

Clerk of the Superior Court
By T. Automation , Deputy Clerk

Nicholas J. Ferraro (State Bar No. 306528)
Lauren N. Vega (State Bar No. 306525)
Xavier L. Woodford (State Bar No. 355326)
Ferraro Vega Employment Lawyers, Inc.
3333 Camino del Rio South, Suite 300
San Diego, California 92108
(619) 693-7727 main / (619) 350-6855 facsimile
nick@ferrarovega.com / lauren@ferrarovega.com
xavier@ferrarovega.com

Attorneys for Plaintiff Robert Frosio

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO**

ROBERT FROSIO *et al.*

Plaintiff,

vs.

LA JOLLA BEACH AND TENNIS CLUB
PARTNERS L.P. *et al.*

Defendants.

Case No. 24CU003072C

*Hon. James Mangione
Dept. 75*

**Notice of Entry of Order Granting Approval
and Entering Judgment**

Action Filed: July 12, 2024

1 TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD, PLEASE
2 TAKE NOTICE THAT:

3 1. On November 26, 2025, in this Department, the Court entered the Order and Judgment
4 Granting Approval of PAGA Action Settlement and Attorneys' Fees and Costs and Entering Judgment
5 attached hereto as Exhibit 1.

6 2. The Judge confirmed the Court's Tentative Ruling attached hereto as Exhibit 2.

7 3. A copy of this Notice has been submitted to the LWDA via its online electronic portal
8 in accordance with Labor Code § 2699(s)(3).

9 4. Notice of the Court's final ruling and entry of judgment is hereby provided.

10
11 Respectfully submitted,

12
13 Dated: December 2, 2025

Ferraro Vega Employment Lawyers, Inc.

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15 _____
16 Nicholas J. Ferraro
17 Xavier L. Woodford
18 Attorneys for Plaintiff Robert Frosio
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EXHIBIT 1

FILED
Clerk of the Superior Court

NOV 26 2025

By: N. Calantoc, Deputy

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO**

ROBERT FROSIO, on behalf of others
similarly situated and the State of California
under the Private Attorneys General Act,

Plaintiff,

vs.

LA JOLLA BEACH AND TENNIS CLUB
PARTNERS L.P., and DOES 1 through 50,
inclusive,

Defendants.

Case No. 24CU003072C

Hon. James Mangione
Dept. 75

**Amended [~~Proposed~~] Order Granting Approval of
PAGA Action Settlement and Attorneys' Fees and
Costs and Entering Judgment**

Motion for PAGA Approval:

Date: November 14, 2025

Time: 9:00 a.m.

[Filed concurrently with Notice of Motion and
Motion for Approval of PAGA Action Settlement,
Memorandum of Points and Authorities, Declaration
of Nicholas J. Ferraro, and Declaration of Robert
Frosio]

Action Filed: July 12, 2024

**Amended [~~Proposed~~] Order Granting Approval of PAGA Action Settlement and Attorneys' Fees and
Costs and Entering Judgment**

1 This matter came on for hearing on November 14, 2025 at 9:00 a.m. in Department 75 of the
2 above-captioned Court, the Honorable James Mangione presiding, on Plaintiff's Motion for Approval
3 of PAGA Action Settlement and Attorneys' Fees and Costs.

4 Having received and considered the motions and supporting papers, including the PAGA
5 Settlement Agreement ("Settlement"), the Court makes the following determinations and orders:

6 Plaintiff's PAGA Notice, Plaintiff's Complaint, and the Parties' fully executed long form
7 PAGA Settlement Agreement are incorporated by reference. Terms used in this Order are derived from
8 the PAGA Settlement Agreement. The PAGA Period is defined as July 8, 2023 through October 1,
9 2025. The PAGA Members means all individuals currently or formerly employed by Defendants in
10 California as hourly, non-exempt employees during the PAGA Period [July 8, 2023 through October
11 1, 2025].

12 Plaintiff's Motion for Approval of PAGA Action Settlement and Attorneys' Fees and Costs is
13 **GRANTED** and approved pursuant to California Labor Code section 2699(s)(2).

14 The Court further finds the proposed notice attached hereto as **Exhibit 1** provides the best
15 practicable notice to the PAGA Members and comports with the constitutional requirements, including
16 those of due process. The Court further finds that mailing of the notice to the last known address of all
17 PAGA members with measures taken for verification of an address and skip tracing of bad addresses,
18 as specifically described within the Settlement, constitutes an effective method of notifying PAGA
19 members of their rights with respect to the PAGA action and the Settlement.

20 After the attorneys' fees, individual representative service payment, costs, and administrator's
21 expenses are deducted from the Gross Settlement Amount, the Net Settlement Amount is \$155,892.34,
22 of which 65% (\$101,330.02) shall be distributed to the LWDA and the remaining 35% (\$54,562.32)
23 shall be distributed to the aggrieved employees as their share of PAGA penalties.

