

RECEIVED NOT FILED  
Superior Court of California,  
County of Tulare  
06/11/2025  
By: Charisma Hughes,  
Deputy Clerk

ELECTRONICALLY FILED  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF TULARE  
07/14/2025  
STEPHANIE CAMERON, CLERK  
Charisma Hughes, Deputy

Arby Aiwazian (SBN 269827)  
Joanna Ghosh (SBN 272479)  
Vartan Madoyan (SBN 279015)  
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*Attorneys for Plaintiffs and the Class*

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF TULARE**

JENNIFER VELASCO, individually, and on  
behalf of other members of the general public  
similarly situated;

Plaintiff,

vs.

STATE FOODS SUPERMARKET, an  
unknown business entity, QUALITY  
FOODS, INC., an unknown business entity;  
and DOES 1 through 100, inclusive,

Defendants.

Case No.: VCU286060

Honorable Gary Johnson  
Department 7

**CLASS ACTION**

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

Complaint Filed: February 24, 2021  
Trial Date: None Set

1 This matter has come before the Honorable Gary Johnson in Department 7 of the above-  
2 entitled Court, located at 221 S Mooney Blvd # 201, Visalia, CA 93291, on Plaintiff Jennifer  
3 Velasco's ("Plaintiff") Motion for Final Approval of Class Action Settlement, Attorneys' Fees and  
4 Costs, and Enhancement Award ("Motion for Final Approval"). Lawyers *for* Justice, PC appeared  
5 on behalf of Plaintiff, and Sagaser, Watkins & Wieland, PC appeared on behalf of Defendant  
6 Quality Foods, Inc. dba State Foods Supermarket ("Defendant") (together with Plaintiff, the  
7 "Parties").

8 On November 15, 2024, the Court entered an Order Granting Preliminary Approval of  
9 Class Action Settlement ("Preliminary Approval Order"), thereby preliminarily approving the  
10 settlement of the above-entitled action ("Action") in accordance with the Joint Stipulation of Class  
11 Action Settlement and Release ("Settlement," "Agreement," or "Settlement Agreement"), which,  
12 together with the exhibits annexed thereto set forth the terms and conditions for settlement of the  
13 Action.

14 Having reviewed the Settlement Agreement and duly considered the parties' papers and  
15 oral argument, and good cause appearing,

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

17 1. This Order incorporates by reference the definitions in the Settlement Agreement,  
18 and all capitalized terms used, but not defined herein, shall have the same meanings as in the  
19 Settlement Agreement.

20 2. This Court has jurisdiction over the claims of the Class Members asserted in this  
21 proceeding and over all parties to the Action.

22 3. The Court finds that the applicable requirements of California Code of Civil  
23 Procedure section 382 and California Rule of Court 3.769, *et seq.* have been satisfied with respect  
24 to the Class and the Settlement. The Court hereby makes final its earlier provisional certification  
25 of the Class for settlement purposes, as set forth in the Preliminary Approval Order. The Class is  
26 hereby defined to include:

27 All current and former hourly-paid or non-exempt employees of Defendant  
28 within the State of California employed at any time during the period from  
February 24, 2017 to September 11, 2023 ("Class" or "Class Members").

1           4.       The Court Approved Notice of Class Action Settlement (“Class Notice”) that was  
2 provided to the Class Members, fully and accurately informed the Class Members of all material  
3 elements of the Settlement and of their opportunity to participate in the Settlement, object to or  
4 comment on the Class Settlement, to seek exclusion from the Class Settlement, or to dispute the  
5 number of Workweeks credited to him or her; was the best notice practicable under the  
6 circumstances; was valid, due, and sufficient notice to all Class Members; and complied fully with  
7 the laws of the State of California, the United States Constitution, due process and other applicable  
8 law. The Class Notice fairly and adequately described the Settlement and provided the Class  
9 Members with adequate instructions and a variety of means to obtain additional information.

10           5.       Pursuant to California law, the Court hereby grants final approval of the Settlement  
11 and finds that it is reasonable and adequate, and in the best interests of the Class as a whole. More  
12 specifically, the Court finds that the Settlement was reached following meaningful discovery and  
13 investigation conducted by Lawyers *for* Justice, PC (“Class Counsel”); that the Settlement is the  
14 result of serious, informed, adversarial, and arms-length negotiations between the parties; and that  
15 the terms of the Settlement are in all respects fair, adequate, and reasonable. In so finding, the  
16 Court has considered all of the evidence presented, including evidence regarding the strength of  
17 Plaintiffs’ claims; the risk, expense, and complexity of the claims presented; the likely duration of  
18 further litigation; the amount offered in the Settlement; the extent of investigation and discovery  
19 completed; and the experience and views of Class Counsel. The Court has further considered the  
20 absence of objections to the Class Settlement submitted by Class Members. Accordingly, the  
21 Court hereby directs that the Settlement be affected in accordance with the Settlement Agreement  
22 and the following terms and conditions.

