JUDICIAL COUNCIL OF CALIFORNIA

CHAIR OF THE JUDICIAL COUNCIL

JAIDYN HOLMES, individually and on behalf of all others similarly situated, Plaintiffs, v. SPIRIT HALLOWEEN SUPERSTORES LLC; SPENCER GIFTS LLC; and DOES 1 through 20, inclusive, Defendants.	Case No. JCCP5401 **(PROPOSED) JUDGMENT AND ORDER GRANNTING MOTION FOR APPROVAL OF PAGA SETTLEMENT UNDER CALIFORNIA LABOR CODE §§ 2698 ET SEQ.** Date: December 8, 2026 Time: 11:00 a.m. Dept: 6 Los Angeles County Superior Court Case No.: 24STCV09324 (filed April 15, 2024)
VANESSA RUELAS SIERRA, as an individual and on behalf of all others similarly situated, Plaintiff, vs. SPENCER GIFTS LLC, a Delaware limited liability company; and DOES 1 through 50, inclusive, Defendants.	Kern County Superior Court Case No.: BCV-23-101673 (filed May 30, 2023)

RICHARD GONZALEZ, on behalf of himself and current and former aggrieved employees Plaintiff, v. SPIRIT HALLOWEEN SUPERSTORES LLC; and DOES 1 to 100, inclusive, Defendants.	Los Angeles County Superior Court Case No.: 24STCV04406 (filed February 22, 2024)
ELISA HILAIRE, individually and on behalf of all similarly situated individuals, Plaintiff, v. SPENCER GIFTS, LLC, a Delaware Limited Liability Company; SPIRIT HALLOWEEN SUPERSTORES, LLC, a Delaware Limited Liability Company; BARRY SUSSON, an individual; and Does 1-10, inclusive; Defendants.	San Diego County Superior Court Case No.: 37-2024-00019642 (filed April 26, 2024)
THOMAS WHALEN, individually and on behalf of all others similarly situated; Plaintiff, v. SPIRIT HALLOWEEN SUPERSTORES LLC, a Delaware limited liability company; and DOES 1 through 50, Defendants.	Los Angeles County Superior Court Case No.: 23STCV21612 (filed September 7, 2023

Plaintiffs Vanessa Ruelas Sierra, Thomas Whalen, Richard Gonzalez, and Elisa Hilaire's (collectively, "Plaintiffs") Motion for Approval of California Private Attorneys General Act ("PAGA") Settlement (the "Motion") came on regularly for hearing before this Court on December 8, 2026, at 11:00 a.m. This Court, having considered the PAGA Settlement Agreement (the "Settlement" or "Agreement") between Plaintiffs and Defendants Spirit Halloween Superstores LLC and Spencer Gifts LLC (collectively, "Defendants"), Plaintiffs' Motion and Memorandum of Points and Authorities in support thereof, and supporting declarations filed therewith; and good cause appearing, **HEREBY ORDERS, ADJUDGES, AND DECREES AS FOLLOWS**:

1. The Court, for purposes of this Judgment and Order, incorporates and adopts all defined terms and provisions as set forth in the Agreement, which was attached to the Declaration of Kristen M. Agnew in Support of Motion for Approval of PAGA Settlement as "Exhibit 1".

2. The Court hereby GRANTS the Motion.

3. Plaintiffs exhausted all administrative remedies required to bring the PAGA claims asserted in this action and are authorized to act as a private attorney general with respect to the PAGA claims being released under the terms of the Settlement. The California Labor and Workforce Development Agency (the "LWDA") was provided with notice of the Settlement via its online submission process and the LWDA has not made any objection to the Settlement.

4. The obligations set forth in the Settlement regarding the settlement of the Actions[1] are deemed part of this Judgment and Order, and the Parties and the Settlement Administrator are ordered to carry out the Settlement according to its terms and provisions.

5. Release of Claims. Upon Defendants' payment of the Gross Settlement Amount, Plaintiffs, the Aggrieved Employees, and the LWDA shall release the Released PAGA Claims

[1] "Actions" collectively means Plaintiffs' lawsuits titled: (1) *Vanessa Ruelas Sierra v. Spencer Gifts LLC*, Kern County Superior Court Case No. BCV-23-101673 ("*Sierra* Action"); (2) *Thomas Whalen v. Spirit Halloween Superstores LLC*, Los Angeles County Superior Court Case No. 23STCV21612 ("*Whalen* Action"); (3) *Richard Gonzalez v. Spirit Halloween Superstores LLC*, Los Angeles County Superior Court Case No. 24STCV04406 ("*Gonzalez* Action"); and (4) *Elisa Hilaire v. Spencer Gifts, LLC, et al.*, San Diego County Superior Court Case No. 37-2024-00019642 ("*Hilaire* Action"). The Actions are included in Judicial Council Coordination Proceeding No. JCCP 5401.

against all Released Parties.

a. "Aggrieved Employees" are all current and former nonexempt employees employed by Defendants in California during the PAGA Period.

b. "Gross Settlement Amount" is One Million Six Hundred Thousand Dollars and Zero Cents ($1,600,000.00).

c. "PAGA Notices" are Plaintiff Sierra's letter dated May 22, 2023, Plaintiff Whalen's letter dated September 5, 2023, Plaintiff Gonzalez's letter dated December 18, 2023, and Plaintiff Hilaire's letter dated April 26, 2024, providing notice to the LWDA of potential Labor Code violations.

