

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: Alexandra Rose FIRM NAME: Blackstone Law, APC STREET ADDRESS: 8383 Wilshire Blvd, Suite 745 CITY: Beverly Hills TELEPHONE NO.: (310) 622-4278 EMAIL ADDRESS: arose@blackstonepc.com ATTORNEY FOR (name): Stephanie Leon SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: 111 North Hill Street CITY AND ZIP CODE: Los Angeles 90012 BRANCH NAME: Stanley Mosk Courthouse	STATE BAR NUMBER: 329407 STATE: CA ZIP CODE: 90211 FAX NO.: (855) 786-6356	FOR COURT USE ONLY CASE NUMBER: 24STCV14168
PLAINTIFF/PETITIONER: Stephanie Leon DEFENDANT/RESPONDENT: Fulgent Therapeutics, LLC, et al.		
NOTICE OF ENTRY OF JUDGMENT OR ORDER (Check one): ☒ UNLIMITED CASE (Amount demanded exceeded \$35,000) ☐ LIMITED CASE (Amount demanded was \$35,000 or less)		

TO ALL PARTIES :

1. A judgment, decree, or order was entered in this action on (date): February 3, 2026
2. A copy of the judgment, decree, or order is attached to this notice.

Date: February 3, 2026

Alexandra Rose

(TYPE OR PRINT NAME OF ☒ ATTORNEY ☐ PARTY WITHOUT ATTORNEY)


(SIGNATURE)

PLAINTIFF/PETITIONER: Stephanie Leon
 DEFENDANT/RESPONDENT: Fulgent Therapeutics, LLC, et al.

CASE NUMBER:
 24STCV14168

**PROOF OF SERVICE BY FIRST-CLASS MAIL
 NOTICE OF ENTRY OF JUDGMENT OR ORDER**

(NOTE: You cannot serve the Notice of Entry of Judgment or Order if you are a party in the action. The person who served the notice must complete this proof of service.)

1. I am at least 18 years old and **not a party to this action**. I am a resident of or employed in the county where the mailing took place, and my residence or business address is (*specify*):

2. I served a copy of the *Notice of Entry of Judgment or Order* by enclosing it in a sealed envelope with postage fully prepaid and (*check one*):

- a. ☐ deposited the sealed envelope with the United States Postal Service.
 b. ☐ placed the sealed envelope for collection and processing for mailing, following this business's usual practices, with which I am readily familiar. On the same day correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service.

3. The *Notice of Entry of Judgment or Order* was mailed:

- a. on (*date*):
 b. from (*city and state*):

4. The envelope was addressed and mailed as follows:

a. Name of person served:

Street address:

City:

State and zip code:

c. Name of person served:

Street address:

City:

State and zip code:

b. Name of person served:

Street address:

City:

State and zip code:

d. Name of person served:

Street address:

City:

State and zip code:

☐ Names and addresses of additional persons served are attached. (*You may use form POS-030(P).*)

5. Number of pages attached:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

 (TYPE OR PRINT NAME OF DECLARANT)

_____
 (SIGNATURE OF DECLARANT)

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 61

24STCV14168

STEPHANIE LEON vs FULGENT THERAPEUTICS, LLC

February 3, 2026

9:00 AM

Judge: Honorable Richard S. Kemalyan

Judicial Assistant: Ricky Wang

Courtroom Assistant: Diana De Leon

CSR: None

ERM: None

Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): Jonathan M. Genish by Miriam Schimmel via LACC

For Defendant(s): Lauren Michelle Bushman via LACC

NATURE OF PROCEEDINGS: Hearing on Motion for Order Motion for Approval of PAGA Settlement; Order to Show Cause Re: Dismissal (Settlement)

The matter is called for hearing.

The Order to Show Cause is discharged.

The tentative ruling is posted on the Court's website for all parties/counsel to review.

Both sides submit on the tentative ruling.

