

HAINES LAW GROUP, APC
Paul K. Haines (SBN 248226)
phaines@haineslawgroup.com
Sean M. Blakely (SBN 264384)
sblakely@haineslawgroup.com
Joel M. Gordon (SBN 280721)
jgordon@haineslawgroup.com
Kristopher N. Tayyeb (SBN 320126)
ktayyeb@haineslawgroup.com
2155 Campus Drive, Suite 180
El Segundo, California 90245
Tel: (424) 292-2350
Fax: (424) 292-2355

Attorneys for Plaintiff

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

JOAQUIN MUNGUIA CERDA, as an
individual and on behalf of all others similarly
situated,

Plaintiff,

vs.

PACIFIC CARE NURSING CENTER, a
California corporation; and DOES 1 through
100,

Defendants.

Case No.: 24STCV15500

*[Assigned for all purposes to the Hon.
Laura A. Seigle, Dept. 17]*

**AMENDED [PROPOSED] JUDGMENT
AND ORDER GRANTING PLAINTIFF'S
MOTION FOR APPROVAL OF
SETTLEMENT OF CLAIMS BROUGHT
UNDER THE PRIVATE ATTORNEYS'
GENERAL ACT, REASONABLE
ATTORNEYS' FEES, COSTS, AND
ENHANCEMENT PAYMENT**

Date: November 14, 2025

Time: 9:00 a.m.

Dept.: 17

Action Filed: June 20, 2024

Trial Date: None Set

1 This matter came on regularly for hearing before this Court on November 14, 2025, at
2 9:00 a.m. Having considered the Parties’ Amended PAGA Settlement Agreement
3 (“Settlement”);¹ the documents and evidence presented in support thereof; and recognizing the
4 disputed factual and legal issues involved in this case; the risks of further prosecution, the
5 substantial benefits to be received by the State of California and the Aggrieved Employees
6 pursuant to the Settlement; and the fair, reasonable, and adequate nature of the settlement obtained
7 as a result of good faith arm’s-length negotiations between the parties, the Court hereby makes a
8 final ruling that the Settlement is approved pursuant to Labor Code section 2699(l). Good cause
9 appearing therefore, the Court hereby GRANTS Plaintiff Joaquin Munguia Cerda’s (“Plaintiff”)
10 Motion for Approval of Settlement of Claims Brought Under the Private Attorneys General Act
11 (“Motion”) and ORDERS as follows:

12 1. The “Aggrieved Employees” consist of all current and former non-exempt
13 employees who worked for Pacific Care Nursing Center (“Defendant”) in California at any time
14 from June 21, 2023 through the date of the Court Order granting approval of the PAGA
15 Settlement. (the “PAGA Period”).

16 2. The California Labor Workforce and Development Agency (“LWDA”) has been
17 provided notice of the Settlement in accordance with PAGA, California Labor Code § 2699(l)(2),
18 (l)(4). In particular, on September 25, 2025, Plaintiff submitted to the LWDA a notice of the
19 Settlement enclosing a copy of the initial Settlement Agreement, and on November 12, 2025,
20 Plaintiff submitted the Amended Settlement Agreement to the LWDA. Plaintiff’s notice of the
21 Settlement to the LWDA complied with the notice requirements of PAGA.

22 3. The Court hereby approves the settlement as set forth in the Settlement as fair,
23 reasonable, and adequate, and directs the parties to effectuate the Settlement according to its
24 terms.

25
26
27
28 ¹ All terms used in this Order shall have the same meaning as that assigned to them in the Amended Settlement Agreement, attached as Exhibit 1 to the Declaration of Sean M. Blakely submitted on November 12, 2025.

1 4. The Court orders that Defendant shall fully fund the Gross Settlement Amount of
2 \$140,000.00 by transmitting the funds to the Settlement Administrator within fourteen (14) days
3 of the Effective Date as provided in the Settlement Agreement.

4 5. The Court hereby approves, as to form and content, the proposed Explanatory
5 Letter submitted by the parties and included as Exhibit A to the Settlement.

6 6. The Court hereby appoints ILYM Group, Inc. as the Settlement Administrator.

