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LUKAS JAVIER

SUPERIOR COURT OF THE STATE OF CALIFORNIA

**FOR THE COUNTY OF SAN DIEGO – NORTH COUNTY
(UNLIMITED JURISDICTION)**

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

Plaintiff,

vs.

HYATT CORPORATION dba THE
SEABIRD; and DOES 1 to 25, inclusive,

Defendants.

Case No.: 37-2024-00018273-CU-OE-NC

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

Action filed: 04/15/2024

Hearing Date: 08/15/2025

Hearing Time: 1:30 p.m.

Hearing Dept: N-31, Hon. Michael D.
Washington

1 Under Labor Code section 2699(1)(2) of the California Private Attorneys General Act of
2 2004 ("PAGA"), the Motion of Plaintiff Lukas Javier ("Plaintiff") for Approval of Settlement
3 under PAGA came before this Court on August 15, 2025.

4 Plaintiff's Complaint seeks civil penalties on behalf of the State of California and
5 similarly situated aggrieved employees, as authorized by PAGA under Labor Code § 2699, in
6 relation to alleged violations of the predicate statutes set forth in Plaintiff's Complaint and the
7 PAGA notice letter to the California Labor Workforce and Development Agency ("LWDA"),
8 dated February 1, 2024 (the "LWDA Letter"), on behalf of all individuals who worked as
9 hourly, non-exempt employees for Defendant Hyatt Corporation dba The Seabird
10 ("Defendant" or "Seabird") at The Seabird location between February 10, 2023 and July 1,
11 2025 (the "Aggrieved Employees").

12 Under PAGA, in any action brought by an Aggrieved Employee, the Court "shall
13 review and approve any settlement of any civil action filed pursuant to this part." *Lab. Code*,
14 § 2699, subd. (1)(2). Accordingly, the Court, having considered the proposed settlement set
15 forth in the Settlement Agreement, including the proposed PAGA penalties, under Labor Code
16 section 2699, subdivision (1)(2), having considered the papers filed in support of the proposed
17 settlement and the arguments of counsel, and good cause appearing, HEREBY ORDERS AS
18 FOLLOWS:

- 19 1. The Court finds the instant Action presents a good faith dispute of the claims alleged;
- 20 2. The Court finds in favor of settlement approval, and therefore approves the Settlement
21 of the above-captioned action, as set forth in the PAGA Settlement Agreement between the Parties
22 and each of the releases and other terms, as fair, just, reasonable, and adequate;
- 23 3. The Court finds further that Plaintiff, acting on behalf of himself and the State of
24 California, by operation of this Order and Judgment hereby releases and forever discharges
25 Defendant and the Releasees (as defined in the Settlement Agreement) from any and all Released
26 PAGA Claims (as defined in the Settlement Agreement) including penalties asserted in Plaintiff's
27 Complaint, including any and all known and unknown claims for civil penalties under PAGA that
28 arise;

1 4. The Court finds further that the foregoing release shall be binding on Plaintiff and the
2 State of California, and shall bar any claim under PAGA brought by any person, including the Aggrieved
3 Employees, on behalf of the State of California, as to the Released PAGA Claims and Releasees;

4 5. The Parties are directed to comply with all terms of the Settlement Agreement, and
5 Defendant is directed to make all payments required by the Settlement Agreement;

6 6. Under the Settlement Agreement, Defendant agrees to pay a maximum sum of Two
7 Hundred Fifty Two Thousand Dollars (\$252,000.00) (the "Gross Settlement Amount"). The Gross
8 Settlement Amount is inclusive of payments to the LWDA and Aggrieved Employees, PAGA
9 Counsel's Fees Payment and Litigation Expenses Payment, and the Administration Expenses Payment.
10 No portion of the Gross Settlement Amount will revert to Defendant. Plaintiff's Counsel requests an
11 award of attorney's fees of Eighty-Four Thousand Dollars (\$84,000.00) and litigation expenses of
12 Thirteen Thousand Thirteen Dollars and Twenty-One Cents (\$13,013.21). The settlement
13 administrator, Simpluris, Inc., requests administration costs of Six Thousand Two Hundred Twenty-
14 Five Dollars and Zero Cents (\$6,225.00). Defendant does not oppose these requests. The Court finds
15 the Gross Settlement Amount is fair, reasonable and adequate, and approves each of these payments,
16 and directs the Settlement Administrator to make the above payments to payments from the Gross
17 Settlement Amount as follows:

- 18 a. \$84,000 in attorney's fees to MM Law, APC;
19 b. \$13,013.21 in litigation costs to MM Law, APC;
20 c. \$6,225.00 in administration costs to Simpluris, Inc.; and
21 d. After deducting the foregoing payments, the estimated remainder of approximately
22 \$148,761.79 shall form the Net Settlement Amount. Pursuant to Labor Code section 2699(i), the
23 Net Settlement Amount will then be distributed 75 percent (\$111,571.34) to the LWDA, and the
24 remaining 25 percent (\$37,190.45) to the Aggrieved Employees on a pro rata basis, as set forth
25 in the Settlement Agreement. The Court approves these payments, and directs the Settlement
26 Administrator to issue checks to the LWDA and Aggrieved Employees as set forth in the
27 Settlement Agreement, and to otherwise carry out its duties as set forth in the Settlement
28 Agreement.

1 7. The entire Action is hereby DISMISSED WITH PREJUDICE as to all parties and all
2 causes of action. The Court reserves exclusive and continuing jurisdiction over the Action and the
3 Parties pursuant to Code of Civil Procedure section 664.6 for the purpose of supervising
4 implementation, enforcement, construction, administration, and interpretation of the Settlement
5 Agreement.

6 8. The Court sets a Compliance Hearing re: Distribution on _____,
7 2026, at _____ a.m./p.m. in Department N-31 of the San Diego County Superior Court.
8

9 **IT IS SO ORDERED, ADJUDGED AND DECREED.**
10

11 DATED: _____

HON. MICHAEL D. WASHINGTON
JUDGE OF THE SUPERIOR COURT