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RECEIVED  
VENTURA SUPERIOR COURT

JUN 11 2021

VENTURA  
SUPERIOR COURT  
**FILED**

JUL 15 2021

BRENDA L. McCORMICK  
Executive Officer and Clerk  
By: ELIZABETH MULLER Deputy

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
10 **FOR THE COUNTY OF VENTURA**

11 SONIA ESPARZA, individually, and on behalf  
12 of other members of the general public  
13 similarly situated,

14 Plaintiff,

15 vs.

16 FLORAL SUPPLY SYNDICATE, LLC, a  
17 California limited liability company; and  
18 DOES 1 through 100, inclusive,

19 Defendants.

Case No.: 56-2019-00534733-CU-OE-VTA  
(Consolidated with 56-2019-00537685-CU-  
OE-VTA)

Honorable Matthew P. Guasco  
Department 20

**CLASS ACTION**

**[PROPOSED] FINAL APPROVAL  
ORDER AND JUDGMENT**

Date: July 9, 2021  
Time: 8:20 a.m.  
Department: 20

Complaint Filed: October 11, 2019  
Trial Date: None Set

1 This matter has come before the Honorable Matthew P. Guasco in Department 20 of the  
2 above-entitled Court, located at Hall of Justice, 800 South Victoria Avenue Ventura, California  
3 93009, on Plaintiff Sonia Esparza's ("Plaintiff") Motion for Final Approval of Class Action  
4 Settlement, Attorneys' Fees, Costs, and Service Payment ("Motion for Final Approval").  
5 Lawyers for Justice, PC appeared on behalf of Plaintiff, and LightGabler appeared on behalf of  
6 Defendant Floral Supply Syndicate, LLC ("Defendant").

7 On March 11, 2021 the Court entered the Order Granting Preliminary Approval of Class  
8 Action Settlement ("Preliminary Approval Order"), thereby preliminarily approving the settlement  
9 of the above-entitled action ("Action") in accordance with the Joint Stipulation of Class and PAGA  
10 Settlement ("Settlement," "Agreement," or "Settlement Agreement"), which, together with the  
11 exhibits annexed thereto, set forth the terms and conditions for settlement of the Action.

12 Having reviewed the Settlement Agreement and duly considered the parties' papers and  
13 oral argument, and good cause appearing,

14 **THE COURT HEREBY ORDERS, ADJUDGES, AND DECREES AS FOLLOWS:**

15 1. All terms used herein shall have the same meaning as defined in the Settlement  
16 Agreement and the Preliminary Approval Order.

17 2. This Court has jurisdiction over the claims of the Class Members asserted in this  
18 proceeding and over all parties to the Action.

19 3. The Court finds that the applicable requirements of California Code of Civil  
20 Procedure section 382 and California Rule of Court 3.769, *et seq.* have been satisfied with respect  
21 to the Class and the Settlement. The Court hereby makes final its earlier provisional certification  
22 of the Class for settlement purposes, as set forth in the Preliminary Approval Order. The Class is  
23 hereby defined to include:

24 All current and former non-exempt hourly employees who worked for  
25 Defendant in California during the period from October 11, 2015 to March 11,  
26 2021. ("Class" or "Class Members").

27 4. The Notice of Class Action Settlement ("Class Notice") that was provided to the  
28 Class Members, fully and accurately informed the Class Members of all material elements of the

1 Settlement and of their opportunity to participate in, object to or comment thereon, or to seek  
2 exclusion from, the Settlement; was the best notice practicable under the circumstances; was valid,  
3 due, and sufficient notice to all Class Members; and complied fully with the laws of the State of  
4 California, the United States Constitution, due process and other applicable law. The Class Notice  
5 fairly and adequately described the Settlement and provided the Class Members with adequate  
6 instructions and a variety of means to obtain additional information.

7         5. Pursuant to California law, the Court hereby grants final approval of the Settlement  
8 and finds that it is reasonable and adequate, and in the best interests of the Class as a whole. More  
9 specifically, the Court finds that the Settlement was reached following meaningful discovery and  
10 investigation conducted by Lawyers *for* Justice, PC (“Class Counsel”); that the Settlement is the  
11 result of serious, informed, adversarial, and arms-length negotiations between the parties; and that  
12 the terms of the Settlement are in all respects fair, adequate, and reasonable. In so finding, the  
13 Court has considered all of the evidence presented, including evidence regarding the strength of  
14 Plaintiff’s claims; the risk, expense, and complexity of the claims presented; the likely duration of  
15 further litigation; the amount offered in the Settlement; the extent of investigation and discovery  
16 completed; and the experience and views of Class Counsel. The Court has further considered the  
17 absence of objections to the Settlement submitted by Class Members. Accordingly, the Court  
18 hereby directs that the Settlement be affected in accordance with the Settlement Agreement and  
19 the following terms and conditions.

