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Superior Court of California
County of Stanislaus
Hugh K. Swift
Clerk of the Court
By: Cynthia Hurtado, Deputy

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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF STANISLAUS

CEDRICK MILLER, on behalf of himself and all others similarly situated,

Plaintiff,

v.

HOME OXYGEN COMPANY, LLC, a California Limited Liability Company; and DOES 1-50, inclusive.

Defendants.

CASE NO.: CV-24-008466

Assigned to the Hon. David I. Hood

[PROPOSED] ORDER GRANTING FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND FINAL JUDGMENT

HEARING INFO

Date: November 13, 2026
Time: 8:30 a.m.
Dept.: 24

This matter having come for hearing on November 13, 2026, regarding the Motion for Final Approval of Class Action Settlement on the terms set forth in the Class Action and PAGA Settlement Agreement (the "Settlement"). In conformity with California Rules of Court, rule 3.769, with due and adequate notice having been given to Class Members (as defined in the Settlement), and having considered the Settlement, all of the legal authorities and documents submitted in support thereof, all papers filed and proceedings had herein, all oral and written comments received regarding the Settlement, and having reviewed the record in this litigation, and good cause appearing, the Court **GRANTS** final approval of the Settlement and orders and makes the following findings and determinations and enters final judgment as follows:

1. All terms used in this order shall have the same meaning as those terms are used and/or defined in the parties' Settlement Agreement and Plaintiff Cedrick Miller's Motion for Final Approval of Class Action Settlement. The Settlement Agreement previously submitted with the preliminary approval papers is incorporated herein by reference.

2. The Court has personal jurisdiction over the Parties to this litigation and subject matter jurisdiction to approve this Settlement, and all exhibits thereto.

3. For settlement purposes only, the Court hereby finally certifies the Settlement Class, as defined in paragraph 2 of the Court's June 8, 2026 Order Granting Preliminary Approval of Class Action Settlement (the "Preliminary Approval Order"), consisting of all persons who are or were employed by Defendant Home Oxygen Company, LLC ("Defendant") in California and classified as non-exempt employees at any time from October 21, 2020 through August 1, 2025.

4. For settlement purposes, Plaintiff represents the State of California and the PAGA Employees with respect to the PAGA claims compromised by the Settlement. PAGA Employees include all persons who are or were employed by Defendant in California and classified as non-exempt or hourly employees at any time from October 21, 2023 through August 1, 2025.

5. The Court deems this definition sufficient for the purpose of California Rules of Court, rule 3.765(a), and solely for the purpose of effectuating the Settlement.

6. The Court finds that an ascertainable Settlement Class exists and that, for settlement purposes, a well-defined community of interest exists because: (a) common questions of law and fact

predominate over individual questions; (b) Plaintiff's claims are typical of the claims of the Settlement Class; and (c) Plaintiff and Class Counsel have fairly and adequately represented and protected the interests of the Settlement Class in negotiating, entering into, and implementing the Settlement.

7. The Court finds that ILYM Group, Inc., Settlement Administrators, which was appointed as the Settlement Administrator, completed the distribution of Class Notice to the Class in a manner that complies with California Rules of Court, rule 3.766. Proper notice to the Settlement Class has been given in compliance with the law and as required by the Preliminary Approval Order. The Class Notice informed prospective Class Members of the Settlement terms, their rights under the Settlement and to receive their settlement share, their rights to submit a request for exclusion, their rights to comment on or object to the Settlement, and their rights to appear at the Final Approval and Fairness Hearing and be heard regarding approval of the Settlement. Sufficient period of time to respond and to act was provided by each of these procedures. No Class Members filed a written objection to the Settlement as part of this notice process, no Class Members filed a written statement of intention to appear at the Final Approval and Fairness Hearing, and no Class Member submitted a request for exclusion.

8. The Court hereby approves the terms set forth in the Settlement Agreement and finds that the Settlement was entered into in good faith, is, in all respects, fair, adequate, and reasonable, satisfies the standards for final approval under California law (Civ. Code, § 1781; Code Civ. Proc., § 382; Cal. Rules of Court, rule 3.769; Lab. Code, § 2699, subd. (s)(2)), is consistent with and compliant with all applicable requirements of the California Code of Civil Procedure, the California and United States Constitutions, including the Due Process clauses, the California Rules of Court, and any other applicable law, and is in the best interests of each of the Parties and Class Members.

