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9 Attorneys for Plaintiff and the Putative Class

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

11 **FOR THE COUNTY OF RIVERSIDE**

12
13 JONATHAN LOPEZ, individually, and on)
behalf of other members of the general)
14 public similarly situated;)

15 Plaintiff,

16 vs.

17 NATIONAL BUSINESS
INVESTIGATIONS, INC., a California)
18 corporation; MPS Security, an unknown)
business entity and DOES 1 through 100,)
19 inclusive,)

20 Defendants.

Case No. RIC 2000292

[Assigned for All Purposes to the Honorable
Harold W. Hopp, Department 1]

CLASS ACTION

**[PROPOSED] ORDER AND JUDGMENT GRANTING
FINAL APPROVAL OF CLASS ACTION
SETTLEMENT**

[Filed Together with Plaintiff's Unopposed
Motion, Supporting Declarations, and Compliance
Chart]

Date: February 22, 2024

Time: 8:30 a.m.

Dept.: 1

Complaint Filed: January 21, 2020

Trial Date: None Set

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

FEB 23 2024

E. Escobedo

NKR

FEB 26 2024

1 The Court, having read the Settlement Agreement attached as Exhibit “1” to the
2 Declaration of Kitty K. Szeto in Support of Plaintiff Jonathan Lopez’s Unopposed Motion for
3 Final Approval of Class Action Settlement filed on January 23, 2024, the Addendum to
4 Settlement Agreement attached as Exhibit “2” to the Declaration of Kitty K. Szeto in Support of
5 Plaintiff Jonathan Lopez’s Unopposed Motion for Final Approval of Class Action Settlement
6 filed on January 23, 2024, Plaintiff Jonathan Lopez’ Unopposed Motion for Final Approval of
7 Class Action Settlement as well as the Memorandum of Points and Authorities and Supporting
8 Declarations filed in support thereof on January 23, 2024, hereby GRANTS Plaintiff’s Jonathan
9 Lopez’ Unopposed Motion for Final Approval of Class Action Settlement in its entirety.

10 **IT IS THEREFORE ORDERED THAT:**

11 1. This Order and Judgment incorporates by reference the parties’ Settlement
12 Agreement attached as Exhibit “1” to the Declaration of Kitty K. Szeto in Support of Plaintiff
13 Jonathan Lopez’s Unopposed Motion for Final Approval of Class Action Settlement filed on
14 January 23, 2024 and the Addendum to Settlement Agreement attached as Exhibit “2” to the
15 Declaration of Kitty K. Szeto in Support of Plaintiff Jonathan Lopez’s Unopposed Motion for
16 Final Approval of Class Action Settlement filed on January 23, 2024 (collectively “Settlement
17 Agreement”), and all defined terms herein shall have the same meaning as set forth in the
18 Settlement Agreement.

19 2. The Settlement Agreement and the Gross Settlement Amount of **\$300,000.00**
20 (“GSA”) is finally approved as fair, reasonable, and adequate.

21 3. The Parties shall effectuate the terms and provisions of the Settlement Agreement
22 consistent with the deadlines set forth by this Order and Judgment and in the Settlement
23 Agreement.

24 4. Defendant National Business Investigations, Inc. dba MPS Security
25 (“Defendant”) shall electronically wire the Gross Settlement Amount of **\$300,000.00** within
26 thirty (30) days of this Order and Judgment to the Qualified Settlement Fund established by
27 Phoenix Class Action Administration Solutions (“Third-Party Administrator”) pursuant to
28 paragraph 13 of the Settlement Agreement.

1 5. The Court hereby grants final approval of Class Counsel's request for attorneys'
2 fees in the total amount of \$120,000.00, of which \$72,000.00 shall be paid directly to the Parris
3 Law Firm and \$48,000.00 shall be paid directly to Lawyers *for* Justice, PC, to be paid out of the
4 GSA by the Third-Party Administrator to no later than five (5) calendar days after receipt of the
5 GSA pursuant to paragraph 14 of the Settlement Agreement. (CMO ¶ I.11.)

6 6. The Court hereby grants final approval of Class Counsel's request for
7 reimbursement of expenses in the total amount of \$28,397.04, of which \$24,808.14 shall be paid
8 directly to the Parris Law Firm and \$3,588.90 shall be paid directly to Lawyers *for* Justice, PC,
9 to be paid out of the GSA by the Third-Party Administrator to no later than five (5) calendar days
10 after receipt of the GSA pursuant to paragraph 14 of the Settlement Agreement. (CMO ¶ I.11.)

11 7. The Court hereby grants final approval of the Class Representative Service Award
12 in the total amount of \$10,000 to be paid out of the GSA by the Third-Party Administrator
13 directly to Plaintiff Jonathan Lopez no later than five (5) calendar days after receipt of the GSA
14 paragraph 15 of the Settlement Agreement.

