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8 **SUPERIOR COURT OF CALIFORNIA**
9 **COUNTY OF CONTRA COSTA**
10 **(UNLIMITED JURISDICTION)**

11 ANGELICA DE LEON MARTINEZ, and
12 REINA ISABEL IRAHETA, individually
13 and on behalf of others similarly situated,

14 Plaintiffs,

15 vs.

16 GALAXY DESSERTS (CALIFORNIA)
17 INC., and DOES 1 to 20,

18 Defendants.

Case No.: C15-01233

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION FOR FINAL
APPROVAL OF CLASS-ACTION
SETTLEMENT**

CLASS ACTION

Action Filed: July 13, 2015

Judge: Hon. Barry Goode
Dept.: 17
Date: December 22, 2016
Time: 8:30 a.m.

1 **[PROPOSED] ORDER**

2 The Court having considered the papers submitted in support of the Plaintiffs’ Motion for
3 Final Approval of Class-Action Settlement and the terms of the Amended Settlement Agreement.
4 Based on the papers and pleadings on file, the Court hereby finds that the settlement is fair,
5 adequate and reasonable, and therefore grants Plaintiffs’ motion.

6 **IT IS HEREBY ORDERS AS FOLLOWS:**

7 (1) the Settlement, the terms of which are contained in the Amended Settlement
8 Agreement, is approved;

9 (2) Simpluris is appointed as Claims Administrator as Claims Administrator for the
10 proposed Settlement and the estimated costs of claims administration, \$15,000, are approved;

11 (3) Villegas Carrera, LLP is appointed as Class Counsel for the Settlement Class (“Class
12 Counsel”);

13 (4) Plaintiffs Angelica DeLeon Martinez and Reina Isabel Iraheta are appointed as
14 Representatives of the Settlement Class;

15 (5) the following Settlement Class is certified:

16 all current and former non-exempt employees of Defendant that were employed in a
17 production capacity at any time from July 13, 2011 through June 13, 2016, and who
18 received at least \$50 in gross wages as a result of work performed for Defendant during the
19 stated period. This includes both individuals who were W-2 employees of Defendant and
20 individuals who were W-2 employees or 1099 contractors of a temporary staffing agency,
21 but were assigned to work on Defendant’s premises during the stated time period.

22 (6) an enhancement payment of \$7,500.00 to each of the two Representative Plaintiffs in
23 this case for their efforts on behalf of the Class is approved;

24 (7) an award of \$7,500 to the LWDA for PAGA penalties is approved;

25 (8) an award of attorneys’ fees to Class Counsel in the amount of 33.3%
26 of the Gross Settlement Amount, or \$374,625, plus reimbursement of their current out-of-pocket
27 expenses in the amount of \$10,958.68 is approved; and

28 (9) a final judgment consistent with the terms of the Amended Settlement Agreement is
entered.

1 (10) the implementation schedule below is approved:

2 Preliminary Approval Granted	September 22, 2016
3 Class list provided to Claims Administrator	Within 15 days after Preliminary Approval
4 Notices mailed	Within 10 days after Receipt of Class List from Defendant
5	
6 Deadline to /opt-out/object	45 days after mailing of Notice
7 Final Approval Hearing	60 days after mailing of Notice, or as soon thereafter as there is availability on the Court's calendar, provided that the hearing date shall be at least 10 days after the objection/exclusion deadline.
8	
9	
10	
11 \$1,125,000.00 to be transferred to Claims Administrator by Defendant for deposit into Qualified Settlement Fund	Within 10 business days after the Effective Date
12	
13 Payment of Service Awards to Representative Plaintiffs	As soon as practicable after the Effective Date
14	
15 Payment of Settlement Awards to Eligible Class Members	As soon as practicable or no later than 45 days after the Effective Date
16	
17 Payment to the LWDA	As soon as practicable after the Effective Date
18	
19 Payment of Class Counsel's fees and costs	As soon as practicable after payment of settlement awards to eligible class members, payment of service awards, and payment to the LWDA.

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21 IT IS SO ORDERED.

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23 Dated: _____

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HON. BARRIE GOODE

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