20         6. A full opportunity has been afforded to the Class Members to participate in the  
21 Final Approval Hearing, and all Class Members and other persons wishing to be heard have been  
22 heard. The Class Members also have had a full and fair opportunity to exclude themselves from  
23 the Settlement. Accordingly, the Court determines that all Class Members who did not timely and  
24 validly opt out of the Settlement (“Participating Class Member”) are bound by this Final Approval  
25 Order and Judgment.

26         7. The Court finds that five (5) Class Members have timely and validly opted out of  
27 the Settlement and will not be bound by this Final Approval Order and Judgment. Nevertheless,  
28

1 all PAGA Group Members (including those who opted out of the Class Settlement) are bound by  
2 the PAGA Settlement and shall be issued Individual PAGA Payments.

3 8. The Court finds that payment of Settlement Administration Costs in the amount of  
4 \$7,000.00 is appropriate for the services performed and costs incurred and to be incurred for the  
5 notice and settlement administration process. It is hereby ordered that the Settlement  
6 Administrator, Phoenix Class Action Administration Solutions, shall issue payment to itself in the  
7 amount of \$7,000.00, in accordance with the terms and methodology set forth in Settlement  
8 Agreement.

9 9. The Court finds that the Service Payment sought is fair and reasonable for the work  
10 performed by Plaintiff on behalf of the Class. It is hereby ordered that the Settlement  
11 Administrator issue payment in the amount of \$7,500.00 to Plaintiff Sonia Esparza for her Service  
12 Payment, according to the terms and methodology set forth in the Settlement Agreement.

13 10. The Court finds that the allocation of \$50,000.00 toward penalties under the  
14 California Private Attorneys General Act of 2004 ("PAGA Payment"), is fair, reasonable, and  
15 appropriate, and hereby approved. The Settlement Administrator shall distribute the PAGA  
16 Payment as follows: the amount of \$37,500.00 to the California Labor and Workforce  
17 Development Agency, and the amount of \$12,500.00 to be distributed to PAGA Group Members,  
18 according to the terms and methodology set forth in the Settlement Agreement.

19 11. The Court finds that the request for attorneys' fees in the amount of \$166,250.00 to  
20 Class Counsel falls within the range of reasonableness, and the results achieved justify the award  
21 sought. The requested attorneys' fees to Class Counsel are fair, reasonable, and appropriate, and  
22 are hereby approved. It is hereby ordered that the Settlement Administrator issue payment in the  
23 amount of \$166,250.00 to Class Counsel for attorneys' fees within 10 calendar days from  
24 settlement funding, in accordance with the terms and methodology set forth in the Settlement  
25 Agreement.

26 12. The Court finds that reimbursement of litigation costs and expenses in the amount  
27 of \$18,320.92 to Class Counsel is reasonable, and hereby approved. It is hereby ordered that the  
28 Settlement Administrator issue payment in the amount of \$18,320.92 to Class Counsel for

1 reimbursement of litigation costs and expenses, in accordance with the terms and methodology set  
2 forth in the Settlement Agreement.

3 13. The Court hereby enters Judgment by which Participating Class Members shall be  
4 conclusively determined to have given a release of any and all Released Claims against the  
5 Released Parties, as set forth in the Settlement Agreement and Class Notice.

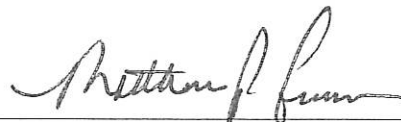
6 14. It is hereby ordered that Defendant shall deposit the Gross Settlement Amount into  
7 an account established by the Settlement Administrator within thirty (30) business days after the  
8 Effective Date, in accordance with the terms and methodology set forth in the Settlement  
9 Agreement.

10 15. It is hereby ordered that the Settlement Administrator shall distribute Individual  
11 Settlement Payments to the Participating Class Members and Individual PAGA Payments to  
12 PAGA Group Members within fifteen (15) calendar days after Defendant funds the Gross  
13 Settlement Amount, according to the methodology and terms set forth in the Settlement  
14 Agreement.

15 16. After entry of this Final Approval Order and Judgment, pursuant to California Rules  
16 of Court, Rule 3.769(h), the Court shall retain jurisdiction to construe, interpret, implement, and  
17 enforce the Settlement Agreement and this Final Approval Order and Judgment, to hear and  
18 resolve any contested challenge to a claim for settlement benefits, and to supervise and adjudicate  
19 any dispute arising from or in connection with the distribution of settlement benefits.

20 17. Notice of entry of this Final Approval Order and Judgment shall be given to the  
21 Class Members by posting a copy of the Final Approval Order and Judgment on Phoenix Class  
22 Action Administration Solutions's website for a period of at least sixty (60) calendar days after  
23 the date of entry of this Final Approval Order and Judgment. Individualized notice is not required.

24  
25 Dated: 7/9/21



26 HONORABLE MATTHEW P. GUASCO  
27 JUDGE OF THE SUPERIOR COURT  
28