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1 **KINGSLEY & KINGSLEY, APC**  
ERIC B. KINGSLEY, Esq., (SBN 185123)  
eric@kingsleykingsley.com  
2 **KELSEY M. SZAMET, Esq. (SBN 260264)**  
kelsey@kingsleykingsley.com  
3 16133 Ventura Blvd., Suite 1200  
Encino, CA 91436  
4 Telephone: (818) 990-8300// Fax: (818) 990-2903  
5 Attorneys for Plaintiff Giles and the Proposed Class

**FILED**  
Superior Court of California  
County of Placer

AUG 27 2021

Jake Chatters  
Executive Officer & Clerk  
By: M. Taylor, Deputy

6 **SANSANOWICZ LAW GROUP, P.C.**  
Leonard H. Sansanowicz (SBN 255729)  
7 leonard@law-slg.com  
1635 Pontius Avenue, Second Floor  
8 Los Angeles, CA 90025  
9 Tel: (323) 677-0200// Fax: (323) 549-0101

10 Attorneys for Plaintiff Patrick McClanahan and the Proposed Class

11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
12 **FOR THE COUNTY OF PLACER**

13 JERAMIE GILES, an individual, on behalf of  
himself and others similarly situated

14 Plaintiff,

15 vs.

16 CIK POWER DISTRIBUTORS, LLC, a  
California limited liability company; and DOES 1  
17 to 100, inclusive,

18 Defendants.

19 *Placer County Superior Court*  
*Case No. S-CV-0044085*

CASE NO. S-CV-0044085

**~~PROPOSED~~ ORDER GRANTING  
FINAL APPROVAL OF CLASS  
ACTION SETTLEMENT AND  
ENTERING JUDGMENT**

Date: August <sup>26</sup> 7, 2021  
Time: 8:30 a.m.  
Dept.: 3

Action Filed: November 25, 2019  
Trial Date: July 6, 2021

20 PATRICK MCCLANAHAN, an individual, on  
21 behalf of himself and all others similarly situated

22 Plaintiff,

23 vs.

24 CIK POWER DISTRIBUTORS, LLC, a  
25 California limited liability company, and DOES 1  
to 100, inclusive,

26 Defendants.

27 *Los Angeles County Superior Court*  
*Case No 20STCV00307*

28 **ORDER GRANTING FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND ENTERING  
JUDGMENT**

1 The Motion for Final Approval of Class Action Settlement came before this Court, on  
2 August 24, 2021. The above captioned Action is a class action lawsuit brought by Plaintiffs  
3 JERAMIE GILES and PATRICK MCCLANAHAN ("Plaintiffs") against Defendant CIK  
4 POWER DISTRIBUTORS, LLC. ("Defendant").

5 On January 19, 2021, this Court entered an Order granting Preliminary Approval of this  
6 Settlement.

7 WHEREAS, Plaintiffs have applied to the Court for an order finally approving the  
8 settlement of the above-captioned matter in the Superior Court for the State of California, County  
9 of Placer (the "Court") pursuant to the Parties' joint Stipulation and Settlement of Class and  
10 Representative Action ("Settlement," "Settlement Agreement" or "Agreement") attached as  
11 Exhibit "A" to the Declaration of Kelsey M. Szamet filed concurrently herewith.

12 WHEREAS the Settlement Agreement sets forth the terms and conditions for the proposed  
13 Settlement and for entry of a final judgment as against Defendant and any Released Parties thereon.  
14 The Court having read and considered Plaintiffs' Motion for Preliminary Approval, Plaintiffs'  
15 Motion for Final Approval, Plaintiffs' Motion for Approval of Attorneys' Fees and Costs, and the  
16 supporting documents and exhibits annexed thereto including the Declarations of Kelsey M.  
17 Szamet, Jeramie Giles, Patrick Mcclanahan, Leonard H. Sansanowicz, and Lluvia Islas, now finds:

18 **NOW THEREFORE, GOOD CAUSE APPEARING, IT IS HEREBY ORDERED**  
19 **AND JUDGMENT IS HEREBY ENTERED THAT:**

20 1. This Court has jurisdiction over the subject matter of the Action and over all Parties  
21 to the Action, including all Class Members.

22 2. The terms of the Settlement Agreement are fair, just, reasonable, and adequate as  
23 to the settling Parties, including the Settlement Class, and is hereby finally approved in all respects.  
24 The Parties are hereby directed to perform the terms of the Settlement as described in the  
25 Settlement Agreement and herein.

26 3. Distribution of the Notice Packet has been completed in conformity with the  
27 Court's Preliminary Approval Order issued on January 19, 2021, including individual notice to all  
28 Settlement Class Members who could be identified through reasonable effort, and the best notice

1 practicable under the circumstances. The Notice provided due and adequate notice of the  
2 proceedings and of the proposed Settlement to all persons entitled to such notice, and the Notice  
3 fully satisfied the requirements of due process. All Class Members and all Released Claims are  
4 covered by and included within the Settlement, this Order, and the Final Judgment.

5 4. The Settlement Class is hereby made final. The Settlement Class is defined as:

6 All nonexempt hourly paid persons employed by Defendant in  
7 California during the Class Period. Defendant certifies there are 269  
8 putative Class Members. (the "Class Member(s)" or "Settlement  
Class").

