SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE CIVIL COMPLEX CENTER

MINUTE ORDER

DATE: 08/23/2024 TIME: 10:00:00 AM DEPT: CX105

JUDICIAL OFFICER PRESIDING: Randall J. Sherman

CLERK: J. Phu

REPORTER/ERM: None

BAILIFF/COURT ATTENDANT: C. Urinsco, None

CASE NO: **30-2022-01285693-CU-OE-CXC** CASE INIT.DATE: 10/11/2022

CASE TITLE: Gutierrez vs. Christina's Independent Living Skills Program, Inc.

EVENT ID/DOCUMENT ID: 74307922

EVENT TYPE: Motion for Approval of Class Settlement

MOVING PARTY: Nancy Gutierrez

CAUSAL DOCUMENT/DATE FILED: Motion - Other for final approval of class action settlement.

05/08/2024

APPEARANCES

No Appearance by all parties

Tentative Ruling posted on the Internet.

There are no appearances by any party.

Prior to calendar call, all parties submit on the Court's tentative ruling.

The Court confirms the tentative ruling as follows:

Plaintiff's Motion for Final Approval of Class Action Settlement, Class Representative Service Award, and Attorneys' Fees and Costs is granted, except that the court approves plaintiff's attorney costs only in the amount of \$14,454.76. The court disallows the \$60.21 claimed by Sani Law, APC and the \$468.25 claimed by Haines Law Group, APC, totaling \$528.46, for coping and postage costs, because the court considers those cost items to be properly part of attorney overhead. The court concludes that the \$210,762.89 class action and PAGA settlement, as approved, is fair, adequate and reasonable, and approves the following specific awards:

- \$70,254.30 to plaintiff's counsel for plaintiff's attorneys' fees, 60% to Sani Law, APC and 40% to Haines Law Group, APC, as requested;
- \$14,454.76 to plaintiff's counsel for plaintiff's attorney costs, \$4,318.04 to Sani Law, APC and \$10,136.72 to Haines Law Group, APC, reduced from the \$14,983.22 (\$4,378.25 and \$10,604.97) requested;
- \$5,000.00 to plaintiff Nancy Gutierrez as an enhancement award, as requested;
- \$8,350.00 to the Administrator, ILYM Group, Inc., as requested; and
- \$15,000.00 to the LWDA for its share of PAGA penalties, as requested.

The total amount that will be payable to all class members and aggrieved employees if they are paid the amount to which they are entitled pursuant to the judgment is \$97,703.83.

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The court sets a Final Report Hearing for May 30, 2025 at 10:00 a.m. At least 16 days before the Final Report Hearing date, class counsel must file a summary accounting of the distribution of the settlement funds, identifying the distributions made pursuant to this ruling, as well as the number and total amount of any uncashed checks, and the status of any unresolved issues, such as to confirm whether distribution efforts are fully completed, including the distribution of the amount of the uncashed class member checks to the State Controller's Office Unclaimed Property Fund in the names of the applicable payees after 180 days, whether the Administrator's work is complete, and whether the court's file thus may be closed. The parties must report to the court the total amount that was actually paid to the class members and aggrieved employees.

Plaintiff is ordered to give notice of the ruling to the LWDA and to defendant.

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