9. The proposed Settlement was submitted to the Labor and Workforce Development Agency ("LWDA") in accordance with Labor Code section 2699, subdivision (s)(2).

10. The Court directs the Parties to effectuate the Settlement Agreement according to its terms and declares the Settlement Agreement to be binding on all 110 Participating Class Members. Defendant shall separately pay employer-side payroll taxes under paragraph 53(a) of the executed

Settlement Agreement. Defendant shall fund the Gross Settlement Amount in the six installments specified in paragraph 76, with the employer-side of the payroll taxes to be submitted with the first installment, and the Administrator shall disburse payments within 7 calendar days after the final deposit under paragraph 78.

11. The Court finds that the Settlement Agreement has been reached as a result of informed and non-collusive arm's-length negotiations. The Court further finds that the Parties have conducted extensive investigation and research, and their attorneys reasonably evaluated their respective positions.

12. The Court also finds that the Settlement will now avoid additional and potentially substantial litigation costs, as well as delay and risks if the Parties were to continue to litigate the case. Additionally, after considering the monetary recovery provided as part of the Settlement in light of the challenges posed by continued litigation, the Court concludes that Class Counsel secured significant relief for Class Members.

13. The Settlement Agreement is not an admission by Defendant, nor is this order a finding of the validity of any allegations or any wrongdoing by Defendant.

14. The Court confirms Plaintiff Cedrick Miller as Class Representative for settlement purposes and finds him to be adequate.

15. The Court confirms Mehrdad Bokhour of Bokhour Law Group, P.C. and Joshua S. Falakassa of Falakassa Law, P.C. as Class Counsel and finds each of them to be adequate, experienced, and well-versed in class action litigation.

16. The terms of the Settlement Agreement, including the Gross Settlement Amount of $135,000 and the individual settlement shares, are fair, adequate, and reasonable to the Class and each Class Member, and the Court grants final approval of the Settlement set forth in the Settlement Agreement, subject to this Order.

17. The Court approves the following allocations from the $135,000 Gross Settlement Amount:

A. The Court awards $5,000 to the Settlement Administrator and finds this amount to be fair and reasonable. The Court grants final approval and orders

the Settlement Administrator to pay this amount in accordance with the Agreement.

B. The Court awards $45,000 to Class Counsel as attorneys' fees and finds this amount to be fair and reasonable in light of the benefit obtained for the Class. The Court grants final approval of, awards, and orders that the Class Counsel fees be paid in accordance with the Settlement Agreement.

C. The Court awards $15,000 to the Bokhour Law Group, P.C. in litigation costs, an amount which the Court finds to be reflective of the reasonable costs incurred, and orders payment be made in accordance with the Settlement Agreement. The remaining $1,020.20 of the costs requested shall be added to the Net Settlement Amount.

D. The Court awards Plaintiff Cedrick Miller a Class Representative Service Payment of $7,500 and finds that amount fair and reasonable.

E. The Court approves the $5,000 allocation for PAGA penalties and orders 65% ($3,250) paid to the LWDA and 35% ($1,750) distributed to the 66 PAGA Employees based on their PAGA Pay Periods.

18. The Court orders the Parties to comply with and carry out all terms and provisions of the Settlement, to the extent that the terms thereunder do not contradict this Order, in which case the provisions of this Order shall take precedence and supersede the Settlement.

19. Nothing in the Settlement or this Order purports to extinguish or waive Defendant's rights to continue to oppose the merits of the claims in this Action or class treatment of these claims in this case if the Settlement fails to become final or effective, or in any other case without limitation.

20. The Parties shall bear their own respective attorneys' fees and costs except as otherwise provided in this Order and the Settlement Agreement.

