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6 Attorneys for Plaintiffs Sonia Arce, Noel Guzman and  
7 Davonna Lee individually and on behalf of other similarly situated

**CONFORMED COPY  
ORIGINAL FILED**  
Superior Court of California  
County of Los Angeles

**MAR 13 2020**

Sherri R. Carter, Executive Officer/Clerk of Court  
By: Berta Guerrero, Deputy

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **FOR THE COUNTY OF LOS ANGELES – CENTRAL CIVIL WEST**

11 SONIA ARCE, an individual; NOEL )  
12 GUZMAN, an individual and DAVONNA )  
13 LEE on behalf of themselves and all others )  
14 similarly situated, )

15 Plaintiffs, )

16 v. )

17 QUIET CANNON MONTEBELLO, INC., )  
18 a California Corporation and DOES 1 to )  
19 100, Inclusive, )

20 Defendants )

CASE NO.: BC688126  
[Unlimited Jurisdiction]

Assigned for all purposes to the  
Honorable Kenneth Freeman, Dept. 14

**CLASS ACTION**

**~~PROPOSED~~ FINAL ORDER AND  
JUDGMENT GRANTING  
PLAINTIFF'S MOTION FOR FINAL  
APPROVAL OF CLASS ACTION  
SETTLEMENT**

Date: November 19, 2019  
Time: 10:00 a.m.  
Dept: 14

Action filed: December 22, 2017  
Trial date: None Set

**RECEIVED**  
LOS ANGELES SUPERIOR COURT  
**SEP 12 2019**  
**I. LOVO**

1 The Parties reached a settlement subject to Court approval as represented in the  
2 Stipulation and Settlement of Class Action Claims (the "Stipulation") that was filed previously  
3 with this Court. On September 24, 2019, this Court conducted a Final Settlement Fairness  
4 Hearing pursuant to Rule 3.769 of the California Rules of Court and this Court's previous Order  
5 Granting Plaintiff's Motion for Preliminary Approval of Class Action Settlement (the  
6 "Preliminary Approval Order") entered herein on May 16, 2019. Due and adequate notice  
7 having been given to the Settlement Class as required in said Preliminary Approval Order, and  
8 the Court having considered all papers filed and proceedings had herein and otherwise being  
9 fully informed in the matter, and good cause appearing therefore:

10 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

11 1. For the reasons set forth in the Preliminary Approval Order, which are adopted  
12 and incorporated herein by reference, this Court finds that the applicable requirements of the  
13 California Code of Civil Procedure § 382 and Rule 3.769 of the California Rules of Court have  
14 been satisfied with respect to the Class and the proposed Settlement. The Court hereby makes  
15 final its earlier provisional certification of the Class, as set forth in the Preliminary Approval  
16 Order.

17 2. This Order and Judgment Granting Final Approval of Class Action Settlement  
18 hereby adopts and incorporates by reference the terms and conditions of the parties' Stipulation,  
19 together with the definitions of terms used and contained therein.

20 3. The Court finds that it has jurisdiction over the subject matter of the Class Action  
21 and over all parties to the Class Action, including all members of the Settlement Class.

22 4. The Class Notice given to the Class Members fully and accurately informed the  
23 Class Members of all material elements of the proposed Settlement and of their opportunity to  
24 object to or comment thereon; was the best notice practicable under the circumstances; was  
25 valid, due, and sufficient notice to all Class Members; and complied fully with the laws of the  
26 State of California, the United States Constitution, due process, and other applicable law. The  
27 Class Notice fairly and adequately described the Settlement and provided Class Members  
28 adequate instructions and a variety of means to obtain additional information. A full opportunity

1 has been afforded to the Class Members to participate in the Final Approval hearing, and all  
2 Class Members and other persons wishing to be heard have been heard. Accordingly, the Court  
3 determines that all Class Members who did not timely and properly execute a request for  
4 exclusion are bound by this Order and Judgment.

