

**FILED
ENDORSED**

2017 JUN 30 PM 2: 51

**SACRAMENTO COURTS
DEPT. #53**

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10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **FOR THE COUNTY OF SACRAMENTO**

12 DEMETRIUS CAMARILLO; individually, and
13 on behalf of other members of the general
14 public similarly situated, and on behalf of other
15 aggrieved employees pursuant to the California
16 Private Attorneys General Act,

17 Plaintiff,

18 vs.

19 BLUE DIAMOND GROWERS, a California
20 corporation; and DOES 1 through 100,
21 inclusive,

22 Defendants.

Case No.: 34-2015-00175871

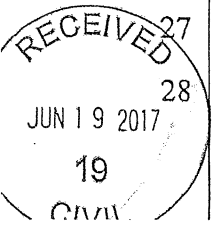
Honorable David I. Brown
Department 53

CLASS ACTION

**[PROPOSED] FINAL APPROVAL
ORDER AND JUDGMENT**

Date: June 30, 2017
Time: 2:00 p.m.
Department: 53

Complaint Filed: March 3, 2015
FAC Filed: December 1, 2016
Jury Trial Date: None Set



1 This matter has come before the Honorable David I. Brown in Department 53 of the above
2 entitled Court, located at Hall of Justice Building, 813 6th Street, Sacramento, California 95814, on
3 Plaintiff Demetrius Camarillo's ("Plaintiff") Motion for Final Approval of Class Action Settlement,
4 Attorneys' Fees, Costs, and Enhancement Payment ("Motion for Final Approval"). Lawyers for
5 Justice, PC appeared on behalf of Plaintiff and the Class. Hanson Bridgett LLP appeared on behalf
6 of Defendant Blue Diamond Growers ("Defendant").

7 **THE COURT HEREBY ORDERS, ADJUDGES, AND DECREES AS FOLLOWS:**

8 1. All terms used herein shall have the same meaning as defined in the Joint Stipulation
9 and Release of Class Claims and Amendment No. 1 to Joint Stipulation of Settlement and Release
10 of Class Claims (collectively, "Settlement," "Agreement," or "Settlement Agreement").

11 2. The Court finds that the applicable requirements of California Code of Civil
12 Procedure section 382 and Rule 3.769 of the California Rule of Court have been satisfied with
13 respect to the Class and the Settlement. The Court hereby makes final its earlier provisional
14 certification of the Class for settlement purposes, as set forth in the Order Granting Preliminary
15 Approval. The Class is hereby comprised of:

16 a. All current and former hourly-paid or salary-paid non-
17 exempt individuals employed by Blue Diamond within the
18 State of California at any time between March 3, 2011
19 through January 31, 2017 (the "Class Period") who have not
20 opted out of the Lawsuit or otherwise independently
21 resolved their claims through individual, non-class action
22 settlement and release ("Employee Class Members").

23 b. All current and former temporary workers employed by
24 Staffing Agencies (including, without limitation, Adecco
25 USA, Inc., Aerotek, Ceja Reyes, Inc., Kelly Services, Gary
26 D. Nelson Associates, Inc., Randstad USA, Robert Half
27 International, Inc., Rush Personnel Services, Inc., and
28 Selectstaffing) who performed work at Blue Diamond within
the State of California at any time during the Class Period,
who have not opted out of the Lawsuit or otherwise
independently resolved their claims through individual, non-
class action settlement and release ("Short Term Temporary
Workers" or "Temporary Worker Class Members,"
depending on the number of shifts worked at Blue
Diamond).

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1 3. The Notice of Pendency of Class Action, Proposed Settlement, and Hearing Date
2 for Court Approval ("Class Notice") and Notice of Amended Class Action Settlement ("Amended
3 Class Notice") (collectively, "Notices") provided to the Class Members fully and accurately
4 informed the Class Members of all material elements of the Settlement and of their opportunity to
5 object to, comment thereon, or to seek exclusion from, the Settlement; was the best notice practicable
6 under the circumstances; was valid, due and sufficient notice to all Class Members; and complied
7 fully with the laws of the State of California, the United States Constitution, due process and other
8 applicable law. The Notices fairly and adequately described the Settlement and provided the Class
9 Members adequate instructions and a variety of means to obtain additional information.

10 4. This Court has jurisdiction over the claims of the Class Members asserted in this
11 proceeding and over all Parties to this litigation, including the Class.

12 5. Pursuant to California law, the Court hereby grants final approval of the Settlement
13 and finds it fair, reasonable, and adequate, and in the best interests of the Class as a whole. More
14 specifically, the Court finds that the Settlement was reached following meaningful discovery and
15 investigation conducted by Class Counsel; that the Settlement is the result of serious, informed,
16 adversarial, and arms-length negotiations between the Parties; and that the terms of the Settlement
17 are in all respects fair, adequate, and reasonable. In so finding, the Court has considered all of the
18 evidence presented, including evidence regarding the strength of the Plaintiff's case; the risk,
19 expense, and complexity of the claims presented; the likely duration of further litigation; the amount
20 offered in the Settlement; the extent of investigation and discovery completed; and the experience
21 and views of Class Counsel. The Court has also considered the lack of objections to the Settlement
22 by the Class Members, as well as the small number of requests for exclusion. Accordingly, the Court
23 hereby directs that the Settlement be affected in accordance with the Settlement Agreement and the
24 following terms and conditions.

25 6. Pursuant to the terms of the Settlement, Defendant will transmit the Settlement
26 Payout of Four Million, One Hundred and Eight Thousand, Eight Hundred and Fourteen Dollars
27 (\$4,108,814.00) to a trust account administered by the Third-Party Administrator trust account as
28 set forth more fully in the Settlement Agreement.

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IT IS SO ORDERED.

Dated: JUN 30 2017

STEVEN H. RODDA

THE HONORABLE
JUDGE OF THE SUPERIOR COURT