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FILED
Superior Court of California
County of Los Angeles

SEP 28 2021

Sherril B. Carter, Executive Officer/Clerk of Court
By *[Signature]* Deputy
Patricia Flores

RECEIVED

LOS ANGELES SUPERIOR COURT

SEP 03 2021

S. DREW

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES—SPRING STREET COURTHOUSE

10 ANDREA HOLLINGSWORTH, individually,
11 and on behalf of other members of the general
12 public similarly situated; MICHAEL
13 CHATMAN, IRIS ECHEVERRIA,
individually, and on behalf of other aggrieved
employees pursuant to the California Private
Attorneys General Act;

14 Plaintiffs,

15 vs.

16 MEUNDIES, INC., an unknown business
17 entity; and DOES 1 through 100, inclusive,

18 Defendants.

Case No.: 19STCV37643

Honorable William F. Highberger
Department SSC10

CLASS ACTION

~~PROPOSED~~ FINAL APPROVAL
ORDER AND JUDGMENT

Date: September 28, 2021
Time: 11:00 a.m.
Department: SSC10

Complaint Filed: October 22, 2019
FAC Filed: April 5, 2021
Trial Date: None Set

1 This matter has come before the Honorable William F. Highberger in Department 10 of
2 the Superior Court of California for the County of Los Angeles, located at 312 N. Spring Street,
3 Los Angeles, California 90012, on Plaintiffs Andrea Hollingsworth, Michael Chatman, and Iris
4 Echeverria's (together, "Plaintiffs") Motion for Final Approval of Class Action Settlement,
5 Attorneys' Fees and Costs, and Enhancement Payments ("Motion for Final Approval"). Lawyers
6 ~~for Justice, PC appeared~~ on behalf of Plaintiffs, and Bent Caryl & Kroll, LLP ~~appeared~~ on behalf
7 of Defendant MeUndies, Inc. ("Defendant"). *waved appearance after receiving the tentative*

8 On April 5, 2021, the Court entered the Order Granting Preliminary Approval of Class
9 Action Settlement ("Preliminary Approval Order"), thereby preliminarily approving the settlement
10 of the above-entitled action ("Action") in accordance with the Joint Stipulation of Class Action
11 and PAGA Settlement and Release ("Settlement," "Agreement," or "Settlement Agreement"),
12 which, together with the exhibits annexed thereto, set forth the terms and conditions for settlement
13 of the Action.

14 On June 14, 2021, pursuant to joint stipulation by the parties, the Court entered an Order
15 to amend the Settlement, by which the definition of "Prior Release Credit" was corrected and
16 amended to be defined as the amount of \$83,325.00 which Defendant previously paid to Class
17 Members for a release of claims upon closure of Defendant's distribution facility.

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

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

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

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

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

1 hereby defined to include:

2 All current and former hourly-paid or non-exempt employees of Defendant at
3 Defendant's locations in California at any time during the period from October
22, 2015 through April 5, 2021 ("Class" or "Class Members").

4 4. The Notice of Class Action Settlement ("Class Notice") that was provided to the
5 Class Members, fully and accurately informed the Class Members of all material elements of the
6 Settlement and of their opportunity to participate in, object to or comment thereon, or to seek
7 exclusion from, the Settlement; was the best notice practicable under the circumstances; was valid,
8 due, and sufficient notice to all Class Members; and complied fully with the laws of the State of
9 California, the United States Constitution, due process and other applicable law. The Class Notice
10 fairly and adequately described the Settlement and provided the Class Members with adequate
11 instructions and a variety of means to obtain additional information.

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

25 6. A full opportunity has been afforded to the Class Members to participate in the
26 Final Approval Hearing, and all Class Members and other persons wishing to be heard have been
27 heard. The Class Members also have had a full and fair opportunity to exclude themselves from
28 the Settlement. Accordingly, the Court determines that all Class Members who did not submit a

1 timely and valid Request for Exclusion (“Settlement Class Member”) are bound by this Final
2 Approval Order and Judgment.

3 7. The Court finds that payment of Settlement Administration Costs in the amount of
4 \$9,000.00 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 \$9,000.00, in accordance with the terms and methodology set forth in Settlement
8 Agreement.

9 8. The Court finds that the Enhancement Payments sought are fair and reasonable for
10 the work performed by Plaintiffs on behalf of the Class. It is hereby ordered that the Settlement
11 Administrator issue payment in the amount of \$5,000.00 each to Plaintiffs Andrea Hollingsworth,
12 Michael Chatman, and Iris Echeverria for their Enhancement Payments, according to the terms
13 and methodology set forth in the Settlement Agreement.

14 9. The Court finds that the allocation of \$50,000.00 toward penalties under the
15 California Private Attorneys General Act of 2004 (“PAGA Penalties”), is fair, reasonable, and
16 appropriate, and hereby approved. The Settlement Administrator shall distribute the PAGA
17 Penalties as follows: the amount of \$37,500.00 to the California Labor and Workforce
18 Development Agency, and the amount of \$12,500.00 to be included in the Net Settlement Amount
19 for distribution to Settlement Class Members, according to the terms and methodology set forth in
20 the Settlement Agreement.

21 10. The Court finds that the request for attorneys’ fees in the amount of thirty-five
22 percent (35%) of the Total Settlement Amount (i.e., up to \$262,500.00) to Class Counsel falls
23 within the range of reasonableness, and the results achieved justify the award sought. The
24 requested attorneys’ fees to Class Counsel are fair, reasonable, and appropriate, and are hereby
25 approved. It is hereby ordered that the Settlement Administrator issue payment in the amount of
26 thirty-five percent (35%) of the Total Settlement Amount (i.e., up to \$262,500.00) to Class Counsel
27 for attorneys’ fees, in accordance with the terms and methodology set forth in the Settlement
28 Agreement.

1 11. The Court finds that reimbursement of litigation costs and expenses in the amount
2 of \$18,958.89 to Class Counsel is reasonable, and hereby approved. It is hereby ordered that the
3 Settlement Administrator issue payment in the amount of \$18,958.89 to Class Counsel for
4 reimbursement of litigation costs and expenses, in accordance with the terms and methodology set
5 forth in the Settlement Agreement.

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

9 13. It is hereby ordered that Defendant shall deposit the Total Settlement Amount, less
10 the Prior Release Credit, into a settlement account to be established by the Settlement
11 Administrator, within thirty (30) calendar days after the Effective Date, in accordance with the
12 terms and methodology set forth in the Settlement Agreement.

13 14. It is hereby ordered that the Settlement Administrator shall distribute Individual
14 Settlement Payments to the Settlement Class Members within seven (7) calendar days after
15 Defendant funds the Total Settlement Amount less the Prior Release Credit, according to the
16 methodology and terms set forth in the Settlement Agreement.

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

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

26 Dated: 9/28/2021


27 HONORABLE WILLIAM F. HIGHBERGER
28 JUDGE OF THE SUPERIOR COURT