Electronically Received by Superior Court of California, County of Orange, 10/16/2026 10:27:40 AM.
30-2024-01407947-CU-OE-CXC - ROA # 99 - DAVID H. YAMASAKI, Clerk of the Court By eClerk, Deputy Clerk.

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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE

OCT 21 2026

DAVID H. YAMASAKI, Clerk of the Court

BY:_____,DEPUTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ORANGE

KATHERINE VERGARA POLANCO, an individual and on behalf of all others similarly situated;

Plaintiff,

vs.

ESCALETTE, LLC, a California corporation; and DOES 1 through 50,

Defendants.

Case No.: 30-2024-01407947-CU-OE-CXC

[Assigned for All Purposes to:
Hon. William Claster, Dept. CX101]

~~(AMENDED PROPOSED)~~ JUDGMENT AND ORDER GRANTING FINAL APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT, ATTORNEY'S FEES AND COSTS, AND SERVICE PAYMENT

Action Filed: June 18, 2024
Trial Date: Not Set

The Motion of Plaintiff Katherine Vergara Polanco ("Plaintiff") for Final Approval of Class Action and PAGA Settlement, Attorney's Fees and Costs, and Class Representative Service Payment ("Final Approval Motion") came on regularly for hearing before this Court pursuant to California Rule of Court 3.769 and this Court's earlier Order Granting Preliminary Approval of Class Action and PAGA Settlement dated May 6, 2026 ("Preliminary Approval Order").

Having considered the Parties' Class Action and PAGA Settlement Agreement and Amendment to the Class Action and PAGA Settlement Agreement (collectively, the "Settlement")[1], and the documents and evidence presented in support thereof, and recognizing the sharply disputed factual and legal issues involved in this case, the risks of further prosecution, and the substantial benefits to be received by the Class pursuant to the Settlement, the Court hereby makes a final ruling that the Settlement is fair, reasonable, and adequate pursuant to California Code of Civil Procedure § 382, and is the product of good faith, arm's-length negotiations between the parties. Good cause appearing therefor, the Court hereby GRANTS Plaintiff's Final Approval Motion and hereby ORDERS, ADJUDGES, AND DECREES:

1. Final judgment is hereby entered in conformity with the Agreement and this Final Approval Order.

2. The conditional class certification is hereby made final, and the Court thus certifies, for purposes of the Settlement, the following Class: All current and former non-exempt employees who worked for Defendant Escalette, LLC within the State of California at any time during the Class Period of June 18, 2020 to November 24, 2025.

3. The Court hereby confirms Plaintiff as the Class Representative; William C. Sung and Tiffany L. Luu of Justice for Workers, P.C. as Class Counsel; and Apex Class Action LLC. as the Administrator.

4. Notice was provided to Class Members as set forth in the Settlement, which was approved by the Court on May 6, 2026, and the notice process has been completed in conformity with the Settlement and the Court's Preliminary Approval Order. The Court finds that said notice

[1] All defined terms contained herein shall have the same meanings as set forth in the Settlement.

was the best notice practicable under the circumstances, and that individual notice was provided to all Class Members who could be identified through reasonable effort. The Class Notice provided due and adequate notice of the proceedings and matters set forth therein.

5. The Court finds that no Class Member objected to or opted out of the Settlement, and that the 100% participation rate in the Settlement supports final approval.

6. The Court further finds that the Settlement is fair, reasonable, and adequate, and orders the Parties to effectuate the Settlement according to its terms.

7. For purposes of settlement only, the Court finds that: (a) the Class Members are ascertainable and so numerous that joinder of all members is impracticable; (b) there are questions of law or fact common to the Class, and there is a well-defined community of interest among members of the Class with respect to the subject matter of the litigation; (c) the claims of the Class Representative are typical of the claims of the Settlement Class members; (d) the Class Representative has fairly and adequately protected the interests of the Class; (e) a class action is superior to other available methods for an efficient adjudication of this controversy; and (f) Class Counsel are qualified to serve as counsel for the Class Representative and the Class.

8. The Court finds that given the absence of objections to the Settlement, this Judgment and Order shall be considered final as of the date of entry.

9. The Court finds that the Individual Class Payments and Individual PAGA Payments, as provided for in the Settlement, are fair, reasonable, and adequate, and orders the Administrator to distribute the Individual Class Payments and Individual PAGA Payments in conformity with the terms of the Settlement.

10. The Court orders Defendant to deposit the Gross Settlement Amount of $543,586.77 and employer payroll taxes with the Administrator no later than 14 days after the Effective Date.