5         5.       The Court has considered all relevant factors for determining the fairness of the  
6 settlement and has concluded that all such factors weigh in favor of granting final approval. In  
7 particular, the Court finds that the Settlement was reached following meaningful discovery and  
8 investigation conducted by Class Counsel; that the Settlement is the result of serious, informed,  
9 adversarial, and arm's-length negotiations between the Parties; and that the terms of the  
10 Settlement are in all respects fair, adequate, and reasonable. In so finding, the Court has  
11 considered all of the evidence presented, including evidence regarding the strength of the  
12 Plaintiff's case; the risk, expense, and complexity of the claims presented; the likely duration of  
13 further litigation; the amount offered in Settlement; the extent of investigation and discovery  
14 completed; and the experience and views of Class Counsel. Accordingly, the Court hereby  
15 approves the settlement as set forth in the Stipulation and expressly finds that said settlement is,  
16 in all respects, fair, reasonable, adequate, and in the best interests of the entire Settlement Class  
17 and hereby directs implementation of all remaining terms, conditions, and provisions of the  
18 Stipulation.

19         6.       The Court hereby approves attorneys' fees to Class Counsel in the amount of  
20 \$71,750 and costs of \$6,000, as compensation for all attorney time spent on this matter from  
21 inception through and including the final Settlement Fairness Hearing and all other work related  
22 to this case and all costs, as these requests are fair and reasonable. Costs to the claims  
23 administrator in the amount of \$15,000 is hereby approved as fair and reasonable. No other costs  
24 or fees relief shall be awarded, either against Defendant or any other of the Released Parties, as  
25 defined in the Stipulation.

26         7.       The Court hereby approves a Service Award to the Named Plaintiffs Sonia Arce  
27 and Noel Guzman ("Named Plaintiffs") for \$2,500 each for the total amount of \$5,000.00.  
28 Named Plaintiffs Service Award is approved as \$5,000 for Named Plaintiffs service as class

1 representatives and in consideration and exchange for Named Plaintiffs General Release of all  
2 claims. Based on their contribution to the class, risks incurred, stigma, execution of a general  
3 release and all other factors presented to the Court, the Court finds this request fair and  
4 reasonable.

5 8. The Court hereby approves a PAGA penalty of \$1,000 with \$7,500 payable to the  
6 Labor Workforce Development Agency (LWDA), as this requests is fair and reasonable.

7 9. Entry of this Final Judgment shall constitute a full and complete bar against the  
8 Settlement Class as to all the claims released by the Stipulation, and shall constitute res judicata  
9 and collateral estoppel with respect to any and all such prior, current, or future released claims,  
10 except to those who opted out of the settlement.

11 10. The Court further confirms and finds that nothing contained in the Stipulation, the  
12 Preliminary Approval Order, this Final Order and Judgment, or any other Order entered in this  
13 action shall in any way or manner constitute an admission or determination of liability by or  
14 against Defendant, or any other Released Parties with respect to any of the claims and causes of  
15 action asserted by the Settlement Class or any member thereof, and shall not be offered in  
16 evidence in any action or proceeding against Defendant, or any other Released Parties in any  
17 court, administrative agency, or other tribunal for any purpose whatsoever, other than to the  
18 extent necessary to enforce the provisions of the Stipulation or this Order. This paragraph shall  
19 not, however, diminish or otherwise affect the obligation, responsibilities, or duties of Defendant  
20 under the Stipulation and this Final Order and Judgment.

21 11. By operation of the entry of this Final Order and Judgment, as of the Effective  
22 Date, the parties and Settlement Class Members are ordered to perform their respective duties  
23 and obligations under the Stipulation.

24 12. If the settlement does not become final and effective in accord with the terms of  
25 the Stipulation, then this Final Order and Judgment shall be rendered null and void and shall be  
26 vacated and, in such event, all orders entered, including but not limited to all releases delivered  
27 in connection herewith, shall be null and void.