24 Accordingly, the \$300,000 gross settlement shall be distributed as follows:

- 25 1. \$101,330.02 to the Labor and Workforce Development Agency for PAGA penalties
- 26 2. \$54,562.32 to the PAGA Employees
- 27 3. \$10,000 to Plaintiff as an enhancement payment
- 28 4. \$99,990.00 to Plaintiff's counsel for attorneys' fees

- 1 -

1 5. \$22,117.66 to Plaintiff's counsel for costs

2 6. \$12,000 to the Settlement Administrator

3 Plaintiff, Defendant, and the Settlement Administrator are ordered to carry out the terms of the
4 settlement in accordance with the Settlement Agreement.

5 The Court retains jurisdiction over the parties to enforce the terms of the Settlement.

6 Without affecting the finality of this Order or the entry of judgment in any way, the Court retains
7 jurisdiction on all matters relating to interpretation, administration, implementation, and enforcement of
8 this Order and the Settlement.

9 The Court hereby ENTERS JUDGMENT in accordance with the terms of the Settlement, in
10 accordance with this Final Approval Order and Judgment.

11
12 **IT IS SO ORDERED.**

13
14 Date: _____

10/26/25

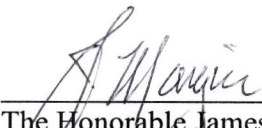
15 
16 The Honorable James Mangione
17 Judge of the Superior Court
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EXHIBIT 1

NOTICE OF PAGA ACTION SETTLEMENT

Robert Frosio et al. v. La Jolla Beach and Tennis Club Partners L.P. et al.
Superior Court of the State of California for the County of San Diego
Case No. 24CU003072C

This notice is to the following individuals in connection with a pending representative PAGA action settlement:

All individuals currently or formerly employed by Defendant in California as hourly, non-exempt employees during the PAGA Period [July 8, 2023, through October 1, 2025].

Read this notice carefully. Your legal rights could be affected whether you act or not.

The Superior Court of the State of California for the County of San Diego (the “Court”) has approved this representative action lawsuit filed by Robert Frosio (“PAGA Representative”) against La Jolla Beach and Tennis Club Partners L.P. (“Defendant”) for alleged wage and hour violations (the “Lawsuit”).

The Lawsuit is based on the following legal causes of action: (1) Civil Penalties under the Private Attorneys General Act (Labor Code §§ 2698 et seq.). Defendant denies all claims and maintains it has fully complied with the law.

Additionally, Defendant’s records reflect you worked [Insert Pay Periods] during the PAGA Period of July 8, 2023, through October 1, 2025. Based on this information, your Individual PAGA Payment is estimated to be [\$Individual PAGA Payment]. You may not opt out of the PAGA Settlement.

1. WHAT IS THE ACTION ABOUT?

The PAGA Representative is a former employee of Defendant. The Plaintiff alleged Defendant violated California labor and employment laws as follows: (1) Civil Penalties under the Private Attorneys General Act (Labor Code §§ 2698 et seq.). Plaintiff is represented by Ferraro Vega Employment Lawyers (“PAGA Counsel.”)

Defendant denies violating any laws or failing to pay any wages and contends it complied with all applicable laws. The parties have agreed to this settlement to avoid the expense and disruption of further litigation.

2. WHAT ARE THE PROPOSED SETTLEMENT TERMS?

The Court has approved a Gross Settlement Amount of \$300,000 and authorized the following payments from that amount: Service Payment to the PAGA Representative (\$10,000), Attorneys’ Fees in the amount of 99,990.00, representing 33.33% of the Gross Settlement Amount, Litigation Costs in the amount of \$22,117.66, the LWDA’s 65% portion of the PAGA Payment (\$101,330.02), and Administration Expenses to be paid to the third-party settlement administrator (estimated at \$12,000).

After the above deductions in amounts approved by the Court, the Administrator will calculate and distribute Individual PAGA Payments to PAGA Members based on their PAGA Pay Periods. The Administrator will report the Non-Wage Portions of the Individual PAGA Payments on IRS 1099 Forms. The Individual PAGA Payments are not subject to wage withholdings and will be reported on IRS 1099 Forms. PAGA Members should consult their tax advisors concerning the tax consequences of the payments they receive under the Settlement.

