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Attorneys for Plaintiff Janine Mireles, individually and
on behalf of all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN JOAQUIN

JANINE MIRELES, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

LODI MEMORIAL HOSPITAL
ASSOCIATION, INC.; ADVENTIST
HEALTH SYSTEM/WEST; and DOES 1
through 25, inclusive

Defendants.

Case No. STK-CV-UOE-2020-0004458
ASSIGNED FOR ALL PURPOSES TO:
The Honorable Erin Guy Castillo
Department 10B

REPRESENTATIVE ACTION

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S MOTION FOR APPROVAL
OF PRIVATE ATTORNEYS GENERAL ACT
("PAGA") SETTLEMENT**

Date: August 29, 2023

Time: 9:00 a.m.

Dept: 10B

Judge: Hon. Erin Guy Castillo

Complaint filed: June 2, 2020

Trial date: Not set

Pursuant to the Motion for an Order Granting Approval of the Private Attorneys General Act (“PAGA”) Settlement submitted by Plaintiff Janine Mireles (“Motion”), having considered the Motion, all legal authorities and documents submitted in support, Declarations of Jeff Geraci and Jonathan M. Lebe and attached exhibits, including the fully-executed Settlement Agreement and Release of PAGA Claims (“Agreement”), and good cause appearing, IT IS ORDERED that the Motion is GRANTED, subject to the following orders:

1. The Court approves the Total Settlement Payment of \$1,500,000;
2. The Court orders 75% of the PAGA Fund, \$702,078.75, be paid to the California Labor and Workforce Development Agency as PAGA penalties;
3. The Court orders 25% of the PAGA Fund, \$234,026.25, be paid to the PAGA Settlement Members in pro rata shares based on the number of pay periods worked from May 16, 2019 to June 24, 2023, as PAGA penalties;
4. The Court approves and awards Plaintiffs’ Counsel, Cohelan, Khoury & Singer, and Lebe Law APLC, attorneys’ fees of \$525,000, and litigation costs of \$21,600;
5. The Court finds the Payment of \$7,500 to Plaintiff Janine Mireles for her service as the PAGA representative and in exchange for a general release is fair and reasonable, and orders the Administrator to make this payment in accordance with the Agreement;
6. The Court finds the payment of \$9,795 to the Administrator, Xpand Legal, for expenses incurred, is fair and reasonable, and orders the Administrator to make this payment to itself in accordance with the Agreement;
7. If any PAGA Settlement Member fails to negotiate a settlement check within 180 calendar days after mailing, Xpand Legal will send the amount of settlement check to the California State Controller Unclaimed Property Fund in the employee’s name.

IT IS SO ORDERED.

Dated: _____, 2023

Honorable Erin Guy Castillo
Judge of the Superior Court