11. The Court finds that a Class Representative Service Payment in the amount of $5,000.00 to the Plaintiff is appropriate for Plaintiff's service to the Class. The Court finds that this payment is fair, reasonable, and adequate, and orders that the Administrator make this payment in conformity with the terms of the Settlement.

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12. The Court finds that attorney's fees in the amount of $163,076.00 and litigation costs of $10,375.00 for Class Counsel are fair, reasonable, and adequate in light of the common fund created by the Settlement, and orders that the Administrator distribute these payments to Class Counsel in conformity with the terms of the Settlement.

13. The Court orders that the Administrator shall be paid $7,650.00 from the Gross Settlement Amount in conformity with the terms of the Settlement, for all of its work done and to be done until the completion of this matter and finds that sum appropriate.

14. The Court finds that the payment to the California Labor & Workforce Development Agency ("LWDA") in the amount of $22,500.00 for its share of the settlement of Plaintiff's representative claim under the PAGA is fair, reasonable, and adequate, and orders the Administrator to distribute this payment to the LWDA in conformity with the terms of the Settlement.

15. The Court orders that any settlement checks shall be negotiable for 180 calendar days from the date of issuance of the check, and that any settlement checks that remain uncashed after one 180 days after they are mailed shall be distributed to the Controller of the State of California to be held pursuant to the Unclaimed Property Law, California Code of Civil Procedure §§ 1500, *et seq.*, in the name of the Class Member to whom the check was issued.

16. "Released Parties" means Defendant and each of its former and present subsidiaries, affiliates, shareholders, owners, members, employees, agents, officers, and their predecessors, successors and assigns.

17. Effective on the date when Defendant fully funds the entire Gross Settlement Amount and funds all employer payroll taxes owed on the Wage Portion of the Individual Class Payments, all Participating Class Members, on behalf of themselves and their respective former, present and future representatives, agents, attorneys, heirs, administrators, successors, and assigns, release Released Parties from all causes of action and claims ~~that were alleged in the Action or~~ per the terms of the Settlement Agreement. reasonably could have been alleged based on the facts and legal theories contained in the Operative Complaint, arising during the Class Period, including all of the following claims for relief: (1) Minimum Wage Violations; (2) Overtime Wage Violations; (3) Meal Period Violations; (4) Rest Period Violations; (5) Wage Statement Penalties; (6) Waiting Time Penalties; (7) Failure to

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Reimburse Necessary Business Expenses; and (8) Unfair Competition ("Released Class Claims").

18. Effective on the date when Defendant fully funds the entire Gross Settlement Amount and funds all employer payroll taxes owed on the Wage Portion of the Individual Class Payments, all Aggrieved Employees are deemed to release, on behalf of themselves and their respective former and present representatives, agents, attorneys, heirs, administrators, successors, and assigns, the Released Parties from all causes of action and claims for civil penalties under the California Private Attorneys General Act of 2004 that were alleged or reasonably could have been alleged based on the facts and legal theories contained in the Operative Complaint and PAGA Notice, arising during the PAGA Period, including claims for civil penalties based on the following: (1) Minimum Wage Violations; (2) Overtime Wage Violations; (3) Meal Period Violations; (4) Rest Period Violations; (5) Unpaid Sick Leave; (6) Wage Statement Penalties; (7) Waiting Time Penalties; (8) Failure to Reimburse Necessary Business Expenses ("Released PAGA Claims").

19. In accordance with California Rule of Court 3.771(b), the Parties are ordered to give notice of this final Judgment and Order to all Participating Class Members by posting on it the Administrator's website for 90 days.

20. This document shall constitute a final judgment pursuant to California Rule of Court 3.769(h), which provides: "If the court approves the settlement agreement after the final approval hearing, the court must make and enter judgment. The judgment must include a provision for the retention of the court's jurisdiction over the parties to enforce the terms of the judgment. The court may not enter an order dismissing the action at the same time as, or after, entry of judgment." Pursuant to California Code of Civil Procedure § 664.6, the Court retains jurisdiction to enforce the Settlement, the Final Approval Order, and this Judgment.

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21. Pursuant to Section 384(b) of the Code of Civil Procedure, Plaintiff shall submit to the Court a final report on or before May 28, 2027 setting forth the actual amounts paid to Class Members and other amounts disbursed pursuant to the Settlement. Upon receiving the report, the Court will determine whether further reports and/or a hearing will be necessary.

IT IS SO ORDERED, ADJUDGED, AND DECREED.

DATED: 10/21, 2026

Hon. William Claster
Judge of the Superior Court