The tentative ruling is adopted as the final order of the court.

Analysis:

I. MOTION TO APPROVE SETTLEMENT

Under PAGA, “[t]he superior court shall review and approve any settlement of any civil action filed pursuant to this part. The proposed settlement shall be submitted to the agency at the same time that it is submitted to the court.” (Lab. Code, § 2699, subd. (1)(2).)

“[A] trial court should evaluate a PAGA settlement to determine whether it is fair, reasonable, and adequate in view of PAGA's purposes to remediate present labor law violations, deter future ones, and to maximize enforcement of state labor laws.” (*Moniz v. Adecco USA, Inc.* (2021) 72 Cal.App.5th 56, 77.)

Federal courts have compared and contrasted PAGA settlements to class action settlements:

In the class action context, where PAGA claims often also appear, a district court

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must independently determine that a proposed settlement agreement is “fundamentally fair, adequate and reasonable” before granting approval. [Citations.] However, as the parties rightly point out and as noted above, this is not a class action lawsuit, and PAGA claims are intended to serve a decidedly different purpose—namely to protect the public rather than for the benefit of private parties. [Citation.] In one recent district court case, the LWDA provided some guidance regarding court approval of PAGA settlements. [Citations.] In that case, where both class action and PAGA claims were covered by a proposed settlement, the LWDA stressed that “when a PAGA claim is settled, the relief provided for under the PAGA be genuine and meaningful, consistent with the underlying purpose of the statute to benefit the public and, in the context of a class action, the court evaluate whether the settlement meets the standards of being “fundamentally fair, reasonable, and adequate” with reference to the public policies underlying the PAGA.”

(*Salazar, supra*, 2017 WL 1135801 at pp. 3–4.) A number of these factors, “including the strength of the plaintiff’s case, the risk, the stage of the proceeding, the complexity and likely duration of further litigation, and the settlement amount,” have been recognized as useful in the analysis of PAGA settlements. (*Moniz, supra*, 72 Cal.App.5th at p. 77.)

Plaintiff Stephanie Leon (“Plaintiff”) brings the present motion seeking approval of a PAGA settlement reached with Defendant Fulgent Therapeutics, LLC and Fulgent Genetics, Inc. (“Defendant”)

The terms of the settlement are as follows. Defendants are to pay a gross settlement amount of \$285,000. (Rose Decl. Exh. 3, § III, ¶ 2.) From this amount, Plaintiff’s counsel is to be paid \$99,750.00, amounting to 35% of the total. (Rose Decl. Exh. 3, § III, ¶ 3a.) Plaintiff’s counsel is also to be paid expenses not exceeding \$30,000 (Rose Decl. Exh. 3, § III, ¶ 3a.), although the actual costs they calculate amount to \$24,608.26. (Rose Decl. ¶ 15.) \$10,000.00 is apportioned to the settlement administrator (Rose Decl. Exh. 3, § III, ¶ 3b) although actual administration costs are \$3,550.00. (Mullins Decl. ¶ 7.) Plaintiff is to receive a payment of \$5,000.00. (Rose Decl. Exh. 3, § III, ¶ 3c.)

This leaves a net settlement payment of \$152,091.74, of which shall be distributed 75% to the Labor Workforce Development Agency (\$114,068.81) and the remainder (\$38,022.93) to aggrieved employees. It is estimated that there are 176 aggrieved employees, who shall receive payments on a pro rata basis based on the number of pay periods worked by the employee, with a mean pay-per-employee of \$216.04. (Rose Decl. ¶ 14.)

