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IN THE SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN DIEGO, CENTRAL

JOE MARTINEZ, an individual, on behalf
of himself and all other aggrieved
employees,

Plaintiff,

vs.

NORTH SPRUCE LP, a California Limited
Partnership; REGINALD V. FINCH, an
individual, TERESE FINCH, an individual
and DOES 1 through 20 inclusive,

Defendants.

Case No. 25CU009079C

Assigned to Hon. Wendy M. Behan in Dept.C-66

**[PROPOSED] ORDER GRANTING MOTION
FOR APPROVAL OF PAGA SETTLEMENT**

Action Filed: February 19, 2025

Trial Date: None

The matter having come regularly for hearing on _____, 202__ in
Dept. C-66 of the above-entitled Court and having considered the records and files in this action, and
the oral and documentary evidence presented at hearing on Plaintiff’s Motion, and good cause
appearing, the Court hereby GRANTS Plaintiff’s Motion for Approval of PAGA Settlement
(“Motion”), subject to the following findings and orders:

- a) Pursuant to Labor Code § 2699(1)(2), the Court finds the proposed settlement of PAGA
claims to be fair, reasonable and adequate to those affected.

- b) The Court approves the form and content of the Notice of Individual PAGA Settlement Payment. Within 14 calendar days of Court approval, Defendants will mail the Notice to all Aggrieved Employees by first-class United States mail, postage prepaid, with directions to the Postmaster to forward the Notice and return all undeliverable Notices to Defendant's counsel.
- c) The aggrieved employees encompassed by the PAGA Settlement are all persons who worked as nonexempt employees for Defendants in California at any time between December 16, 2023 and May 20, 2024. This consists of a total of four employees, including Plaintiff.
- d) Within 14 calendar days of Court approval, Defendants will mail to Plaintiff's counsel a \$5,200 check made payable to the LWDA, and will also mail to each of the four aggrieved employees, a \$700 PAGA penalty payment to their last known address.
- e) For each Notice of PAGA Settlement and settlement payment that is returned as undeliverable, Defense counsel shall promptly attempt to locate the Aggrieved Employee by performing an additional search on a public records database and shall re-mail the Notice and settlement check.
- f) Settlement checks will specify that they are void if not negotiated or cashed within 180 days of their issuance. Defense counsel will remit the entire amount of each PAGA aggrieved employees' uncashed PAGA penalty payment to the California State Controller for deposit in the Unclaimed Property Fund in the name of the PAGA Aggrieved Employees to whom the uncashed Individual Settlement Payment was issued.
- g) The Court approves and confirms the release and waiver of claims provided in Plaintiff's Motion. Upon entry of this Order, the Parties shall effectuate and act in accordance with all terms specified in the Motion. Plaintiff, on behalf of the LWDA, releases Defendants of all claims asserted in the PAGA Notice, and alleged in the Operative Complaint for PAGA civil penalties for the release period of December 16, 2023, through May 20, 2024.

1 h) Pursuant to the terms set forth in the Motion, the Court approves the PAGA Payment
2 in the amount of \$8,000. 65% of the PAGA Payment will be allocated and paid to the
3 California Labor and Workforce Development Agency. 35% of the PAGA Payment
4 will be allocated and distributed equally amongst the four alleged aggrieved employees
5 as set forth in the Motion.

6 i) The PAGA action is hereby DISMISSED WITH PREJUDICE in its entirety. Pursuant
7 to C.C.P. §664.6, this Court shall have and retain continuing jurisdiction over this
8 action to enforce the terms of the parties' agreement.

9 j) Pursuant to Labor Code § 2699(1)(3), Plaintiff shall submit a copy of this Order to the
10 LWDA within 10 days of entry of this Order.

11 **IT IS SO ORDERED.**

12
13 Dated: _____

14 HONORABLE WENDY M. BEHAN
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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 18 and not a party to the within action. My business address is 30 N. Raymond Ave., Ste. 211 Pasadena, CA 91103.

On August 22, 2025, I served the foregoing document described as **[PROPOSED] ORDER GRANTING MOTION FOR APPROVAL OF PAGA SETTLEMENT** on the interested parties in this action as follows:

☐ By placing true copies enclosed in a sealed envelope addressed to each addressee as follows:

☒ Electronically to from my email address, FRA@PimentelLaw.com on the persons identified below at the following electronic service address: glee@grsm.com; rmansukhani@grsm.com

Gordon Rees Scully Mansukhani
Roger Mansukhani, Esq.
Geoffrey Lee, Esq.
101 W Broadway Suite 200
San Diego, CA 92101

*Counsel for Defendants North Spruce LP,
Reginald V. Finch and Terese Finch*

☐ BY MAIL:

☐ I deposited each envelope in the mail at Pasadena, California, with postage thereon fully prepaid.

☐ I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses above. I placed the envelope or package for collection and overnight delivery at an office or regularly utilized drop box of the overnight delivery carrier.

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

Fabrizio Alburquerque

Executed on August 22, 2025 at Pasadena, California.