23           6.       A full opportunity has been afforded to the Class Members to participate in the  
24 Final Approval Hearing, and all Class Members and other persons wishing to be heard have been  
25 heard. The Court also finds Class Members also have had a full and fair opportunity to exclude  
26 themselves from the Class Settlement. Accordingly, the Court determines that all Class Members  
27 who have not submitted a timely and valid Request for Exclusion from the Class Settlement  
28 (“Settlement Class Members”), are bound by the Class Settlement and by this order and judgment

1 (“Final Approval Order and Judgment”).

2 7. The Court finds that payment of Settlement Administration Costs in the amount of  
3 \$7,850.00 is appropriate for the services performed and costs incurred and to be incurred for the  
4 notice and settlement administration process. It is hereby ordered that the Settlement  
5 Administrator, ILYM Group, Inc., shall issue payment to itself in the amount of \$7,850.00, in  
6 accordance with the terms and methodology set forth in the Agreement.

7 8. The Court finds that the Enhancement Award sought is fair and reasonable for the  
8 work performed by Plaintiff on behalf of the Class. It is hereby ordered that the Settlement  
9 Administrator issue payment in the amount of \$5,000.00 to Plaintiff Jessica Velasquez for her  
10 Enhancement Award, according to the terms and methodology set forth in the Agreement.

11 9. The Court finds that the requested attorneys’ fees in the amount of \$80,500.00 to  
12 Class Counsel falls within the range of reasonableness, and the results achieved justify the award  
13 sought. The requested attorneys’ fees to Class Counsel are fair, reasonable, and appropriate, and  
14 are hereby approved. It is hereby ordered that the Settlement Administrator issue payment in the  
15 amount of \$80,500.00 to Class Counsel for attorneys’ fees, in accordance with the terms and  
16 methodology set forth in the Agreement.

17 10. The Court finds that the requested litigation costs of \$11,109.36 to Class Counsel  
18 are reasonable, and hereby approved. It is hereby ordered that the Settlement Administrator issue  
19 payment in the amount of \$11,109.36 to Class Counsel for reimbursement of litigation costs and  
20 expenses, in accordance with the terms and methodology set forth in the Agreement.

21 11. The Court hereby orders that upon the Effective Date and full funding of the Total  
22 Settlement Amount, Plaintiff and all Settlement Class Members shall be conclusively determined  
23 to have given a release of any and all Released Claims against the Released Parties, in accordance  
24 with the terms set forth in the Settlement Agreement.

25 12. It is hereby ordered that within 30 calendar days of the Effective Date, the  
26 Defendant shall deposit the Total Settlement Amount, into the Qualified Settlement Account  
27 established by the Settlement Administrator.

28 ///

1           13. It is hereby ordered that within 7 calendar days after Defendant deposits the Total  
2 Settlement Amount, the Settlement Administrator shall prepare and mail Individual Settlement  
3 Payment checks, minus applicable withholding, to the Settlement Class Members, and shall pay  
4 the Court-approved Attorneys' Fees and Costs, Enhancement Award, and the Settlement  
5 Administration Costs.

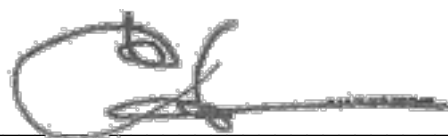
6           14. Any checks issued to Class Members shall remain valid and negotiable for 180  
7 calendar days from the date of their issuance. For any Class Member whose Individual Settlement  
8 Payment check is uncashed within 180 days, the Settlement Administrator shall transmit the funds  
9 represented by such checks to California Farm Labor Contractor Association. All Settlement Class  
10 Members shall be bound by the terms and conditions of this Settlement Agreement regardless of  
11 whether or not they cash or otherwise negotiate their Individual Settlement Payment check.

12           15. After entry of this Final Approval Order and Judgment, pursuant to California Rules  
13 of Court, Rule 3.769(h), the Court shall retain jurisdiction to construe, interpret, implement, and  
14 enforce the Settlement Agreement and this Final Approval Order and Judgment, to hear and  
15 resolve any contested challenge to a claim for settlement benefits, and to supervise and adjudicate  
16 any dispute arising from or in connection with the distribution of settlement benefits.

17           16. Notice of entry of this Final Approval Order and Judgment shall be given to the  
18 Settlement Class Members by posting a copy of the Final Approval Order and Judgment on the  
19 Settlement Administrator's website for a period of at least sixty (60) calendar days after the date  
20 of entry of this Final Approval Order and Judgment. Individualized notice is not required.

21           17. A Final Compliance Hearing is set for November 24, 2025 at 8:30 a.m. in  
22 Department 7. Class Counsel shall submit a final accounting report regarding the status of the  
23 settlement administration at least five (5) court days prior to the Final Compliance Hearing.