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Plaintiffs estimate Defendants' total potential PAGA exposure — assuming multiple \$100 penalties can be “stacked” for different violations in each of the estimated 6,148 pay periods — to be potentially “several million dollars” for the alleged unpaid wages, meal periods, rest periods, unreimbursed business expenses, and derivative violations. (Rose Decl. ¶¶ 30–43.) But given Defendant's defenses to the various violations alleged, the potential for the court's discretionary reduction of penalties, and the “highly unlikely” prospect that multiple stacked penalties will be permitted (*Salazar v. PODS Enterprises, LLC* (C.D. Cal., May 8, 2019, No. EDCV19260MWFKKX) 2019 WL 2023726, at *6), Plaintiff deems a more likely valuation of his claims to be \$614,800. (Rose Decl. ¶ 43.)

Plaintiff's counsel submits a lodestar calculation to justify their \$99,750.00 fee award, which lodestar consists of \$167,923.00 for 194.5 hours of attorney work at rates ranging from \$650 to \$1,295.00 per hour. (Rose Decl. ¶ 53.) Applying the hours worked to the actual fees claimed would yield an average hourly rate of about \$512.85.

The settlement comports with the purposes of PAGA and is fair and reasonable. Plaintiffs make a persuasive showing for the amount and allocation of the settlement award, and present evidence showing the reasonableness of the attorney fee request, calculated as a percentage of the settlement. The calculation of attorney fees from a percentage of a common fund created by a settlement agreement is a permissible mode of fee calculation. (*See Laffitte v. Robert Half Internat. Inc.* (2016) 1 Cal.5th 480, 503.) Courts may evaluate the reasonableness of any percentage-based attorney fee award through a “cross-check” with a lodestar calculation, as Plaintiffs present here. (*See Laffitte v. Robert Half Internat. Inc.* (2016) 1 Cal.5th 480, 505.)

The motion to approve PAGA settlement is therefore GRANTED.

Plaintiff Stephanie Leon's Motion to Approve PAGA Settlement is GRANTED.

Plaintiff to provide notice.

Dated: February 3, 2026

Hon. Richard S. Kemalyan
Judge of the Superior Court

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

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24STCV14168

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9:00 AM

Judge: Honorable Richard S. Kemalyan

Judicial Assistant: Ricky Wang

Courtroom Assistant: Diana De Leon

CSR: None

ERM: None

Deputy Sheriff: None

The Motion for Final Approval of Settlement filed by STEPHANIE LEON, Stephanie Leon, on behalf of Aggrieved Employees pursuant to the California Private Attorneys General Act on 11/19/2025 is Granted.

Compliance Hearing Re: PAGA Settlement is scheduled for 09/29/2026 at 09:00 AM in Department 61 at Stanley Mosk Courthouse.

The Court requests parties to file a status report before the next hearing date.

Plaintiff is to give notice.

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I, Lorena Bautista, certify and declare as follows:

I am over eighteen years of age and not a party to the within action; my business address is 8383 Wilshire Blvd, Suite 745, Beverly Hills, California 90211. On February 3, 2026, I served a copy of the following document(s):

• **NOTICE OF ENTRY OF JUDGMENT OR ORDER**

on the interested parties as follows:

Danielle H. Moore

Lauren Bushman

Julia A. Sherwood

FISHER & PHILLIPS LLP

4747 Executive Drive, Suite 1000

San Diego, California 92121

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kchavez@fisherphillips.com;

sjackson@fisherphillips.com;

afunkhouser@fisherphillips.com

Attorneys for Defendant FULGENT THERAPEUTICS, LLC

☒ **BY ELECTRONIC MAIL (E-MAIL):** I caused said document(s) to be delivered electronically to be delivered to the above referenced addressee(s) via email from email address *lbautista@blackstonepc.com* pursuant to California Code of Civil Procedure section 1010.6(e)(1). I did not receive any electronic message or other indication that the transmission was unsuccessful.

☒ **BY ONLINE SUBMISSION:** The above-referenced documents were transmitted to the California Labor and Workforce Development Agency through the online system established for the submission of notices and documents, in conformity with California Labor Code section 2699(I). I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful

☒ **STATE:** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on February 3, 2026 at Beverly Hills, California.

/s/ Lorena Bautista
Lorena Bautista