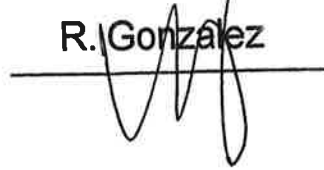


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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

OCT 06 2016

R. Gonzalez



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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF RIVERSIDE**

JAVIER PEREZ, as an individual and on behalf
of all employees similarly situated,

Plaintiffs,

v.

WEST COAST DRYWALL, INC., a California
corporation; and DOES 1 through 50, inclusive,

Defendants.

Case No. RIC1401694

~~AMENDED [PROPOSED]~~ ORDER GRANTING
FINAL APPROVAL OF CLASS ACTION
SETTLEMENT

Judge: Hon. Craig G. Riemer
Date: October 6, 2016
Time: 8:30 am
Dept. 5

1 On October 6, 2016 at 8:30 a.m. in the Department 5 of the above-entitled court located at
2 4050 Main Street, Riverside, California 92501 Plaintiff, JAVIER PEREZ and Defendant, WEST
3 COAST DRYWALL (collectively referred to as the "Parties") appeared before this Court on
4 Plaintiff's Motion for Final Approval of the Class Action Settlement herein. The Court considered the
5 Memorandum of Points and Authorities in Support of the Motion and the declarations of class
6 counsel, Kevin Mahoney and Morgan Glynn, Plaintiff, JAVIER PEREZ, and Melissa Meade,
7 submitted in support thereof. After considering the evidence and argument presented by all parties in
8 attendance, the court hereby granted Plaintiff's motion in full.

9 On April 20, 2016, the court granted preliminary approval of the Settlement Class, consisting
10 of Plaintiff and a class of non-exempt employees defined as "All persons who are or have been
11 employed by Defendant as non-exempt hourly employees in the State of California at any time from
12 February 21, 2010 through April 20, 2016, who will share in an Eight Hundred Thousand
13 (\$800,000.00) settlement (the "Gross Settlement Fund" or "GSF").

14 The Defendant will be required to pay the entirety of the Net Settlement Fund ("NSF"), which
15 shall be calculated by deducting from the Gross Settlement Fund of Eight Hundred Thousand Dollars
16 (\$800,000.00) and distributed as follows: (1) Class Counsel Fees limited to ~~Two Hundred Sixty-Six~~^{\$240,888.77}
17 ~~Thousand Six Hundred Sixty-Six Dollars (\$266,666.00)~~; (2) Costs of ~~Fifteen Thousand Dollars 00/100~~^{\$13,819.68}
18 ~~(\$15,000.00)~~; (3) Enhancement Payment of ~~Seven~~^{Two} ~~Thousand Five Hundred Dollars (\$7,500.00)~~^{2,500.00} for the
19 Class Representative, JAVIER PEREZ; (4) PAGA Penalties of Two Thousand Five Hundred Dollars
20 (\$2,500.00) of which 75% of this amount, or One Thousand Eight Hundred Seventy-Five Dollars
21 (\$1,875.00) shall be distributed to the LWDA for the LWDA's share for PAGA Penalties; and
22 (5) costs to the claims administrator not to exceed Nineteen Thousand Dollars (\$19,000.00). The
23 remaining amount shall be distributed in its entirety to the participating Settlement Class Members
24 who have not excluded themselves from the Settlement based on the number of qualifying work weeks
25 worked by the Class Member for the Defendant during the Class Period. The Class Action
26 Administrator shall issue payment according to the terms of the settlement.

27 The Court awards attorneys' fees to Class Counsel, Mahoney Law Group, APC in the amount
28 of ~~Two Hundred Sixty-Six Thousand Six Hundred Sixty-Six Dollars (\$266,666.00)~~^{\$240,888.77} and Costs of ~~CR~~

CR ^{\$13,817.68}

1 ~~Fifteen Thousand Dollars 00/100 (\$15,000.00). The Court finds that the hourly rates of Class Counsel~~
2 ~~are reasonable, and at the time Class Counsel represented they have worked on this matter was~~
3 ~~reasonably spent in securing the Settlement approved herein.~~ The Court further orders that the costs of
4 Administration of the settlement as set forth in the Amended Declaration of Melissa Meade of Phoenix
5 Settlement Administrators be paid out of the Settlement fund created in the amount of Nineteen
6 Thousand Dollars (\$19,000.00).

CR 7 The Court further orders that Class Representative, Plaintiff JAVIER PEREZ, shall be awarded
8 an Incentive Award in the amount of ^{Two} ~~Seven~~ Thousand Five Hundred Dollars (^{2500.00} ~~\$7,500.00~~). The Court
9 finds that he has undertaken significant risk and performed valuable services on behalf of the
10 settlement class and that this award would have a negligible impact on the claims of any Settlement
11 Class Members herein.

CR 12 The Court finds that while there were thirteen (13) valid Request for Exclusion forms filed
13 with either the Court or the Class Settlement Administrator, Phoenix Settlement Administrators, only
14 8 Request for Exclusion forms are valid because 5 Class Members withdrew their
15 exclusions. The Court further finds that while there were a totally of twenty-six (26) Objection Forms
16 filed with the court or otherwise, only eighteen (18) out of the twenty-six (26) Objection Forms are
17 valid because eight (8) Class Members withdrew their objections.

18 The Court finds no basis for determining that the Settlement was reached by anything other
19 than arms-length negotiations. It finds that investigation and discovery were sufficient to allow Class
20 Counsel and the Court to act intelligently. The Court also finds that Class Counsel is experienced in
21 this type of litigation.

22 Accordingly, the Court orders all Parties and their counsel to cooperate in fulfilling the terms
23 of the Settlement Agreement herein consistent with this order, and the Court shall retain jurisdiction to
24 effectuate the terms of the settlement including the binding effect of the releases set forth in the
25 settlement agreement as to both the class representative and the putative class herein.

26 **IT IS SO ORDERED.**

27 DATED: 10/6, 2016

Craig G. Reimer
HON. CRAIG G. REIMER
JUDGE OF THE SUPERIOR COURT
OF CALIFORNIA