21. All settlement checks shall remain negotiable for no less than 180 days after mailing, as disclosed in the mailed Class Notice. In accordance with Code of Civil Procedure section 384, subdivision (b), the unpaid residue, consisting of the funds represented by checks remaining uncashed after the void date plus any interest accrued thereon, shall be paid to the proposed cy pres recipient,

Boys and Girls Club of Stanislaus County, upon the Court's approval of the recipient and entry of an amended judgment directing that payment at the Settlement Compliance Hearing set below.

22. Pursuant to California Rules of Court, rule 3.771(b), the Court orders that notice of this Order Granting Final Approval and Final Judgment be given to the Settlement Class by posting it on the Settlement Administrator's website for a period of at least 90 days. The Settlement Administrator shall post it within 10 days after entry of this Order and Final Judgment.

23. Upon the Settlement becoming effective and being fully funded in accordance with the Settlement Agreement, all 110 Participating Class Members shall be bound by the Settlement Agreement and shall be deemed to have released the Released Class Claims against the Released Parties for the Class Period. Upon those conditions being satisfied, all 66 PAGA Employees shall be bound by the PAGA settlement and the release of the Released PAGA Claims for the PAGA Period, as provided in the Settlement Agreement. The releases extend no further than the claims, time periods, and Released Parties identified in the Settlement Agreement and this Order.

24. In accordance with Code of Civil Procedure section 384, subdivision (b), the Court sets a Settlement Compliance Hearing for **April 28, 2028, at 8:30 a.m.** in Department 24 of this Court, to confirm full administration of the Settlement. The Settlement Administrator shall submit a compliance declaration no later than 15 calendar days before the hearing. The declaration shall include: (a) the total amount actually paid to Class Members and PAGA Employees; (b) the number and value of checks cashed and uncashed; (c) confirmation that all other Court-approved payments have been made; and (d) the identity of the proposed cy pres recipient(s), along with a statement of any relationship between the recipient(s) and the Parties or counsel. At the Settlement Compliance Hearing, the Court shall amend the judgment to direct that the unpaid residue be paid to the approved recipient(s) in accordance with section 384, subdivision (b). Class Counsel shall submit a proposed amended judgment at least five court days before the Settlement Compliance Hearing.

25. Within 10 days after entry of this Order and Final Judgment, Class Counsel shall submit a copy of the entered Order and Final Judgment to the LWDA through the agency's online filing system in accordance with Labor Code section 2699, subdivision (s)(3), and shall file proof of that submission with the Court.

26. The Court retains continuing jurisdiction over the Parties, the Settlement Class, the PAGA Employees, the Action, and the Settlement pursuant to Code of Civil Procedure section 664.6 and California Rules of Court, rule 3.769(h) of the California Rules of Court, solely for purposes of (a) enforcing the Settlement Agreement, (b) addressing settlement administration matters, and (c) addressing such post-judgment matters as may be appropriate under court rules or applicable law.

27. This Order and Final Judgment constitute the final disposition of the Action in its entirety and are intended to be immediately appealable. This Final Judgment resolves the claims released by the Settlement Agreement against Defendant and the Released Parties, subject to the terms, conditions, and effective dates of the releases set forth in the Settlement Agreement and this Order.

JUDGMENT IS ENTERED ACCORDINGLY. IT IS SO ORDERED.

DATED: November 17, 2026

David Ian Hood

HON. DAVID I. HOOD

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 1901 Avenue of the Stars, Suite 520, Los Angeles, California 90067.

On November 13, 2026, I served the following document(s) described as **[PROPOSED] ORDER GRANTING FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND FINAL JUDGMENT** on the interested parties in this action:

Stacy L. Henderson, Esq.
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HENDERSON HATFIELD, P.C.
1101 15th Street
Modesto, California 95354

Counsel for defendant
HOME OXYGEN COMPANY, LLC

BY ELECTRONIC SERVICE: I transmitted the above-referenced document(s) via electronic service provider First Legal to the person(s) identified above at the email address(es) indicated and did not, within a reasonable time after transmission, receive any message or communication indicating that delivery failed or that any other error had occurred which would delay or caused failure in transmission and delivery of the document and/or any attachments thereto.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on November 13, 2026, at Los Angeles, California.

/s/ Cynthia Garcia
Cynthia Garcia