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ENDORSED FILED  
SAN MATEO COUNTY

AUG 27 2019

Clerk of the Superior Court  
By Jennifer Fannous  
DEPUTY CLERK

SCANNED

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN MATEO

COMPLEX CIVIL LITIGATION

COORDINATION PROCEEDING SPECIAL  
TITLE [RULE 3.550]

*IN RE* CROWN BUILDING MAINTENANCE  
WAGE AND HOUR CASES

Included action:

*Cervantes v. Able* (Orange No. 30-2013-  
00684702-CU-OE-CXC)

Case No. ~~SSN~~ JCCP-4876

**JUDGMENT and**  
~~REVISED PROPOSED~~ ORDER  
GRANTING FINAL APPROVAL OF  
CLASS ACTION SETTLEMENT AND  
AWARD OF ATTORNEYS' FEES,  
LITIGATION COSTS, CLASS  
REPRESENTATIVE ENHANCEMENTS,  
AND CLAIMS ADMINISTRATION  
COSTS; ~~JUDGMENT~~

Date: August 20, 2019  
Time: 1:30 p.m.  
Dept.: 2

Coordination Judge: Hon. Marie S. Weiner

FILE BY FAX

1 This matter came on for hearing on August 20, 2019, at 1:30 p.m. in Department 2 of the  
2 above-captioned court on Plaintiffs' Motion for Final Approval of Class Action Settlement,  
3 *as set forth in the Joint Stipulation of Class Action Settlement*  
4 ("Settlement").

5 In accordance with the Court's prior Preliminary Approval Order, Settlement Class  
6 Members have been given notice of the terms of the Settlement and the opportunity to submit a  
7 claim, request exclusion, comment upon or object to it or to any of its terms. Having received and  
8 considered the Settlement, the supporting papers filed by the Parties, and the evidence and argument  
9 received by the Court in conjunction with the motions for preliminary approval, final approval, and  
10 attorneys' fees and costs, the Court grants final approval of the Settlement and HEREBY ORDERS  
11 AND MAKES THE FOLLOWING DETERMINATIONS:

12 1. Pursuant to this Court's Preliminary Approval Order, a Notice of Class Action  
13 Settlement, Claim form, and a pre-printed, postage paid return envelope were sent to each  
14 Settlement Class Member by First Class U.S. mail. The Notice informed the class of the terms of  
15 the Settlement, their right to receive their proportional share of the Settlement by submitting a valid  
16 and timely Proof of Claim form, their right to request exclusion, their right to comment upon or  
17 object to the Settlement, and their right to appear in person or by counsel at the final approval and  
18 fairness hearing and be heard regarding approval of the Settlement. Adequate periods of time were  
19 provided by each of these procedures. No member of the Settlement Class filed written objections  
20 *other than Camovzano*  
21 to the proposed Settlement as part of this notice process or stated an intention to appear at the final  
22 approval and fairness hearing.

23 2. For purposes of this Order and Judgment, the Class is defined as follows: "All hourly  
24 paid janitorial employees including day porters, rovers and utility employees in Southern California  
25 as geographically defined by the Los Angeles and Orange County master collective bargaining  
26 agreements."

27 3. The Court finds and determines that this notice procedure afforded adequate  
28 protections to Settlement Class Members and provides the basis for the Court to make an informed  
decision regarding approval of the Settlement based on the response of Settlement Class Members.  
The Court finds and determines that the notice provided in this case was the best notice practicable,



1 which satisfied the requirements of law and due process.

2 4. The Court further finds and determines that the terms of the Settlement are fair,  
3 reasonable and adequate to the Settlement Class and to each Settlement Class member and that the  
4 Settlement is ordered finally approved, and that all terms and provisions of the Settlement  
5 Agreement, <sup>of \$675,000</sup> including the release of claims contained therein, should be and hereby are ordered to  
6 be consummated.

7 5. The Court finds and determines that the individual settlement payments to be paid  
8 to the participating Settlement Class members as provided for by the Settlement are fair and  
9 reasonable. The Court hereby gives final approval to and orders the payment of those amounts be  
10 made to the participating Settlement Class Members in accordance with the terms of the Settlement  
11 Agreement.

12 6. The Court gives final approval to and orders that the following payments be made  
13 in accordance with the terms of the Settlement Agreement:

- 14 a. The Court grants an award of attorneys' fees of \$208,312.50, equal to 33.3% of  
15 the Maximum Settlement Amount. The attorney fee award is divided as follows:  
16 \$104,156.25 to Olsen Law Offices and \$104,156.25 Mahoney Law Group, APC;  
17 b. The Court grants reimbursement of litigation costs of \$25,000.00. The litigation  
18 costs shall be divided as follows: \$5,000.00 to Olsen Law Offices, APC, and  
19 \$20,000.00 to Mahoney Law Group, APC;  
20 c. The Court awards a class representative enhancement of \$7,500.00 to Plaintiff  
21 Fernando Cervantes; and  
22 d. \$30,000.00 in administration costs payable to Phoenix Settlement  
23 Administrators for its services as Claims Administrator.

24 7. The following three individuals timely filed a valid request for exclusion: 1) Cirilo  
25 Fuentes; 2) Jeffrey McCanni; and 3) Manuel Santiago Auza Maldonado.

26 8. Without affecting the finality of this Order and Judgment in any way, the Court  
27 retains jurisdiction of all matters relating to the interpretation, administration, implementation,  
28 effectuation and enforcement of this order and the Settlement pursuant to California Rule of Court

1 3.769(h).

2 9. Nothing in this Order and Judgment shall preclude any action to enforce the Parties'  
3 obligations under the Settlement Agreement or hereunder, including the requirement that Defendant  
4 makes payments to the participating Settlement Class Members in accordance with the Settlement  
5 Agreement.

6 10. The Court hereby enters final Judgment in this case in accordance with the terms of  
7 the Settlement Agreement, Order Granting Preliminary Approval, and this Order and Judgment  
8 Granting Final Approval of Class Action Settlement.

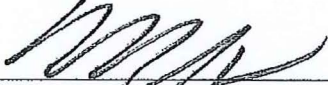
9 11. The Parties are hereby ordered to comply with the terms of the Settlement  
10 Agreement.

11 12. The Parties shall bear their own costs and attorneys' fees except as otherwise  
12 provided by the Settlement Agreement and this Order and Judgment Granting Final Approval of  
13 Class Action Settlement.

14 13. This document shall constitute a Judgment for purposes of California Rule of Court  
15 3.769(h). Plaintiff shall file and serve Notice of Entry of Judgment.

16 14. The request by Campuzano to intervene is DENIED  
17 as MOOT, as Campuzano settled her claims and dismissed  
IT IS SO ORDERED. her case

18 DATED: 8/26/19

19   
The Honorable Marie S. Weiner  
Judge of the Superior Court of California

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