15 8. The Court hereby grants final approval of settlement administration costs in the
16 total amount of \$14,000.00 to be paid to the Third-Party Administrator out of the GSA no later
17 than five (5) calendar days after receipt of the GSA paragraph 17 of the Settlement Agreement

18 9. Pursuant to California Labor Code section 2699(1)(2), the Court hereby grants
19 final approval of \$10,000.00 to be paid out of the GSA as penalties under the California Labor
20 Code Private Attorneys General Act of 2004, of which \$7,500.00 shall be paid by the Third-
21 Party Administrator directly to the Labor and Workforce Development Agency no later than five
22 (5) calendar days after receipt of the GSA.

23 10. The Third-Party Administrator shall issue the Net Settlement Amount directly to
24 the Class Members and Aggrieved Employees no later than five (5) calendar days after receipt of
25 the GSA.

26 11. Any envelope transmitting a settlement distribution to a Class Member or
27 Aggrieved Employee shall bear the notation, "YOUR CLASS ACTION SETTLEMENT
28 CHECK IS ENCLOSED." (CMO ¶ I.8.a.)

1 12. Class Members and Aggrieved Employees shall have one hundred and twenty
2 (120) days to cash their settlement checks. (CMO ¶ I.8.b.)

3 13. The Third-Party Administrator shall mail a reminder postcard to any Class
4 Member or Aggrieved Employee whose settlement distribution check has not been negotiated
5 within 60 days after the date of mailing. (CMO ¶ I.8.c.)

6 14. If (i) any of the Class Members or Aggrieved Employees are current employees of
7 Defendant, (ii) the distribution mailed to those employees is returned to the Third-Party
8 Administrator as being undeliverable, and (iii) the Third-Party Administrator is unable to locate a
9 valid mailing address, the Third-Party Administrator shall arrange with Defendant to have those
10 distributions delivered to the employees at their place of employment. (CMO ¶ I.8.d.)

11 15. Funds from any settlement checks not cashed after 120 days from the date of
12 mailing shall be sent by the Third-Party Administrator to the State of California Unclaimed
13 Property Fund in the Class Member's or Aggrieved Employee's name. (CMO ¶ L.2.a.)

14 16. Richard Lacroix excluded himself from the Settlement Agreement. (CMO ¶ I.10.)

15 17. No Class Member or Aggrieved Employee objected to the Settlement Agreement.

16 18. Pursuant to California Rules of Court, Rule 3.771(a), the Court hereby enters
17 judgment in *Lopez v. National Business Investigations, Inc., et al.*, Case No. RIC2000292 and
18 *Lopez v. National Business Investigations, Inc., et al.*, Case No. MCC2000562 on behalf of the
19 1,240 Class Members defined in paragraph 6 of the Settlement Agreement as all employees of
20 Defendant who are or were employed by Defendant National Business Investigations, Inc. dba
21 MPS Security as Security Officers and similar non-exempt hourly positions within the State of
22 California during the Class Period, defined as any time between January 21, 2016 and August 16,
23 2023, who did not opt out of the Settlement Agreement.

24 19. Pursuant to California Rules of Court, Rule 3.771(a), the Court hereby enters
25 judgment in *Lopez v. National Business Investigations, Inc., et al.*, Case No. RIC2000292 and
26 *Lopez v. National Business Investigations, Inc., et al.*, Case No. MCC2000562 on behalf of the
27 890 Aggrieved Employees defined in paragraph 8 of the Settlement Agreement as all employees
28 of Defendant who are or were employed by Defendant National Business Investigations, Inc. dba

1 MPS Security as Security Officers and similar non-exempt hourly positions within the State of
2 California during the PAGA Period, defined as any time between January 21, 2019 through
3 August 16, 2023, who did not opt out of the Settlement Agreement.

4 20. Pursuant to California Rules of Court, Rule 3.771(b), notice of entry of this Order
5 and Judgment Granting Final Approval of Class Action Settlement shall be given to the Class
6 Members and Aggrieved Employees by the Third-Party Administrator uploading a signed and
7 filed copy of this Order and Judgment on the Third-Party Administrator's website,
8 <https://www.phoenixclassaction.com/class-action-lawsuits/judgments/>, that Class Members and
9 Aggrieved Employees are able to download for free. (CMO ¶ L.1.)

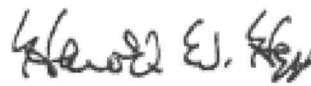
10 21. The Parris Law Firm shall file a report concerning uncashed checks or other cash
11 residue on August 1, 2024. (CMO ¶ L.2.b.)

12 22. No later than August 1, 2024, the Parris Law Firm shall file a report in the form of
13 a declaration from the Third-Party Administrator describing (i) the date the checks were mailed,
14 (ii) the total number of checks mailed to Class Members and Aggrieved Employees, (iii) the
15 average amount of those checks, (iv) the number of checks that remain uncashed, (v) the total
16 value of those uncashed checks, (vi) the average amount of the uncashed checks, and (vii) the
17 nature and date of the disposition of those unclaimed funds. (CMO ¶ L.2.c.)

18 23. The Court hereby retains jurisdiction over the parties to enforce the Settlement
19 Agreement and this Order and Judgment pursuant to California Code of Civil Procedure section
20 664.6 and California Rules of Court, Rule 3.769(h).

21
22 **IT IS SO ORDERED.**

23 02/23/2024
24 DATE: _____



Honorable Harold W. Hopp
Riverside County Superior Court