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Electronically filed by Superior Court of California  
County of Placer on 05/15/2025  
Jake Chatters, Clerk of the Court  
By R. Hall Deputy Clerk

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17 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

18 **FOR THE COUNTY OF PLACER**

19 KYLE SAHID FERNANDEZ TORRES,  
20 individually, and on behalf of all others similarly  
21 situated,

22 Plaintiff,

23 v.

24 HOMESHIELD PEST CONTROL  
25 INCORPORATED, a California corporation; and  
26 DOES 1 through 10, inclusive,

27 Defendants.

Case No. S-CV-0049525

**CLASS & PAGA REPRESENTATIVE  
ACTION**

*[Assigned for all purposes to: Hon. Trisha  
Hirashima, Dept. 42]*

**[PROPOSED] ORDER GRANTING  
FINAL APPROVAL OF CLASS ACTION  
AND PAGA SETTLEMENT AND  
ENTERING JUDGMENT**

**FINAL APPROVAL HEARING**

Date: April 1, 2025  
Time: 8:25 a.m.  
Dept.: 42

Complaint filed: November 30, 2022  
FAC filed: July 16, 2024  
Trial date: Not set

GG

1 This matter came on for hearing on April 8, 2025 at 8:25 a.m., in Department 42 of the  
2 above-referenced Court on the Motion for Final Approval of Class Action and PAGA Settlement  
3 pursuant to California Rules of Court, Rule 3.769, this Court’s October 23, 2024 Order Granting  
4 Preliminary Approval, and the Class Action and PAGA Settlement Agreement (“Settlement”),  
5 a copy of which was attached as Exhibit 1 to the Declaration of John G. Yslas in Support of  
6 Plaintiff’s Motion for Preliminary Approval of Class Action Settlement.

7 Having received and considered the Settlement, the supporting papers filed by the  
8 Parties, and the evidence and argument in conjunction with the Motion for Preliminary Approval  
9 of Class Action Settlement granted October 23, 2024, and the instant Motion for Final Approval  
10 of Class Action and PAGA Settlement, the Court grants final approval of the Settlement and  
11 HEREBY ORDERS AND MAKES THE FOLLOWING DETERMINATIONS:

12 1. Pursuant to the Order Granting Plaintiff’s Motion for Preliminary Approval of  
13 Class Action Settlement, the Class Notice was sent to each Class Member by First Class mail.  
14 These papers informed Class Members of the terms of the Settlement, their right to receive an  
15 Individual Settlement Payment, and their right to: (a) comment on or object to the Settlement;  
16 (b) request exclusion from the Settlement and pursue their own remedies; (c) dispute the  
17 calculation of their Individual Settlement Payment; and (d) appear at the final approval hearing.  
18 No Class Member has objected to the proposed Settlement, and only one Class Member has  
19 requested exclusion.

20 2. The Court finds and determines that this notice procedure afforded adequate  
21 protections to Class Members and provides the basis for the Court to make an informed decision  
22 regarding approval of the Settlement based on the responses of the Class. The Court finds and  
23 determines that the notice provided in this case was the best notice practicable, which satisfied  
24 the requirements of law and due process.

25 3. With respect to the Class and for purposes of approving this Settlement only, this  
26 Court finds and concludes that: (a) the members of the Class are ascertainable and so numerous  
27 that joinder of all members is impracticable; (b) there are questions of law or fact common the  
28 class and a well-defined community of interest among members of the Class with respect to the

1 subject matter of the action; (c) the claims of Class Representative Kyle Sahid Fernandez Torres  
2 are typical of the claims of the Class Members; (d) the Class Representative has fairly and  
3 adequately protected the interests of the Class; (e) a class action is superior to other available  
4 methods for an efficient adjudication of this controversy; and (f) counsel of record for the Class  
5 Representative are qualified to serve as Class Counsel.

6 4. The Court has certified a Class for settlement purposes only, defined as all current  
7 and former hourly-paid or non-exempt employees of Defendant in California, employed  
8 between November 30, 2018 through April 15, 2024, who do not timely opt-out of the  
9 Settlement. The Court deems this definition sufficient for purposes of California Rules of Court,  
10 Rule 3.765(a).

