SUPERIOR COURT OF CALIFORNIA
COUNTY OF SONOMA

TONI ARGO, on behalf of the State of California and Aggrieved Employees, Plaintiff, vs. BEVERAGES & MORE, INC.; and DOES 1-100, inclusive, Defendants,	Case No. 24CV03802 *Assigned for all purposes to Hon. Jane Gaskell Dept. 17* **[PROPOSED] ORDER GRANTING MOTION FOR APPROVAL OF PAGA SETTLEMENT** **Date:** **Time:** **Dept.** Complaint Filed: June 26, 2024 Trial Date: None Set.

[PROPOSED] ORDER

The Motion of Plaintiff Toni Argo, on behalf of herself, and Aggrieved Employees (collectively, "Plaintiff") for an order approving the Private Attorney General Act ("PAGA") Settlement of the above-captioned action and entering judgment thereon ("Motion"), having come before the Court on _____ at _____ a.m./ p.m., the Court being duly apprised of the premises, and good cause appearing,

IT IS HEREBY ORDERED that the Motion shall be and hereby is **GRANTED** and the settlement of this action is hereby **APPROVED**, and

IT IS FURTHER ORDERED as follows:

1. Granting approval of the proposed Settlement and finding its terms as fair, reasonable, and adequate, including but not limited to the $225,000.00 Gross Settlement Amount;
2. Approving payment in the amount of $116,277.27 from the Gross Settlement Amount for the PAGA claims, $87,207.95 of which is payable to the California Labor and Workforce Development Agency ("LWDA"), and $29,069.32 of which will be distributed to the PAGA Group Members on a *pro rata* basis, as set forth in the Settlement.
3. Approving a Service Award payment of $10,000.00 to named Plaintiff Toni Argo from the Gross Settlement Amount for her efforts on behalf of the Aggrieved Employees, and the State of California;
4. Approving an award of attorneys' fees in the amount of $78,750 to PAGA Counsel from the Gross Settlement Amount;
5. Approving an award of litigation costs in the amount of $14,102.73 to PAGA Counsel from the Gross Settlement Amount;
6. Approving payment of $5,870.00 to the Settlement Administrator, Apex Class Action LLC, from the Gross Settlement Amount for administering the Settlement;
7. Entering a final judgment consistent with the terms of the Settlement; and
8. Approving the implementation schedule below:

Within 15 days of PAGA approval	Within 15 days of PAGA approval, BevMo will deliver the Aggrieved Employee Data to the Administrator in the form of a Microsoft Excel spreadsheet. Settlement, 4.2
14 days after the Effective Date	BevMo shall fully fund the Gross Settlement Amount by transmitting the funds to the Administrator no later than 14 days after the Effective Date. Settlement, 4.3
	"Effective Date" means the date on which the Judgment becomes final. "Judgment" means the judgment entered by the Court based upon the Approval Order. Settlement, 1.10, 1.14
Within 14 days after funding	Within 14 days after BevMo funds the Gross Settlement Amount, the Administrator will mail checks for all Individual PAGA Payments, the LWDA PAGA Payment, the Administration Expenses Payment, and the PAGA Counsel Litigation Expenses Payment. Settlement, 4.4
180 days after the date of mailing	The Administrator will issue checks for the Individual PAGA Payments and send them to the Aggrieved Employees via First Class U.S. Mail, postage prepaid. Settlement, 4.4.1
Within 7 days of receiving a returned check	Within 7 days of receiving a returned check, the Administrator must re-mail the check to the USPS forwarding address provided or to an address ascertained through the Address Search. Settlement, 4.4.2
After the void date (uncashed checks)	For any Aggrieved Employee whose Individual PAGA Payment check is uncashed and cancelled after the void date, the Administrator shall transmit the funds represented by such checks to the California Controller's Unclaimed Property Fund in the name of the Aggrieved Employee. Settlement, 4.4.3

The Court retains jurisdiction over the subject matter of this litigation, Plaintiff and Aggrieved Employees as defined in the Settlement, and Defendant, for purposes of supervising the

implementation, enforcement, construction, administration, and interpretation of the Settlement and this Order.

Plaintiff is directed to submit a copy of this Order, and the Judgement, filed concurrently herewith, to the LWDA within ten days of this Order.

IT IS SO ORDERED.

Dated:_____

_____
HON. JANE GASKELL
JUDGE OF THE SUPERIOR COURT