

JCL LAW FIRM, APC

Jean-Claude Lapuyade (State Bar #248676)
Sydney Castillo-Johnson (State Bar #343881)
Monnett De La Torre (State Bar #272884)
5440 Morehouse Drive, Suite 3600
San Diego, CA 92121
Telephone: (619) 599-8292
Facsimile: (619) 599-8291
jlapuyade@jcl-lawfirm.com
mdelatorre@jcl-lawfirm.com

ZAKAY LAW GROUP, APLC

Shani O. Zakay (State Bar #277924)
Jackland K. Hom (State Bar #327243)
Julieann Alvarado (State Bar #334727)
5440 Morehouse Dr., Ste 3600
San Diego, CA 92121
Telephone: (619)255-9047
Facsimile: (858) 404-9203
shani@zakaylaw.com
julieann@zakaylaw.com

Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

JUAN CABEZA, an individual, on behalf of
himself, and on behalf of all persons similarly
situated,

Plaintiff,

vs.

CENTRAL NEIGHBORHOOD HEALTH
FOUNDATION, a California non-profit
corporation; and DOES 1 through 50,
Inclusive;

Defendants.

Case No.: 21STCV44468

**~~PROPOSED~~ ORDER APPROVING
PAGA SETTLEMENT AND JUDGMENT**

Hearing Date: May 2, 2023
Hearing Time: 9:00 A.M.

Judge: Hon. Elihu M. Berle
Dept.: 6

1 Plaintiff Juan Cabeza (“Plaintiff”) with Defendant Central Neighborhood Health
2 Foundation (“Defendant”) moved for approval of the proposed settlement of Plaintiff’s claims for
3 civil penalties under the California Labor Code Private Attorneys General Act (“PAGA”), pursuant
4 to California Labor Code section 2699(l), Plaintiffs seek approval of the settlement, including the
5 Gross Settlement Amount (“GSA”) of \$375,000.00. The PAGA Settlement Agreement (the
6 “Settlement Agreement”) provides that a Net Settlement Amount of \$217,500.00 shall be paid from
7 the \$375,000.00 GSA. The Settlement Agreement also provides that (1) \$125,000.00 be paid to
8 PAGA Counsel for payment of attorneys’ fees; (3) \$12,972.72 be paid to PAGA Counsel for actual
9 litigation costs incurred; (3) \$5,000.00 be paid to Plaintiff as a service award; and (4) \$7,500.00
10 be paid to ILYM Group, Inc. for the cost of administration of the settlement. The Labor Workforce
11 Development Agency was provided with notice of the settlement and the motion via its online
12 process and no objection has been received to the settlement or the motion.

13 Upon entry of final judgment and funding of the Gross Settlement Amount in full, Plaintiff
14 and Aggrieved Employees will release the followings claims against Defendant an each of its
15 former and present directors, officers, owners, attorneys, insurers, predecessors, successors, and
16 assigns (“Released Parties”): All Aggrieved Employees are deemed to release, on behalf of
17 themselves an their respective former and present representatives, agents, attorneys, heirs,
18 administrators, successors, and assigns, the Released Parties from all PAGA claims for civil
19 penalties under California Labor Code Sections 2698, et seq., predicate on the California Labor
20 Code violations that are asserted in LWDA Notice and operative complaint which are for civil
21 penalties pursuant to Labor Code section 2699, et seq. for violations of Labor Code sections 201,
22 202, 203, 204, 210, 226(a), 227.7, 226.8, 351, 510, 512, 558, 1194, 1197, 1197.1, 1198, 2802,
23 California Code of Regulations, Title 8, section 11040, subdivision 5(A)-(B), and applicable
24 Industrial Welfare Commission Wage Orders. The release does not include underlying wage and
25 hour claims, claims for wrongful termination, discrimination, unemployment insurance, disability,
26 and workers’ compensation, and claims outside of the PAGA Period.

27 Good cause appearing based on the reasons set forth in the motion for approval, the Court
28 hereby GRANTS the motion and approves the PAGA settlement as set forth in the Settlement

1 Agreement and the Net Settlement Amount of \$217,500.00, which shall be allocated and paid out
2 as set forth in the Settlement and in accordance with Labor Code section 2699(i).

3 After entry of this Judgment, the Court shall retain jurisdiction to construe, interpret,
4 implement, and enforce the Settlement Agreement, to hear and resolve any contested challenge to
5 a claim for settlement benefits, and to supervise and adjudicate any dispute arising from or in
6 connection with the distribution of settlement benefits.

7
8 **IT IS SO ORDERED AND ADJUDGED, LET JUDGMENT BE FORTHWITH**
9 **ENTERED ACCORDINGLY.**

10
11 DATED: 5-08-23



Elihu M. Berle

HON. ELIHU M. BERLE
LOS ANGELES SUPERIOR COURT JUDGE
Elihu M. Berle / Judge