9 5. The Class Period is the period from November 25, 2015 through January 19, 2021.

10 6. Pursuant to the terms of the Settlement Agreement, the Class Settlement Amount  
11 is Six Hundred Forty One Thousand Dollars, Three Hundred and Fifty Dollars and Ninety-Two  
12 cents (\$641,350.92). After deduction of the following approved amounts: Attorneys' Fees of  
13 \$190,000.00, litigation costs \$16,000.00, claims administration of \$13,987.84, and a Class  
14 Representative Enhancement Payment of \$5,000.00 per Plaintiff, or \$10,000.00 total, the Net  
15 Settlement Fund is \$403,863.08.

16 7. Pursuant to the Settlement Agreement, upon entry of this Final Approval Order and  
17 Judgment, each Settlement Class Member shall fully release and discharge the Released Parties  
18 pursuant to the following release:

19 any and all claims and causes of action, known or unknown,  
20 contingent or accrued, against Defendant, Defendant's parents,  
21 subsidiaries, affiliates, their insurers, employees, attorneys and all  
22 officers, directors, shareholders and agents thereof, arising out of, or  
23 that could have arisen out of, the facts and claims asserted in the  
24 Litigation, including the alleged violation of Labor Code §226(a),  
25 penalties and fees under the Private Attorneys General Act for the  
26 alleged violation of Labor Code §226(a), and any other applicable  
27 provisions of state or federal law, including the applicable IWC  
28 wage order.

8. The Court finds that the Settlement has been reached as a result of non-collusive  
arms-length negotiations. The Court further finds that the Parties have conducted thorough  
investigation and research, and counsel for the Parties are able to reasonably evaluate their

1 respective positions. The Court also finds that Settlement will avoid additional substantial costs,  
2 as well as avoid the delay and risks that would be presented by further prosecution of the Action.  
3 The Court has reviewed the benefits that are being granted as part of the Settlement and recognizes  
4 the value to the Settlement Class.

5 9. The Court hereby finds the payments and allocation provided for in the Settlement  
6 Agreement are fair and reasonable in light of all the circumstances. The Court, therefore, orders  
7 the calculations and the payments to be made and administered in accordance with the terms of  
8 the Settlement Agreement.

9 10. All Class Members are bound by the instant Final Order, Final Judgment and by  
10 the Settlement as described in the Settlement Agreement. Each Class Member is hereby deemed  
11 conclusively to have released Defendant and any Released Parties, as defined in the Settlement  
12 Agreement. Each Class Member is barred and permanently enjoined from commencing or  
13 prosecuting any of the claims, either directly, representatively, or in any other capacity, that are  
14 released by the Settlement Agreement.

15 11. The Court hereby confirms Kingsley & Kingsley, APC and Sansanowicz Law  
16 Group, P.C. as Class Counsel in the Action. The Court finds that the requested rates of \$850.00  
17 for Eric B. Kingsley, \$625.00 for Kelsey M. Szamet, \$750.00 for Darren M. Cohen, and \$750.00  
18 for Leonard H. Sansanowicz are fair and reasonable and within the accepted rates for attorneys of  
19 similar background and experience.

20 12. The Court hereby finds the unopposed application of Class Counsel for a costs and  
21 attorneys' fees award provided for under the proposed Settlement to be fair and reasonable in light  
22 of all the circumstances. The Court approves the following terms: of the Gross Settlement Fund,  
23 \$190,000.00 shall be allocated to Class Counsel as attorneys' fees and reimbursement of costs of  
24 suit of \$16,000.00. No other litigation costs and/or attorneys' fees shall be awarded, either against  
25 Defendants or any related persons or entities or from the award to the Class.

26 13. The unopposed application of Class Counsel for a Class Representative  
27 Enhancement Payment is hereby granted. Of the Gross Settlement Fund, a \$10,000.00 Class  
28 Representative Enhancement Payment (\$5,000.00 per Plaintiff) shall be allocated to Plaintiffs

1 Jeramie Giles and Patrick Mcclanahan.

2 14. The unopposed application of Class Counsel for claims administration fees to  
3 ILYM Group, Inc. is hereby granted. Of the Gross Settlement Fund, \$13,987.84 shall be paid for  
4 settlement administration fees.

5 15. Pursuant to California Rule of Court Rule 3.769(h) and C.C.P. §664.4, the Court  
6 shall retain jurisdiction with respect to all matters related to the administration and consummation  
7 of the settlement, and any and all claims, asserted in, arising out of, or related to the subject matter  
8 of the lawsuit, including but not limited to all matters related to the settlement and the  
9 determination of all controversies relating thereto.

10 16. This Order shall constitute a Final Judgment.

11 17. Pursuant to California Rule of Court Rule 3.769(h) and C.C.P. §664.4, the Court  
12 shall retain jurisdiction of this action to enforce the terms of the judgment.

13  
14 DATED: 8/27/21

  
15 JUDGE OF THE SUPERIOR COURT

16 Hon. Charles D. Wachob  
17 Judge of the Superior Court  
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