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10 *Members*

11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
12 **FOR THE COUNTY OF ORANGE – CIVIL COMPLEX CENTER**

14 RICARDO CAMPOS HERNANDEZ,
15 individually, and on behalf of all others similarly
16 situated,

16 Plaintiff,

17 v.

18 ADAMS IRON CO., INC., a California
19 corporation, and DOES 1 through 10, inclusive.

20 Defendants

Case No.: 30-2019-01066522-CU-OE-CXC

CLASS ACTION

[Hon. Peter Wilson, Dept. CX102]

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

FINAL APPROVAL HEARING

Date: August 12, 2021

Time: 2:00 p.m.

Dept. CX102

1 This matter coming before the Court on Plaintiff’s Motion for Final Approval of Class
2 Action Settlement (the “Final Approval Motion”), and after review and consideration of the
3 parties’ fully-executed Joint Stipulation for Class Action Settlement and First Amendment to
4 Stipulation of Settlement (collectively, the “Settlement”) and the papers in support of the
5 Final Approval Motion. Due and adequate notice having been given to the Class, and the
6 Court having reviewed and considered the Settlement, all papers filed, the record, proceedings
7 in the above-entitled action (“Litigation” or “Action”), and all oral and written comments
8 received regarding the Settlement, and good cause appearing therefor,

9 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

10 1. The Court, for purposes of this Order, adopts all defined terms as set forth in the
11 Settlement filed in this case.

12 2. The Court has jurisdiction over all claims asserted in the Action, Plaintiff, the
13 Settlement Class Members, and Defendant Adams Iron Co., Inc. (“Defendant”).

14 3. The Court finds that the Settlement appears to have been made and entered into in
15 good faith and hereby approves the settlement subject to the limitations on the requested fees and
16 enhancements as set forth below.

17 4. Plaintiff and all Settlement Class Members, (“Participating Class Members”), shall
18 have, by operation of this Final Order and Judgment, fully, finally, and forever released,
19 relinquished, and discharged Defendant from all Released Claims as defined in the Settlement.

20 5. The Parties shall bear their own respective attorneys' fees and costs, except as
21 otherwise provided for in the Settlement and approved by the Court.

22 6. Solely for purposes of effectuating the settlement, the Court finally certified the
23 following Class: “All persons who worked for any Defendant in California as an hourly-paid or
24 non-exempt employee during the Settlement Period.”

25 7. The Settlement Period is April 26, 2015 through November 24, 2020.

26 8. No Class Members have objected to the terms of the Settlement.

27 9. No Class Members have requested exclusion from the Settlement.

28 10. The Notice provided to the Class conforms with the requirements of California

1 Rules of Court 3.766 and 3.769, and constitutes the best notice practicable under the
2 circumstances, by providing individual notice to all Class Members who could be identified
3 through reasonable effort, and by providing due and adequate notice of the proceedings and of
4 the matters set forth therein to the Class Members. The Notice fully satisfies the requirements of
5 due process.

6 11. The Court finds the Total Settlement Amount, the Net Settlement Amount, and the
7 methodology used to calculate and pay each Participating Class Member's Individual Settlement
8 Payment are fair and reasonable, and authorizes the Settlement Administrator to pay the
9 Individual Settlement Payments to the Participating Class Members in accordance with the terms
10 of the Stipulation and Amendment.

11 12. Defendant shall pay the total of \$750,000.00 to resolve this litigation. Within
12 fourteen (14) calendar days from the date of this Order, Defendant shall deposit this amount and
13 employer taxes into an interest-bearing trust account for the benefit of the participating Class
14 Members and Class Counsel, through the Settlement Administrator. Thereafter, compensation to
15 the Participating Class Members shall be disbursed pursuant to the terms of the Settlement (i.e.,
16 within twenty-one (21) calendar days following the date of this Order. (Settlement, § XI.)

17 (a) From the Total Settlement Amount; \$7,500.00 shall be paid to the
18 California Labor and Workforce Development Agency, representing 75%
19 of the penalties awarded under the terms of the Joint Stipulation and
20 Amendment pursuant to the Labor Code Private Attorneys General Act of
21 2004, California Labor Code section 2698, et seq.

22 (b) From the Total Settlement Amount, \$5,000.00 shall be paid to the named
23 Plaintiff, Ricardo Campos Hernandez, for his service as class
24 representative and for his agreement to release claims.

25 (c) From the Total Settlement Amount, \$10,000.00 shall be paid to the
26 settlement administrator, ILYM Group, Inc.

27 13. The Court hereby confirms Justin F. Marquez, Nicol Hajjar, Benjamin H. Haber,
28 and Rachel J. Vinson of Wilshire Law Firm, PLC as Class Counsel.

1 14. From the Total Settlement Amount, Class Counsel is awarded \$250,000.00 for
2 their reasonable attorneys' fees and \$7,881.62 for their reasonable costs incurred in the Action.
3 The fees and costs shall be distributed to Class Counsel as set forth in the Settlement. The Court
4 finds that the fees are reasonable in light of the benefit provided to the Class.

5 15. Notice of entry of this Final Approval Order and Judgment shall be given to Class
6 Members by posting a copy of the Final Approval Order and Judgment on ILYM Group's
7 Settlement Administrator's website for a period of at least sixty (60) calendar days after the date
8 of entry of this Final Approval Order and Judgment.

9 16. Without affecting the finality of this Final Judgment in any way, this Court retains
10 continuing jurisdiction over the implementation, interpretation, and enforcement of the
11 Settlement with respect to all Parties to this action, and their counsel of record.

12 17. Plaintiff's Motion for Final Approval of Class Action Settlement is hereby granted
13 and the Court directs that judgment shall be entered in accordance with the terms of this Order.

14 18. The Court sets Non-Appearance Case Management Review Re: Final Distribution
15 on Thursday, April 14, 2022. Class Counsel is ordered to provide a Final Report and
16 Distribution by March 31, 2022.

17 **IT IS SO ORDERED.**

18
19
20 DATE:

Hon. Peter Wilson
Judge of the Orange County Superior Court

