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6 Daniel Clark and Aggrieved Employees

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE

FEB 04 2026

DAVID H. YAMASAKI, Clerk of the Court

BY: _____, DEPUTY

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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY ORANGE**

10
11 **DANIEL A. CLARK, individually and**
12 **on behalf of the general public,**

13 **Plaintiffs,**

14 **v.**

15 **CRESCENT HOTELS & RESORTS,**
16 **LLC, A Delaware limited Liability**
17 **Company; and DOES 1 through 50,**
18 **inclusive,**

19 **Defendants.**

Case No.: 30-2024-01419377-CU-BT-CXC

[PROPOSED] ORDER APPROVING
PAGA SETTLEMENT AND JUDGMENT

Date: January 23, 2026
Time: 9:00 a.m.
Dept: CX 101

Complaint Filed: August 13, 2024
Trial Date: None

20 **[PROPOSED] ORDER GRANTING APPROVAL OF PAGA SETTLEMENT AND**
21 **JUDGMENT**

22 This matter came before the Court on January 23, 2026, on Plaintiff Daniel A. Clark's
23 ("Plaintiff") Motion for Approval of PAGA Settlement (the "Motion for PAGA Approval").

24 Having considered the Parties' Settlement Agreement, the Motion for PAGA Approval and
25 supporting papers filed by Plaintiff, and the evidence and argument received by the Court, the
26 Court grants approval of the Settlement Agreement and HEREBY ORDERS THE FOLLOWING:

27 1. Except as otherwise defined in this Order and Judgment ("Order"), all capitalized terms
28 have the same meaning as defined in the PAGA Settlement Agreement and the Addendum to the

1 Settlement Agreement ("Settlement" or "Agreement"), a copy of which is attached as Exhibit B to
2 the Declaration of Sean S. Vahdat ¶ 13.

3 2. Pursuant to the California Labor Code Private Attorneys General Act ("PAGA"), Cal. Lab.
4 Code §§ 2699(1)(2), (1)(4), the California Labor Workforce and Development Agency ("LWDA")
5 has been provided notice of the Settlement. On November 4, 2025, Plaintiff submitted to the
6 LWDA a copy of the Settlement Agreement. Plaintiff's Notice of the Settlement to the LWDA
7 complied with the notice requirements of PAGA.

8 3. The Court approves the Settlement as to the Aggrieved Employees and the State of
9 California, under Labor Code § 2699(1)(2).

10 4. The Court has jurisdiction over the subject matter of this litigation, over all Aggrieved
11 Employees, and over those persons undertaking affirmative obligations under the Settlement.

12 5. The Settlement group includes: "All persons employed by Crescent Hotels & Resorts,
13 LLC, in California and classified as a non-exempt employee who worked during the PAGA
14 period." The PAGA period is defined as the period from June 9, 2023 to January 23, 2026, not to
15 exceed 59,840.50 pay periods.

16 6. As of the date of this Judgment, Plaintiff, on behalf of the State of California, each PAGA
17 Representative Action Member and all persons purporting to act on the PAGA Representative
18 Action Members' behalf or purporting to assert a claim under or through them, shall be deemed to
19 have fully, finally, and forever released, settled, compromised, relinquished and discharged any
20 and all of the Released Parties of and from any and all claims for PAGA civil penalties ^{per the} pursuant

NID 21 ~~terms of the Settlement Agreement.~~
22 ~~to California Labor Code Section 2698, et seq. pleaded or which could have been pleaded arising,~~
23 ~~in whole or in part, from the facts and/or allegations contained in the Action and Plaintiff's LWDA~~
24 ~~Notices (including any amended Notices) against the Released Parties, that arose during the PAGA~~
25 ~~Period, including the following: California Labor Code sections 201, 202, 203, 204, 210, 221, 223,~~
26 ~~226, 226.3, 226.7, 227.3, 233, 234, 245 et seq., 246, 351, 353, 432, 432.5, 510, 512, 551, 552, 558,~~
27 ~~1174, 1174.5, 1182.12, 1194, 1194.2, 1197, 1197.1, 1198, 1198.5, 2800, 2802, 2699, 2699.3,~~
28 ~~Wage Order No. 7-2001, and Government Code Section 12952.~~

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1 7. The Court approves the allocation and payment of the Gross PAGA Settlement Amount of
2 Five Hundred Fifteen Thousand Dollars (\$515,000.00) plus an additional amount added pursuant
3 to the escalator clause based on 59,840.5 pay periods, (which is \$82,297.00). This increases the
4 final Gross PAGA Settlement Amount to Five Hundred Ninety Seven Thousand Two Hundred
5 Ninety Seven Thousand Dollars (\$597,297.00), for the resolution of this action and compromise
6 of claims brought under PAGA, to be paid in accordance with the terms of the Settlement
7 Agreement.

8 8. PAGA Penalties shall be allocated as follows: seventy-five percent (75%), will be paid to
9 the LWDA ("LWDA Payment"). The remaining twenty-five percent (25%) shall be distributed to
10 the Aggrieved Employees as Individual PAGA Payments in accordance with the terms of the
11 Settlement Agreement. The Court authorizes the Settlement Administrator to pay the LWDA
12 Payment and the Individual PAGA Payments, in accordance with the terms of the Settlement
13 Agreement as modified by this Approval Order. The total net amount to be paid as PAGA penalties
14 shall be \$391,102.12. The amount paid to the LWDA will be \$293,326.59, and the amount
15 distributed to Aggrieved Employees will be \$97,775.53.

