

ORIGINAL

FILED
Superior Court of California
County of Los Angeles

JUN 30 2021

Sherri R. Carter, Executive Officer/Clerk of Court
By Dejane Wortham, Deputy
Dejane Wortham

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Attorneys for Plaintiff, MARCO MAGANA,
on behalf of himself and all others similarly situated

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE**

MARCO MAGANA, on behalf of himself and
all others similarly situated,

Plaintiff,

v.

CASTLEROCK ENVIRONMENTAL, INC., a
California corporation; M2 BUILDING
SOLUTIONS, INC., a California corporation;
AHMAD RAMI AWWAD, an individual; and
DOES 1 through 100, inclusive,

Defendants.

CASE NO.: 19STCV38353

[Assigned for all purposes to the Hon. Ann I.
Jones in Dept. 11]

By Fax
[PROPOSED] JUDGMENT

FILING WINDOW

JUN 09 2021

RECEIVED
JUN 25 2021

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JUDGMENT

Pursuant to the Order Granting Final Approval of the Class Action and Representative Action Settlement, it is hereby **ORDERED, ADJUDGED AND DECREED** as follows:

1. Judgment in this matter is entered in accordance with the Court's Order Granting Motion for Final Approval of Class and Representative Action Settlement ("Order Granting Final Approval") and the parties' Joint Stipulation Re: Class Action and Representative Action Settlement ("Settlement Agreement"). Unless otherwise provided herein, all capitalized terms used herein shall have the same meaning as defined in the Settlement Agreement.

2. The "Settlement Class" is comprised of all current and former non-exempt, hourly paid employees who worked for defendants Castlerock Environmental, Inc., M2 Building Solutions, Inc., and Ahmad Rami Awwad ("Defendants") from October 25, 2015 up to and including July 9, 2020 (the "Class Period") in California ("Class Members").

3. Zero Class Members opted out of the Settlement and zero Class Members objected to the Settlement; thus all Class Members are Participating Class Members.

4. Pursuant to the Order Granting Final Approval and Settlement Agreement, Defendants must fund the settlement account with \$600,000.00 and the Employer Taxes. All funds shall be disbursed to Plaintiff's Counsel, Plaintiff, the Labor Workforce and Development Agency ("LWDA"), the Settlement Administrator, and Participating Class Members pursuant to the Order Granting Final Approval and Settlement Agreement. The funds associated with uncashed or expired checks shall be tendered to Legal Aid at Work, 180 Montgomery St., Suite 600, San Francisco, California 94104, as a *cy pres* recipient, for use in Los Angeles County.

5. Upon the entry of an Order granting Final Approval of the Settlement, entry of Judgment, and payment by Defendants to the Third-Party Administrator selected of the full Gross Settlement Amount and Employers' Taxes necessary to effectuate the Settlement, Plaintiff and all Participating Class Members waive, release, discharge, and promise never to assert in any forum against the Released Parties all claims against the Released Parties asserted in the First Amended Complaint to be filed in the Action, or any and all claims that may be asserted against the Released Parties based on the factual allegations in the First Amended Complaint to be filed in the

1 Action, as follows: For the duration of the Class Period, the release includes: (a) all claims for
2 failure to pay overtime wages; (b) all claims for failure to pay minimum wages; (c) all claims for
3 failure to pay prevailing wages; (d) all claims for failure to provide compliant meal and rest
4 periods and associated premium pay; (e) all claims for the failure to timely pay wages upon
5 termination; (f) all claims for failure to timely pay wages before separation of employment; (g) all
6 claims for non-compliant wage statements; (h) all claims for failure to provide reimbursements for
7 necessary work-related expenses; and (i) all claims for failure to provide employees with copies of
8 wage records and personnel records upon request; (j) all claims asserted through California
9 Business & Professions Code § 17200 *et seq.* arising out of the Labor Code violations referenced
10 in the First Amended Complaint. For individuals employed during the PAGA Period, the release
11 includes, for the duration of the PAGA Period (October 25, 2018 through March 4, 2021), all
12 claims released during the Class Period, as well as all asserted PAGA claims for penalties arising
13 out of Labor Code Sections 226.3, 558, 1197.1 and 2699 based on the factual allegations in the
14 First Amended Complaint filed in the Action, including, without limitation: (a) failure to permit
15 inspection of records under Labor Code sections 432 and 1174; (b) failure to comply with paid
16 sick leave mandates under Labor Code section 246, *et seq.*; and (c) failure to comply with Labor
17 Code section 2810.5.

18 6. The Released Parties are Defendants and each of their past, present, and future
19 respective subsidiaries, dba's, affiliates, parents, insurers and reinsurers, and company-sponsored
20 employee benefit plans of any nature and their successors and predecessors in interest, including
21 all of their officers, directors, shareholders, employees, agents, principals, heirs, representatives,
22 accountants, auditors, consultants, attorneys, administrators, fiduciaries, trustees, and agents.

23 7. This document shall constitute a Judgment for purposes of California Rules of
24 Court, Rule 3.769(h).

25 **IT IS SO ORDERED, ADJUDGED, AND DECREED.**

26
27 Dated: 6/30, 2021



Judge of the Superior Court
ANN I. JONES

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 8484 Wilshire Boulevard, Suite 500 Beverly Hills, California 90211.

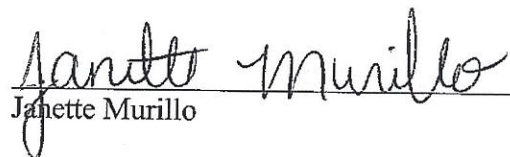
On June 8, 2021. I caused a true and correct copy of the foregoing document(s) described as **NOTICE OF MOTION AND MOTION FOR FINAL APPROVAL OF CLASS ACTION AND REPRESENTATIVE ACTION SETTLEMENT; ENHANCEMENT AWARD; REASONABLE ATTORNEYS' FEES AND COSTS; DECLARATIONS OF DAVID D. BIBIYAN, ELIZABETH KRUCKENBERG, AND PLAINTIFF IN SUPPORT THEREOF; [PROPOSED] ORDER and [PROPOSED] JUDGMENT** to be served by electronic transmission via Case Anywhere to the below referenced recipients:

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Attorneys for Defendants Castlerock Environmental, Inc., M2 Building Solutions, Inc. and Ahmad Rami Awwad

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on June 8, 2021 at Beverly Hills, California.


Janette Murillo