24  
25 Dated: 07/14/2025



Honorable Gary Johnson  
Judge of the Superior Court

EXHIBIT

<b>SUPERIOR COURT OF CALIFORNIA COUNTY OF TULARE</b>			
<b>Velasco, Jennifer</b> Plaintiff/Petitioner,  vs.  <b>State Foods Supermarket</b> Defendant/Respondent.	Jud. Officer: <b>Gary Johnson</b> Clerk: <b>Skye Woods</b> Bailiff: <b>J Ballie</b> CSR: <b>Not Reported/Not Recorded</b> Interpreter: Language:		
Minutes: <b>1) Motion Hearing Other – Final Approval 2) Status Conference Regarding Status of Settlement</b> Date: <b>May 19, 2025</b>	Case No. <b>VCU286060 Department 07</b>  Related Cases:		

Appearances: ☐ No Appearances

☐ Party: \_\_\_\_\_

☐ Remote Appearance

☐ Party: \_\_\_\_\_

☐ Remote Appearance

☐ Party: \_\_\_\_\_

☐ Remote Appearance

☐ Other: \_\_\_\_\_

☐ Remote Appearance

☒ Attorney: Helene Mayer for Plaintiff via Zoom

☒ Remote Appearance

☒ Attorney: Paul Bauer for Defendant Quality

Foods, Inc. via Court Call

☒ Remote Appearance

☐ Attorney: \_\_\_\_\_

☐ Remote Appearance

The Court noted that no court reporter was available for today's proceedings.

**Motion:** Motion for Final Approval of Class Action Settlement

Case called at 8:30 a.m.

No requests for oral argument presented.

Comments made by the Court and both Counsel.

**ORDER:** The Court adopts the Tentative Ruling as the Order of the Court as follows:

To grant the motion, as modified herein, and approve the final class action settlement including fees, costs and service awards. Final Compliance Hearing is set for November 24, 2025, 8:30 am in Department 7.

#### Facts and Analysis

Plaintiff's motion for final approval of class action settlement, attorneys' fees, costs, enhancement award, LWDA payment and class certification for settlement purposes came on for hearing on May 19, 2025. The Court finds and rules as follows:

On April 22, 2025, the settlement administrator IYLM Group, through its Case Manager, filed a declaration detailing the following events.

On January 8, 2025, the administrator received a mailing list of 109 potential class members from Defendant's counsel with names, contact information, social security numbers and relevant employment information. On January 23, 2025, after the administrator processed the names through the National Change of Address Database and updated the list with any updated addresses located, the administrator sent class notice by mail. 24

notices were returned and updated addresses for 14 of the 24 were obtained and notices were mailed. Therefore, 10 notices have been deemed undeliverable.

Class members had forty-five (45) days, until March 10, 2025 to submit objections, disputes and/or requests for exclusions. Zero (0) requests for exclusion and zero (0) valid objections have been received from class members. Therefore, all 109 Class Members or 100% of the Class will participate in the settlement.

The court presumes the settlement is fair and reasonable given (a) that it was reached through arms-length bargaining at mediation, (b) that there was sufficient time for investigation and discovery since commencement of litigation (c) class counsel have particularized experience with the claims at issue in the case, and (d) there appear to be no disputes or objections. (*Dunk v. Ford Motor Co.* (1996) 48 Cal.App.4<sup>th</sup> 1794, 1802.)

A net settlement amount of \$ is proposed to pay to the class members in accordance with the terms of settlement, with an average individual share of at least \$1,105.88 per class member and the highest estimated share is \$7,484.55. The Court believes basic information about the nature and magnitude of the claims in question and the basis for concluding that the consideration being paid for the release of those claims represents a reasonable compromise under the circumstances, in accordance with *Kullar v. Foot Locker Retail, Inc.* (2008) 168 Cal.App.4<sup>th</sup> 116, 133. This case involved extensive informal discovery and investigation of disputed claims, including review and analysis by Plaintiff's expert. The settlement avoids significant risks and delay that would result from further litigation of the case, which would include, amongst other matters, certification proceedings, trial, and the possibility of further delay and cost resulting from appeals.

Class counsel has provided a declaration in support of the requests for attorney fees representing 35% of \$230,000 gross settlement amount or \$80,500. Adequate information has been provided for an updated lodestar analysis of the attorneys' fees request. Counsel indicates that Lawyers for Justice, PC has collectively spent 264.70 hours at a rate of \$800 per hour, creating a base lodestar figure of \$211,760.

Counsel has additionally provided sufficient cost information indicating actual costs incurred in the amount of \$11,109.36.

The Court believes the requested attorney fees and costs appear reasonable under the circumstances. Additionally, counsel has provided a sufficient declaration to demonstrate adequate previous experience with class actions to further support the reasonableness of the award.

