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FILED

DEC 08 2016

EL DORADO CO. SUPERIOR COURT
BY S. H. [Signature] (DEPUTY)

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF EL DORADO**

Daniel Hernandez, individually and on behalf
of others similarly situated,

Plaintiff,

v.

Edward R. Marszal Enterprises, Inc., a California
Corporation; and DOES 1 through 50, inclusive,

Defendants.

Case No. PC 20150584

CLASS ACTION

**[PROPOSED] ORDER GRANTING
MOTION FOR FINAL APPROVAL OF
CLASS ACTION SETTLEMENT;
JUDGMENT THEREON**

Date: December 8, 2016
Time: 8:30 a.m.
Dept.: -9

Complaint Filed: October 28, 2015
FAC Filed: December 11, 2015
SAC Filed: October 6, 2016
Trial Date: None Set

1 Plaintiff Daniel Hernandez (hereinafter "Plaintiff" or "Hernandez") filed a Motion for
2 Final Approval of Class Action Settlement reached with Defendant Edward R. Marszal
3 Enterprises, Inc. (hereinafter "Defendant" or "ERME"), as set forth in the Joint Stipulation and
4 Settlement Agreement (the "Settlement") which was preliminarily approved by the Court on
5 October 6, 2016. Good cause appearing, Plaintiff's motion is GRANTED and it is hereby
6 ordered as follows:

7 1. The Court certifies for settlement purposes a settlement class comprised of "*All*
8 *individuals who are or previously were employed by ERME as non-exempt hourly employees at any*
9 *time since October 28, 2011 through October 6, 2016.*"

10 2. The Court approves the Settlement as fair and reasonable.

11 3. The parties adequately performed their obligations under the Settlement.

12 4. Notice was provided to the class members in compliance with the Settlement, due
13 process, and Rule 3.769 of the California Rules of Court. The notice: (i) fully and accurately
14 informed class members about the lawsuit and settlement; (ii) provided sufficient information so
15 that class members were able to decide whether to accept the benefits offered, opt-out and pursue
16 their own remedies, or object to the proposed settlement; (iii) provided procedures for members to
17 file objections to the proposed settlement, and (iv) provided the final fairness hearing's time, date,
18 and location.

19 5. The Court orders that any class member who did not timely file an exclusion in
20 accordance with the Settlement is hereby permanently enjoined and forever barred from instituting,
21 asserting or prosecuting, directly, representatively, derivatively or in any other capacity against the
22 Released Parties any and all released claims as set forth in the Settlement.

23 6. The Court directs payment of settlement benefits to the nine hundred ninety-one
24 (991) class members in accordance with the Settlement.

25 7. The Court directs payment of settlement administration fees to Phoenix Settlement
26 Administrators ("PSA") from the settlement fund in the amount of \$18,000.

27 8. The Court awards Plaintiff the sum of \$9,879.48 for costs and the sum of \$633,333
28 for attorneys' fees.

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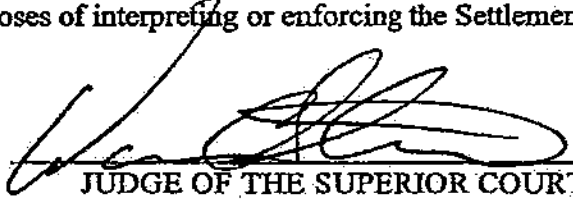
9. The Court awards Plaintiff Daniel Hernandez the sum of \$5,000 as a class representative enhancement payment.

10. In accordance with its duty under Labor Code § 2699.3(b)(4), in reviewing and approving of this settlement the Court directs payment of \$18,750 be sent to the State of California Labor and Workforce Development Agency pursuant to the Private Attorneys General Act.

11. The Court directs that this Order granting final approval of the Settlement shall be entered as a final judgment.

12. The Court orders that, notwithstanding entry of final judgment, the Court shall retain jurisdiction in this matter for the purposes of interpreting or enforcing the Settlement or final judgment.

DATED: DEC 0.8 2016



JUDGE OF THE SUPERIOR COURT

WARREN C. STRACENER