

August 22, 2025

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FILED
San Diego Superior Court

SEP 19 2025

Clerk of the Superior Court
By: B. Orihuela, Deputy**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 9/19, 2025 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:

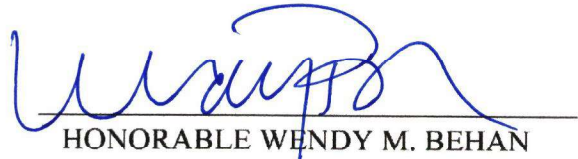
- a) Pursuant to Labor Code § 2699(1)(2), the Court finds the proposed settlement of PAGA
claims to be fair, reasonable and adequate to those affected.

- 1 b) The Court approves the form and content of the Notice of Individual PAGA Settlement
2 Payment. Within 14 calendar days of Court approval, Defendants will mail the Notice
3 to all Aggrieved Employees by first-class United States mail, postage prepaid, with
4 directions to the Postmaster to forward the Notice and return all undeliverable Notices
5 to Defendant's counsel.
- 6 c) The aggrieved employees encompassed by the PAGA Settlement are all persons who
7 worked as nonexempt employees for Defendants in California at any time between
8 December 16, 2023 and May 20, 2024. This consists of a total of four employees,
9 including Plaintiff.
- 10 d) Within 14 calendar days of Court approval, Defendants will mail to Plaintiff's counsel
11 a \$5,200 check made payable to the LWDA, and will also mail to each of the four
12 aggrieved employees, a \$700 PAGA penalty payment to their last known address.
- 13 e) For each Notice of PAGA Settlement and settlement payment that is returned as
14 undeliverable, Defense counsel shall promptly attempt to locate the Aggrieved
15 Employee by performing an additional search on a public records database and shall
16 re-mail the Notice and settlement check.
- 17 f) Settlement checks will specify that they are void if not negotiated or cashed within 180
18 days of their issuance. Defense counsel will remit the entire amount of each PAGA
19 aggrieved employees' uncashed PAGA penalty payment to the California State
20 Controller for deposit in the Unclaimed Property Fund in the name of the PAGA
21 Aggrieved Employees to whom the uncashed Individual Settlement Payment was
22 issued.
- 23 g) The Court approves and confirms the release and waiver of claims provided in
24 Plaintiff's Motion. Upon entry of this Order, the Parties shall effectuate and act in
25 accordance with all terms specified in the Motion. Plaintiff, on behalf of the LWDA,
26 releases Defendants of all claims asserted in the PAGA Notice, and alleged in the
27 Operative Complaint for PAGA civil penalties for the release period of December 16,
28 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.**

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13 Dated: 9/19/25

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15 HONORABLE WENDY M. BEHAN
16 WENDY M. BEHAN
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