS
GENERAL ACT, REASONABLE
ATTORNEYS' FEES, COSTS, AND
ENHANCEMENT PAYMENTS**

Date: April 30, 2026
Time: 10:00 a.m.
Dept.: SSC-15

Complaint filed: February 9, 2024
Trial Date: None Set

1 This matter came on regularly for hearing before this Court on April 30, 2026, at 10:00
2 a.m. Having considered the Parties' PAGA Settlement Agreement ("Settlement");¹ the
3 documents and evidence presented in support thereof; and recognizing the disputed factual and
4 legal issues involved in this case; the risks of further prosecution, the substantial benefits to be
5 received by the State of California and the Aggrieved Employees pursuant to the Settlement; and
6 the fair, reasonable, and adequate nature of the settlement obtained as a result of good faith arm's-
7 length negotiations between the parties, the Court hereby makes a final ruling that the Settlement
8 is approved pursuant to Labor Code section 2699(1). Good cause appearing therefore, the Court
9 hereby GRANTS Plaintiffs Carlos Zavala and Gonzalo Martinez's ("Plaintiffs") Motion for
10 Approval of Settlement of Claims Brought Under the Private Attorneys General Act ("Motion")
11 and ORDERS as follows:

12 1. The "Aggrieved Employees" consist of all current and former non-exempt
13 employees who worked for Defendant Paso Robles Tank, Inc. (referred to as "Defendant") in
14 California between February 9, 2023 and July 27, 2025 (the "PAGA Period").

15 2. The California Labor Workforce and Development Agency ("LWDA") has been
16 provided notice of the Settlement in accordance with PAGA, California Labor Code § 2699(1)(2),
17 (1)(4). In particular, on the date Plaintiffs filed a Motion seeking approval of the Settlement with
18 the Court, Plaintiffs submitted to the LWDA a notice of the Settlement enclosing a copy of the
19 Settlement Agreement. Plaintiffs' notice of the Settlement to the LWDA complied with the notice
20 requirements of PAGA.

21 3. The Court hereby approves the settlement as set forth in the Settlement as fair,
22 reasonable, and adequate, and directs the parties to effectuate the Settlement according to its
23 terms.

24 4. The Court orders that Defendant shall fully fund the Maximum Settlement Amount
25 of \$350,000.00 by transmitting the funds to the Administrator no later than ninety (90) calendar
26 days of the Court's order granting settlement approval.

27 ¹ All terms used in this Order shall have the same meaning as that assigned to them in the PAGA
28 Settlement Agreement, attached as Exhibit 1 to the Declaration of Sean M. Blakely submitted
concurrently with the Motion.

1 5. The Court hereby approves, as to form and content, the proposed Explanatory
2 Letter submitted by the parties and included as Exhibit A to the Settlement.

3 6. The Court hereby appoints Phoenix Settlement Administrators as the Settlement
4 Administrator.

5 7. Within fifteen (15) calendar days after entry of an order approving the settlement,
6 Defendant shall provide the Settlement Administrator with information for Aggrieved
7 Employees. Defendant will in good faith compile from their records a list of Aggrieved
8 Employees that will be in a computer-readable format, such as a Microsoft Excel spreadsheet,
9 and shall include each Aggrieved Employee's full name, last known mailing address last known
10 telephone number, number of pay periods worked during the PAGA Period, and Social Security
11 numbers to the extent available from Defendant's records. Because Social Security numbers are
12 included in the list, the Settlement Administrator will maintain the list in confidence, and access
13 shall be limited to those with a need to use the list as part of the administration of the Settlement.

14 8. Within fourteen (14) calendar days of the Settlement being fully funded, the
15 Settlement Administrator shall issue Individual PAGA Payments to the Aggrieved Employees,
16 payment to the LWDA, payment to Plaintiffs' Counsel for Plaintiffs' Counsel's Court-approved
17 attorneys' fees and litigation costs and expenses, payment to each Plaintiff for the Court-approved
18 enhancement payments, and payment to the Settlement Administrator for Court-approved
19 Settlement administration costs incurred in connection with the Settlement.

20 9. The Court orders that the Settlement Administrator shall be paid up to \$4,750.00
21 for all of its work done and to be done until the completion of this matter and finds that sum
22 appropriate.

23 10. The Court finds that attorneys' fees in the amount of one-third of the Maximum
24 Settlement Amount (currently estimated to be \$116,666.66) for Plaintiffs' Counsel, and
25 reimbursement of litigation costs of up to \$5,553.56 to Plaintiffs' Counsel, are fair, reasonable,
26 and adequate, and orders the Settlement Administrator to distribute these payments to Plaintiffs'
27 Counsel as provided for in the Settlement Agreement.

28 11. The Court finds that the requested enhancement payment of \$5,000.00 to each

1 Plaintiff (for a total of \$10,000.00) is fair, adequate, and reasonable in recognition of the unique
2 contributions they made and the risks they undertook, on behalf of the Aggrieved Employees and
3 the State of California, and orders that the Settlement Administrator distribute these payments to
4 each Plaintiff as provided for in the Settlement Agreement.

5 12. The Court finds that the amount of \$159,772.34, representing 75% of the Net
6 Settlement Amount, allocated as PAGA civil penalties under the Settlement, to be paid to the
7 LWDA as provided for by the Settlement, is fair, adequate, and reasonable, and orders that
8 payment be made to the LWDA in accordance with the terms of the Settlement Agreement. The
9 Court further finds that the amount of \$53,257.44, representing 25% of the Net Settlement
10 Amount, allocated as PAGA civil penalties under the Settlement, to be paid to the Aggrieved
11 Employees (i.e., Individual PAGA Payments) as provided for by the Settlement, is fair, adequate,
12 and reasonable, and orders that payment be made to Aggrieved Employees on a *pro rata* basis in
13 accordance with the terms of the Settlement and this Order.

14 13. Checks for Individual PAGA Payments sent to Aggrieved Employees shall be
15 valid for 180 days after issuance. Funds remaining from any checks for Individual PAGA
16 Payments uncashed for more than 180 days after issuance, shall be transmitted by the
17 Administrator to the California Controller's Unclaimed Property Fund in the name of the
18 Aggrieved Employee.

19 14. The Court approves the scope of the release as set forth in the Settlement.
20 Following entry of this Judgment and Order and the Maximum Settlement Amount being fully
21 funded, Plaintiffs and all Aggrieved Employees, on behalf of themselves and their respective
22 former and present representatives, agents, attorneys, heirs, administrators, successors and
23 assigns, will release Defendant and each of its former and present directors, officers, shareholders,
24 owners, attorneys, insurers, predecessors, successors, and assigns ("Released Parties") from all
25 claims for PAGA penalties that were alleged, or reasonably could have been alleged, based on
26 the PAGA Period facts stated in the Operative Complaint and the PAGA Notices.

27 15. Plaintiffs are directed to submit a copy of this Order and entry of judgment to the
28 LWDA within ten (10) calendar days of the date of this Order and entry of judgment.

1 16. Plaintiffs shall file a declaration confirming the final distribution of funds on or
2 before April 19, 2027.

3
4 **IT IS SO ORDERED, ADJUDGED, AND DECREED.**

5
6 Dated: 05/22/2026



7 

Honorable Timothy Patrick Dillon
Judge of the Superior Court

Timothy Patrick Dillon / Judge