7 7. Within thirty (30) business days after entry of an order approving the settlement,
8 Defendant shall provide the Settlement Administrator with information for Aggrieved
9 Employees. Defendant will in good faith compile from its records a list of Aggrieved Employees
10 that will be in a computer-readable format, such as a Microsoft Excel spreadsheet, and shall
11 include each Aggrieved Employee's full name, last known mailing address, last known telephone
12 number, number of pay periods worked during the PAGA Period, and Social Security numbers
13 to the extent available from Defendant's records. Because Social Security numbers are included
14 in the list, the Settlement Administrator will maintain the list in confidence, and access shall be
15 limited to those with a need to use the list as part of the administration of the Settlement. Within
16 seven (7) calendar days of receiving the Aggrieved Employees' information from Defendant, the
17 Settlement Administrator will circulate to counsel for both Parties an anonymized spreadsheet
18 containing the Individual PAGA Payments to each Aggrieved Employee and the data used to
19 calculate said payments. The Settlement Administrator shall obtain approval from all counsel of
20 the calculations before mailing Individual PAGA Payments.

21 8. Within twenty-one (21) calendar days of the Settlement being fully funded, the
22 Settlement Administrator shall issue Individual PAGA Payments to the Aggrieved Employees,
23 payment to the LWDA, payment to Plaintiff's Counsel for Plaintiff's Counsel's Court-approved
24 attorneys' fees and litigation costs and expenses, payment to Plaintiff for the Court-approved
25 enhancement payment, and payment to the Settlement Administrator for Court-approved
26 Settlement administration costs incurred in connection with the Settlement.

27 9. The Court orders that the Settlement Administrator shall be paid up to \$5,000.00
28 for all of its work done and to be done until the completion of this matter and finds that sum

1 appropriate.

2 10. The Court finds that attorneys' fees in the amount of one-third of the Gross
3 Settlement Amount (currently estimated to be \$46,666.67) for Plaintiff's Counsel, and
4 reimbursement of litigation costs of up to \$18,189.96 to Plaintiff's Counsel, are fair, reasonable,
5 and adequate, and orders the Settlement Administrator to distribute these payments to Plaintiff's
6 Counsel as provided for in the Settlement Agreement.

7 11. The Court finds that the requested enhancement payment of \$5,000.00 to Plaintiff
8 is fair, adequate, and reasonable in recognition of the unique contributions she made and the risks
9 she undertook, on behalf of the Aggrieved Employees and the State of California, and orders that
10 the Settlement Administrator distribute this payment to Plaintiff as provided for in the Settlement
11 Agreement.

12 12. The Court finds that the amount of \$42,343.19, representing 65% of the Net
13 Settlement Amount, allocated as PAGA civil penalties under the Settlement, to be paid to the
14 LWDA as provided for by the Settlement, is fair, adequate, and reasonable, and orders that
15 payment be made to the LWDA in accordance with the terms of the Settlement Agreement. The
16 Court further finds that the amount of \$22,800.18, representing 35% of the Net Settlement
17 Amount, allocated as PAGA civil penalties under the Settlement, to be paid to the Aggrieved
18 Employees (i.e., Individual PAGA Payments) as provided for by the Settlement, is fair, adequate,
19 and reasonable, and orders that payment be made to Aggrieved Employees on a *pro rata* basis in
20 accordance with the terms of the Settlement and this Order.

21 13. Checks for Individual PAGA Payments sent to Aggrieved Employees shall be
22 valid for 180 days after issuance. Funds remaining from any checks for Individual PAGA
23 Payments uncashed for more than 180 days after issuance, shall be sent to the State Controller's
24 Office Unclaimed Property Division in the name of the Aggrieved Employee.

25 14. The Court approves the scope of the release as set forth in the Settlement.
26 Following entry of this Judgment and Order and the Gross Settlement Amount being fully funded,
27 Plaintiff and the State of California are deemed to release Defendant and its former, present and
28 future officers, directors, employees, agents, predecessors, successors, subsidiaries, related

1 entities, and assigns (“Released Parties”) from all claims for PAGA civil penalties that could have
2 been sought by the LWDA for the violations identified in Plaintiff’s letters to the LWDA. The
3 violations identified in Plaintiff’s letters to the LWDA included alleged violations of Labor Code
4 §§ 201-204, 226, 226.7, 510, 512, 516, 558, 1174, 1182.12, 1194, 1194.2, 1197, and 1198 and
5 the applicable IWC Wage Order.

6 15. Plaintiff is directed to submit a copy of this Order and entry of judgment to the
7 LWDA within ten (10) calendar days of the date of this Order and entry of judgment.

8 16. Plaintiff shall file a declaration confirming the final distribution of funds on or
9 before December 15, 2026.

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

12
13 Dated: _____

14 By: _____
15 Honorable Laura A. Seigle
16 Judge of the Superior Court
17
18
19
20
21
22
23
24
25
26
27
28