16 9. The Court acknowledges that Plaintiff is not seeking a PAGA Representative Service
17 Payment. However, the Court recognizes his service as a representative in the action.

18 10. The Court approves Simpluris, Inc. to serve as the Settlement Administrator and authorizes
19 the Settlement Administrator to calculate and pay the Individual PAGA Payments, in accordance
20 with the terms of the Settlement Agreement. The Court approves payment to the Settlement
21 Administrator (Simpluris) of its actual fees and costs in accordance with the terms of the
22 Settlement Agreement in the amount of \$10,812, plus any additional amount due to any
23 additional aggrieved employees covered.

24 11. The Court approves Sean Sasan Vahdat, and the Law Offices of Sean S. Vahdat &
25 Associates APLC as PAGA Counsel.

26 12. The Court awards the PAGA Counsel Fees Payment of \$179,189.10, which is 30% of the
27 finalized Gross PAGA Settlement Amount ; and Litigation Cost of \$16,193.78 awarded to the
28 Law Offices of Sean S. Vahdat & Associates APLC. The Court authorizes the Settlement

1 Administrator to make these payments, in accordance with the terms of the Settlement
2 Agreement.

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5 13. Checks for Individual PAGA Payments sent to Aggrieved Employees shall be valid for
6 180 days after issuance. Funds remaining from any checks for Individual PAGA Payments
7 uncashed after 180 days will be transmitted to the State Controller's Unclaimed Property Fund in
8 the name of the affected Aggrieved Employee.

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11 14. Without affecting the finality of this Order and entry of Judgment, the Court retains
12 jurisdiction over this Action for purposes of supervising, administering, implementing, and
13 enforcing this Order and the Settlement pursuant to CCP § 664.6 and CRC 3.769(h).

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16 15. Nothing in this Order or the Settlement shall be construed as an admission or concession
17 by any party. The Settlement and this resulting Order and Judgment simply represent a
18 compromise of disputed allegations.

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21 16. The Court enters Judgment in accordance with the terms of the Settlement Agreement
22 and this Order.

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25 17. Plaintiff is directed to submit a copy of this Order and Judgment to the LWDA within
26 five (5) calendar days of the date of this Order and Judgment. The Court further orders the Class
27 administrator to post the operative complaint, Settlement Agreement, Notice, and Final Order
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1 and judgment on its website for at least 90 days after approval.

2
3 18. The accounting hearing is set for June 4, 2027, in department CX101, located at 751 West
4 Santa Ana Blvd, Santa Ana, CA 92701 at 2:00 p.m. The Accounting Declaration by the claims
5 administrator must be filed 14 Calendar days prior to the hearing. The final report must include all
6 information necessary for the court to determine the total amount actually paid to the Aggrieved
7 Employees and the amount of any unclaimed funds remitted to the State Controller's Office
8 unclaimed property Fund. If the unclaimed funds are not fully disbursed by the report deadline,
9 counsel must request a continuance of the Final Accounting Hearing.
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11 IT IS SO ORDERED, ADJUDGED AND DECREED.

12 Dated: 2 / 4 / 26

13 By: Will D. Cluster

14 Hon. Willaim D. Cluster
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PROOF OF SERVICE

Law Offices of Sean S. Vahdat & Associates
Attorneys For: DANIEL A. CLARK

STATE OF CALIFORNIA, COUNTY OF ORANGE

I am employed in the City of Orange, County of Orange, State of California. I am over the age of 18 years and not a party to the within action. My Business address is 155 N. Riverview Dr. Anaheim, CA 92808

On January 30, 2026 I served the documents named below on the parties in this action as follows:

DOCUMENT(S) SERVED: PROPOSED ORDER APPROVING PAGA SETTLEMENT AND JUDGMENT

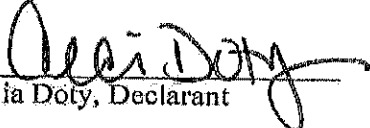
SERVED UPON: LITTLER MENDELSON P.C.

Attn: Rachael Lavi, Esq., Krystal Saleh, Esq.
2049 Century Park East, 5th Floor
Los Angeles, CA 90067
rlavi@littler.com
ksaleh@littler.com

LWDA Website
Dir.ca.gov

- ☒ **(BY E-MAIL)** I e-mailed the foregoing document to the addressee(s).
- ☐ **(BY MAIL)** I caused each envelope, with postage thereon fully prepaid, to be placed in the United States mail at Orange, California. I am readily familiar with the Law Offices of Sean S. Vahdat & Associates for collection and processing of correspondence for mailing, said practice being that in the ordinary course of business, mail is deposited in the United States Postal service the same day as it is placed for collection.
- ☐ **(BY FACSIMILE)** The above-referenced document was transmitted by facsimile transmission and the transmission was reported as completed and without error. Pursuant to C.R.C. 2009(i), I either caused, or had someone cause, the transmitting machine to properly transmit the attached documents to the facsimile numbers shown on the service list.
- ☐ **(BY PERSONAL SERVICE)** I caused such documents to be delivered by hand to the offices of addressee.
- ☒ **(STATE)** I declare under the penalty of perjury under the laws of the State of California that the above is true and correct.
- ☐ **(FEDERAL)** I declare that I am employed in the office of a member of the bar of this court, at whose direction this service was made.

Executed on January 30, 2026, at Anaheim, California.


Cecilia Doty, Declarant