After the Judgment is final and Defendant has fully funded the settlement, Participating PAGA Members will be legally barred from asserting any of the claims released under the settlement, as follows:

Release by PAGA Members: All PAGA Members and the LWDA release Released Parties from, and are forever barred from pursuing such against Released Parties for, the PAGA claims alleged in and/or arising out of the facts alleged in the Operative Complaint during the PAGA Period, including, without limitation penalties predicated on the underlying alleged violations for: (1) Unpaid Hours Worked/Minimum Wage, (2) Unpaid Meal Period Premium Wages, (3) Unpaid Rest Period Premium Wages, (4) Unpaid Overtime, (5) Untimely Payment of Wages During Employment, (6) Untimely Payment of Wages Upon Separation of Employment, (7) Non-Compliant Wage Statements, (8) Unreimbursed Employee Expenses, (9) Failure to Maintain Accurate Records, and (10) Civil Penalties under the Private Attorneys General Act (Labor Code §§ 2698 et seq.).

3. HOW IS MY INDIVIDUAL PAGA PAYMENT CALCULATED?

The number of Pay Periods you worked during the PAGA Period are stated on the first page of this PAGA Notice. The Administrator will calculate your Individual PAGA Payment by (1) dividing the Net Settlement Amount by the total number of PAGA Pay Periods worked by all PAGA Members during the PAGA Period, and then (2) multiplying the results by the number of Pay Periods worked by each PAGA Member. In other words, you will receive a proportional recovery based on your length of employment in relation to other PAGA Members.

4. HOW CAN I CORRECT THE NUMBER OF PAGA PAY PERIODS?

You have until the Response Deadline to correct or challenge the number of PAGA Pay Periods. You can submit your challenge by signing and sending a letter to the Administrator via mail or email to the Administrator at the following address:

Administrator:

Phoenix Settlement Administrators

P.O. Box 7208

Orange, CA, 92863

(800) 523-5773

<https://www.phoenixclassaction.com/contact-us/class-member-inquiries/>

The Administrator will accept Defendant's calculation of PAGA Pay Periods as accurate unless you send copies of records containing contrary information. You should send copies rather than originals because the documents will not be returned to you.

5. HOW WILL I GET PAID?

The Administrator will send, by U.S. mail, a single check to every PAGA Member following the Effective Date of this Settlement. Your check will be sent to the same address as this notice. If you change your address, notify the Administrator as soon as possible.

6. HOW CAN I GET MORE INFORMATION?

The Agreement sets forth everything Defendant and Plaintiff have promised to do under the proposed Settlement. The easiest way to read the Agreement, the Judgment, or any other Settlement documents is to go to the following website [\[\[website\]\]](#). You can also telephone or send an email to PAGA Counsel at the address below:

PAGA Counsel

Nicholas J. Ferraro (State Bar No. 306528)

Lauren N. Vega (State Bar No. 306525)

Ferraro Vega Employment Lawyers, Inc.

3333 Camino del Rio South, Suite 300

San Diego, California 92108

(619) 693-7727 telephone

classactions@ferrarovega.com

ferrarovega.com

7. WHAT IF I LOSE MY SETTLEMENT CHECK OR FAIL TO CASH IT?

If you lose or misplace your settlement check, the Administrator will replace it if you request a replacement before the void date on the face of the original check. If your check is already void or you have otherwise failed to cash it, it will be provided to the State of California's Unclaimed Property Division in your name. For more information, please review how to process a claim for your funds with the State of California, https://www.sco.ca.gov/upd_form_claim.html.

**DO NOT CONTACT THE COURT OR THE COURT CLERK TO OBTAIN
INFORMATION ABOUT THE SETTLEMENT**

EXHIBIT 2

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN DIEGO
CENTRAL COURTHOUSE

TENTATIVE RULINGS - November 13, 2025

HEARING DATE:

HEARING TIME:

DEPT.:

JUDICIAL OFFICER:

CASE NO.:24CU003072C

CASE TITLE: Frosio vs La Jolla Beach and Tennis Club Partners LP

CASE TYPE: (U)Other Employment

HEARING TYPE:

Plaintiff's Motion for Approval of PAGA Settlement is conditionally granted pending submission of a PAGA notice to aggrieved employees.

Plaintiff requests attorney's fees of \$99,990, or one-third of the gross settlement amount. To support this request, Plaintiff has provided a lodestar cross-check of \$48,000 based on 80 hours at an hourly rate of \$600. The Court finds this hourly rate is reasonable, and a positive multiplier of 2.08 is warranted. Therefore, the Court grants attorney's fees of \$99,990 and actual litigation costs of \$22,117.66. Additionally, the Court grants the requested service award of \$10,000 and settlement administration costs of \$12,000.

The Court notes that the motion to approve the settlement did not contain a notice that would be sent to the aggrieved employees identifying the settlement terms. The Court finds the terms of the settlement are fair but will not sign the proposed order without reviewing the PAGA notice to aggrieved employees. Therefore, Plaintiff is directed to submit a proposed PAGA notice regarding the settlement that will be sent to all aggrieved employees. Upon approval of the notice, the Court will sign the proposed order.