The settlement administrator has provided, in the declaration describing the work it has performed on the case, a value of services totaling \$7,850.00. The Court believes the amount requested as compensation for the administrator appears reasonable.

The settlement agreement designates California Farm Labor Contractor Association as recipient of unclaimed settlement proceeds. (Code Civ. Proc. § 384.)

As to the enhancement award, the Court has, in past cases, approved enhancement awards of \$5,000.00 routinely.

Enhancement payments "are fairly typical in class action cases." (*Cellphone Termination Fee Cases* (2010) 180 Cal.App.4<sup>th</sup> 1110, 1393.) Enhancement payments "are intended to compensate class representatives for work done on behalf of the class, to make up for financial or reputational risk undertaken in bringing the action, and, sometimes, to recognize their willingness to act as a private attorney general." (*Rodriguez v. West Publishing Corp.* (9th Cir. 2009) 563 F.3d 948, 958-959.) "[T]he rationale for making enhancement or incentive awards to named plaintiffs is that he or she should be compensated for the expense or risk he has incurred in conferring a benefit on other members of the class." (*Clark v. American Residential Services LLC* (2009) 175 Cal.App.4<sup>th</sup> 785, 806.)

The Court's review of the declaration of Plaintiff indicates justification for the \$5,000 award, but no amount higher. The Court finds that Plaintiff engaged in typical participation in discovery and resolution of this matter and the award of \$5,000 adequately compensates Plaintiff for this participation, including any reputational risk undertaken.



The Court, therefore, will approve the enhancement award of \$5,000.

Finally, the Court confirms its conditional certification of the settlement class. The Court finds no significant events have occurred that would cause it to change its prior determination that the settlement class met all requirements under Code of Civil Procedure section 382 for certification for settlement purposes at the time it granted Plaintiff's motion for preliminary approval.

On review of the declarations and pleadings submitted, the Court finds, given the established presumption that the settlement is fair and reasonable under the circumstances of this case, and, particularly, given the absence of any objection or opposition following the class notice, that the settlement is fair and reasonable and that the motion for final approval should be, and is hereby, granted.

Therefore, the following deductions from the gross settlement of \$230,000 are approved:

Approved Court Approved Attorney Fees:	\$80,500.00
Approved Incurred Attorney Costs:	\$11,109.36
Approved Enhancement Payment to Plaintiff :	\$5,000.00
Approved Settlement Administrator Costs	\$7,850.00
<hr/>	
<b>Approved Net Settlement Amount</b>	<b>\$125,540.64</b>

The Court shall enter its order of final approval and judgment in this case as modified above and requires a revised proposed order consistent with the above. Final Compliance Hearing is set for November 24, 2025, 8:30 am in Department 7.

If no one requests oral argument, under Code of Civil Procedure section 1019.5(a) and California Rules of Court, rule 3.1312(a), no further written order is necessary. The minute order adopting this tentative ruling will become the order of the court and service by the clerk will constitute notice of the order.

Court takes the Status Conference regarding Status of Settlement off calendar.

**FILED**  
**SUPERIOR COURT OF CALIFORNIA**  
**COUNTY OF TULARE**

**SUPERIOR COURT OF CALIFORNIA**  
**COUNTY OF TULARE**  
Visalia Division  
221 S Mooney Blvd, Room 201  
Visalia, CA 93291  
559.730.5000

**05/22/2025**  
**STEPHANIE CAMERON, CLERK**  
Linnetta Ybarra, Deputy

**Velasco, Jennifer**  
Plaintiff/Petitioner,

vs.

**State Foods Supermarket**  
Defendant/Respondent.

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)  
) Case No. **VCU286060**  
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**CLERK'S CERTIFICATE OF SERVICE**

I certify that I am not a party to this cause.

I certify that I caused the copy of minute order titled 1) Motion Hearing Other - Final Approval 2) Status Conference Regarding Status of Settlement dated May 19, 2025 to be served on the persons listed below in the following manner:

☒ BY MAIL: I placed the documents for collection and mailing on the date shown, so as to cause it to be mailed in a sealed envelope with postage fully prepaid on that date following standard court practices to the persons and addresses shown. The mailing and this certification occurred at Visalia, California on May 22, 2025.

STEPHANIE CAMERON,  
CLERK OF THE SUPERIOR COURT  
COUNTY OF TULARE

By   
Linnetta Ybarra, Deputy Clerk

Names and Mailing/E-Mail Address of Person(s) Served:

EDWIN AIWAZIAN  
LAWYERS for JUSTICE, PC  
410 WEST ARDEN AVENUE, SUITE 203  
GLENDALE, CA 91203

PAUL BAUER  
SAGASER, WATKINS & WIELAND, PC  
5260 N PALM AVE STE 400  
FRESNO, CA 93704