d. "PAGA Period" is the period from May 22, 2022 through and including July 21, 2025.

e. "Released PAGA Claims" are the PAGA claims alleged in the operative complaints in the Actions, or that reasonably could have been based on the facts stated in the operative complaints in the Actions and in the PAGA Notices, including all PAGA claims seeking civil penalties premised upon: (1) failure to pay minimum wages, (2) failure to pay overtime wages, in violation of Labor Code sections 510, 558, 1194, 1197 and 1197.1, (3) failure to pay sick pay wages at the regular rate of pay, in violation of Labor Code sections 201, 202, 203, 246; (4) failure to provide meal and rest periods or pay premiums in lieu thereof at the regular rate of pay, in violation of Labor Code sections 226.7 and 512; (5) failure to provide accurate itemized wage statements, in violation of Labor Code section 226(a), (6) failure to timely pay all earned wages during employment, in violation of Labor Code section 204, (7) failure to timely pay all earned wage at time of separation, in violation of Labor Code sections 201, 202 and 203, and (8) failure to reimburse necessary business expenses in violation of Labor Code section 2802.

f. "Released Parties" are Defendants and their respective parents, subsidiaries, directors, owners, shareholders, officers, and attorneys, past and present, and each of them acting in concert with the foregoing.

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6. The Settlement is not an admission by Defendants, nor is this Judgment and Order a finding of the validity of any allegations or of any wrongdoing by Defendants. Neither this Judgment and Order, the Settlement, nor any document referred to herein, nor any action taken to carry out the Settlement, may be used as an admission of any fault, wrongdoing, omission, concession, or liability whatsoever by or against Defendants.

7. The Court appoints Phoenix Class Action Administration Solutions as the Settlement Administrator.

8. Defendants shall pay the Gross Settlement Amount within 5 business days after the Effective Date. "Effective Date" is the date by when both of the following have occurred: (a) the Court enters an order and Judgment approving the Settlement; and (b) the Judgment is final. The Judgment is final as of the latest of the following occurrences: (a) the day after the last date by which a notice of appeal, writ or other appellate proceeding to the applicable Court of Appeal of the order and judgment approving this Settlement may be timely filed and none is filed (i.e., 61 days from the date of entry of the Judgment); (b) if an appeal, writ, or other appellate proceeding is filed, and the appeal is finally disposed of by ruling, dismissal, denial, or in any other manner that confirms the validity of the order and Judgment, the day after the last date for filing a request for further review of the order and Judgment approving this Settlement passes, and no further review is requested; or (c) if an appeal, writ, or other appellate proceeding is filed and the Judgment is affirmed and further review of the Judgment is requested, the day after the review is finally resolved and the Judgment approving the Settlement is affirmed

9. Within 15 business days after Defendants pay the Gross Settlement Amount, the Settlement Administrator shall disburse the Gross Settlement Amount as follow:

a. A payment in the amount of $734,436.05, payable to the LWDA for civil penalties pursuant to PAGA;

b. Individual PAGA Payments totaling $244,812.01, payable to the Aggrieved Employees on a pro rata basis in accordance with the formula set forth in § 4.2(d). of the Agreement for civil penalties pursuant to PAGA, along with a copy of the Explanatory Letter,

attached to the Agreement as Exhibit A;

c. An award of $560,000.00, representing 35% of the Gross Settlement Amount, to Plaintiffs' counsel Diversity Law Group, P.C., Justice for Workers, P.C., Lavi & Ebrahimian, King & Siegel LLP, and Barahmand Law Group for attorney's fees pursuant to PAGA;

d. An award of $46,751.94 to Plaintiffs' counsel for attorney's costs pursuant to PAGA; and

e. A payment in the amount of $14,000.00 to the Settlement Administrator for settlement administration costs.

10. The Parties shall bear their own respective attorney's fees and costs, except as otherwise provided for in the Settlement and approved by the Court. Defendants and the Released Parties shall have no further liability for costs, expenses, interests, attorney's fees, or for any other charge, expense, or liability relating to the Released PAGA Claims and shall be released from all claims as set forth in the Settlement Agreement and in this Judgment and Order.

11. Plaintiffs shall submit a copy of this Judgment and Order to the LWDA within 14 days after entry of this Judgment and Order.

12. This Judgment and Order is intended to be a final disposition in its entirety of the above-captioned action. Pursuant to California Code of Civil Procedure section 664, this Court shall retain jurisdiction over the Parties, Actions, and the Settlement Agreement solely for purposes of (i) enforcing the Settlement Agreement and/or this Judgment and Order, (ii) addressing settlement administration matters, and (iii) addressing such post-Judgment matters as are permitted by law.

13. The Court sets a Non-Appearance Case Review re: Final Accounting on _____, 2027 at ___ a.m. in Department 6. Plaintiffs are ordered to file a final report and declaration by the Settlement Administrator regarding settlement distribution, including the actual amounts paid to the Aggrieved Employees and the other amounts distributed under the Settlement, including any uncashed checks, no later than 5 court days prior to the hearing.

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IT IS SO ORDERED, ADJUDGED, AND DECREED.

DATED: _____, 2026

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Hon. Elihu M. Berle
Judge of the Superior Court