28 ///

1 JUDGMENT

2 In accordance with, and for the reasons stated in, the Final Approval Order, judgment  
3 shall be entered whereby Representative Plaintiff and all Settlement Class Members shall take  
4 nothing from Defendant, except as expressly set forth in the Stipulation, which was previously  
5 filed, as part of Plaintiff's Motion for Preliminary Approval of the Class Action Settlement.  
6 Pursuant to California Code of Civil Procedure Section 664.6 and Rule 3.769(h) of the California  
7 Rules of Court, this Court reserves exclusive and continuing jurisdiction over this action, the  
8 Representative Plaintiff, Class Members, and Defendant, for the purposes of:

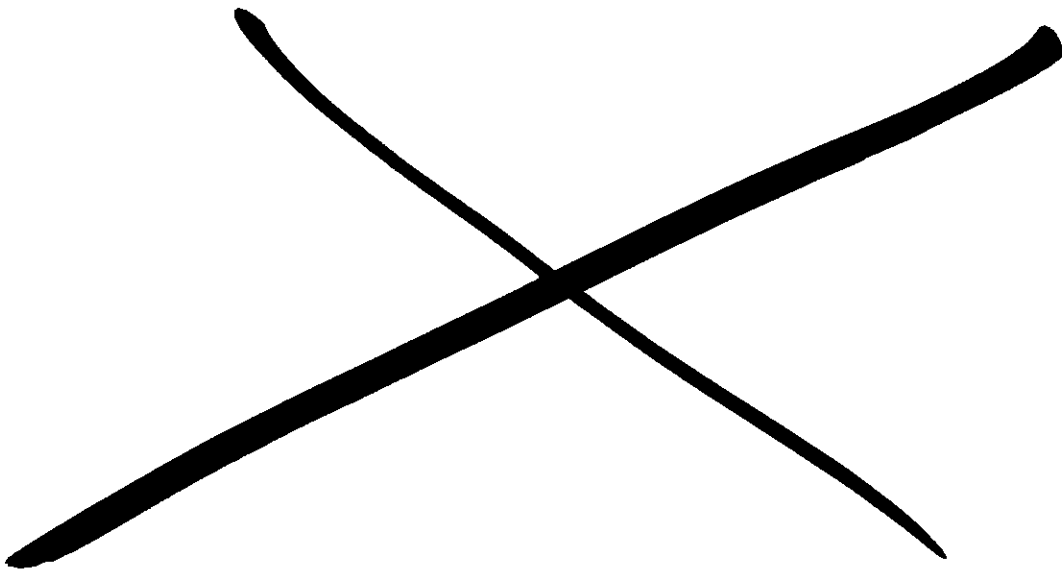
- 9 (a) supervising the implementation, enforcement, construction, and interpretation of  
10 the Stipulation, the Preliminary Approval Order, the plan of allocation, the Final  
11 Approval Order, and the Judgment; and  
12 (b) supervising distribution of amounts paid under this Settlement.

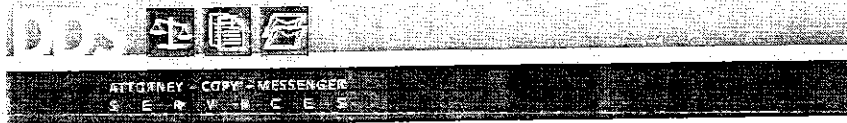
13 *Non-Appearence Re: Distribution is set for 11-20-20 at 4:00 p.m.*  
14 *IT IS SO ORDERED. Parties are ordered to file a Declaration*  
15 *Re: Distribution by Noon 11-18-20. If no Declaration is*  
*filed, an order to show cause hearing will be set.*

16 KENNETH R. FREEMAN

17 Dated: 3-13-20

18 \_\_\_\_\_  
19 Honorable Kenneth Freeman  
20 Judge of the Superior Court





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**TRACKING NUMBER:**  
**3556474**

PDF/Fax Filing/PDF-Delivery

COMPLETE BY: 8/26/19 16:30

CASE NUMBER:  
 BC688126

REFERENCE(S):  
 Sonia Arce

EMAIL:  
 sb@livingstonbakhtiar.com

**DOCUMENTS / INSTRUCTIONS:**

memo, dec x2, proposed order  
 Please file the attached documents today, Monday, 26, 2019 and a courtesy copy to Dept 14.  
 Please send our office a conformed copy of the above-mentioned documents when available.  
 Also, please advised when the documents have been filed.

PDF/FAX  
 FILING



WAIT/ RESEARCH TIME:	ADVANCED FEE:	CHECK #:
DDS STATUS:		
COMPLETION DATE:	RECEIVED BY:	
COMPLETION TIME:	PRINT NAME:	