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By *[Signature]* Deputy

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ALAMEDA

JOSE GALVAN ZAMARRIPA,
Plaintiff,

v.

CANCOM, INC.; HPM INCORPORATED; and
DOES 1 through 50, inclusive,
Defendants.

Case No.: HG19030508

CLASS ACTION

[PROPOSED] ORDER GRANTING FINAL APPROVAL OF CLASS ACTION SETTLEMENT, AWARING ATTORNEYS' FEES, COSTS, AND ENHANCEMENT AWARD

Assigned for All Purposes to:
Hon. Winifred Y. Smith, Dept.: 21

Date: January 15, 2021
Time: 10:00 a.m.
Dept.: 21

Complaint filed: August 8, 2019
Trial date: None Yet Set

DEC 22 2020

[PROPOSED] ORDER GRANTING FINAL APPROVAL OF CLASS ACTION SETTLEMENT, AWARING ATTORNEYS' FEES, COSTS, AND ENHANCEMENT AWARD

Filed By Fax

PROPOSED ORDER

The Court, having read and considered the papers filed in support of the motion, the proposed class notice and other documents, having considered the arguments of counsel, and good cause appearing therefore,

IT IS HEREBY ORDERED:

1. The Court hereby approves the terms set forth in the Parties' Joint Stipulation of Class Settlement and Release (the "Settlement Agreement") entered into by and between Plaintiff JOSE GALVAN ZAMARRIPA ("Plaintiff") and Defendants HPM Inc. dba CANCOM (hereinafter referred to as "Defendant") (Plaintiff and Defendant collectively referred to as "the Parties.")

2. The Court certifies the class for purposes of settlement. The following persons are conditionally certified as class members for settlement purposes: All current and former hourly non-exempt employees of Defendant who worked in California at any time from August 8, 2015 through and including the date the Court granted Plaintiff's Motion for Preliminary Approval of Class Settlement, October 9, 2020. The class will share in a Settlement Amount of up to ninety thousand dollars (\$90,000.00) (the "Class Settlement Amount").

3. The Court finds that the settlement is fair, adequate, and reasonable.

4. Class counsel, Mahoney Law Group, APC, is awarded thirty thousand dollars (\$30,000.00) in attorney's fees and seven thousand dollars (\$7,000.00) in costs.

5. Enhancement payment of up to seven thousand dollars (\$7,000.00) for Plaintiff.

6. The claims administrator, Phoenix Settlement Administrators, is awarded four thousand dollars (\$4,000.00) in administration costs.

7. The Court hereby approves a PAGA penalties in the amount of four thousand dollars (\$4,000.00) of which 75% or three thousand dollars (\$3,000.00) will be sent by the Settlement Administrator to the Labor and Workforce Development Agency ("LWDA") and 25% or one thousand dollars (\$1,000.00) will be included in the Net Settlement Amount.

8. The remaining amount shall be the Net Settlement Amount ("NSA"), which will be distributed in its entirety to Class Members who have not excluded themselves from the Settlement based on the number of workweeks worked by the Class Member, whether the Class Member is a

1 current or former employee. The Settlement Administrator shall issue payment according to the terms
2 of the Settlement Agreement.

3 9. If a check for an Individual Settlement Payment is returned to the Claims Administrator
4 as undeliverable, the Claims Administrator shall promptly attempt to obtain a valid mailing address by
5 performing a skip trace search. If another address is identified, the Claims Administrator shall mail the
6 check to the newly-identified address. If an Individual Settlement Payment check is returned to the
7 Claims Administrator a second time as undeliverable, the Claims Administrator shall not attempt any
8 further re-mailing of that check. Any settlement checks that remain uncashed one hundred eighty (180)
9 or more calendar days after issuance shall be voided. The Claims Administrator shall forward all voided
10 settlement checks to the California State Controller's Office's Unclaimed Property Division. The Claims
11 Administrator shall also compile a list of the Participating Class Members for whom their funds were
12 deposited with the California State Controller's Office's Unclaimed Property Division. In such event, the
13 Participating Class Member shall nevertheless remain bound by the Settlement. The Parties agree that
14 good cause exists for the Court to approve this distribution because the unclaimed funds are unclaimed
15 wages of employees that will be held by the State of California for the benefit of these employees, who
16 may request receipt of payment from the California State Controller's Office's Unclaimed Property
17 Division.

18 10. Because all of the Net Settlement Fund will be distributed, there will be no Unused Cash
19 Residue under Code of Civil Procedure section 384. The parties and the Court will be deemed to have
20 complied with section 384.

21 11. The Court orders a final distribution report from the settlement administrator
22 demonstrating compliance with the settlement to be filed no later than _____ which is
23 also a non-appearance date for submission.

24 12. Within thirty (30) days of receipt of the final distribution report is filed with the Court,
25 the parties shall prepare and file a stipulation and proposed order and Proposed Amended Judgment.
26 The stipulation and Proposed Amended Judgment shall include the amount of any unclaimed or
27 abandoned fund.

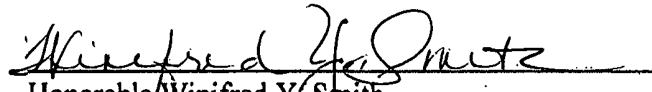
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13. Accordingly, the Court orders all Parties and their counsel to cooperate in fulfilling the terms of the Settlement Agreement herein consistent with this order, and this Court shall retain jurisdiction to effectuate the terms of the settlement including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

IT IS SO ORDERED.

DATED: January 19, 2021


Honorable Winifred Y. Smith
Judge of the Superior Court