11 5. The Court hereby confirms John G. Yslas, Diego Aviles, Harry Erganyan, and  
12 Mariam Nazaretyan of Wilshire Law Firm, PLC as Class Counsel.

13 6. The Court hereby confirms Plaintiff Kyle Sahid Fernandez Torres as the Class  
14 Representative.

15 7. The Court finds and determines that the terms of the Settlement are fair,  
16 reasonable, and adequate, and directs the Parties to effectuate the Settlement according to its  
17 terms, having found that the Settlement was reached as a result of informed and non-collusive  
18 arm's length negotiations facilitated by a neutral mediator. The Court finds that the Parties  
19 conducted adequate investigation, research, and discovery, and that their attorneys were able to  
20 reasonably evaluate their respective positions. The Court also finds that the Settlement will  
21 enable the Parties to avoid additional and potentially substantial litigation costs, as well as delay  
22 and risks if the Parties were to continue to litigate the case. The Court has reviewed the  
23 monetary recovery provided as part of the Settlement and recognizes the significant value  
24 accorded to the Class.

25 8. The Court hereby approves the Gross Settlement Amount of \$554,775.00.

26 9. The Court finds and determines that the Individual Settlement Payments to be  
27 paid to Participating Class Members as provided for by the Settlement are fair and reasonable.  
28 The Court hereby grants final approval to and orders the payment of those amounts to be made

1 to the Participating Class Members in accordance with the Settlement.

2 10. The Court finds and determines that payment of \$20,000.00 in civil penalties  
3 under PAGA is fair, reasonable, and appropriate. The Labor and Workforce Development  
4 Agency will receive 75% (\$15,000.00), and the remaining 25% (\$5,000.00) will be distributed  
5 to Aggrieved Employees (defined as any individual who is or previously was employed by  
6 Defendant HomeShield, in California, who were classified as a non-exempt employee during  
7 the period August 31, 2022 through April 15, 2024, who do not timely opt-out of the  
8 Settlement). The Court hereby grants final approval to and orders the payment of that amount  
9 in accordance with the Settlement.

10 11. The Court finds and determines that the fees and expenses in administering the  
11 Settlement incurred by ILYM Group, Inc. in the amount of \$9,450.00 are fair and reasonable.  
12 The Court hereby grants final approval to and orders the payment of that amount in accordance  
13 with the Settlement.

14 12. The Court finds and determines that the Class Representative Service Payment of  
15 \$10,000.00 to Plaintiff Kyle Sahid Fernandez Torres is fair and reasonable. The Court hereby  
16 grants final approval to and orders the payment of that amount in accordance with the  
17 Settlement.

18 13. Pursuant to the terms of the Settlement, and the authorities, evidence, and  
19 argument submitted by Class Counsel, the Court hereby awards Class Counsel attorneys' fees  
20 in the amount of \$194,171.25 and litigation costs in the amount of \$24,451.39. The Court  
21 hereby grants final approval to and orders the payment of those amounts in accordance with the  
22 Settlement.

23 14. Without affecting the finality of this order or the entry of judgment in any way,  
24 the Court retains jurisdiction of all matters relating to the interpretation, administration,  
25 implementation, effectuation, and enforcement of this order and the Settlement.

26 15. Defendant HomeShield Pest Control Incorporated shall not have any further  
27 liability for costs, expenses, interest, attorneys' fees, or for any other charge, expense, or  
28 liability, except as provided for by the Settlement.

1           16.     Neither the making of this Settlement nor the entry into the Settlement constitutes  
2 an admission by Defendant HomeShield Pest Control Incorporated nor is this order a finding of  
3 the validity of any claims in this case or of any other wrongdoing. Further, the Settlement is  
4 not a concession, and shall not be used as an admission of any wrongdoing, fault, or omission  
5 of any entity or persons, nor may any action taken to carry out the terms of the Settlement be  
6 construed as an admission or concession by or against Defendant HomeShield Pest Control  
7 Incorporated.

8           17.     Nothing in this order shall preclude any action to enforce the Parties' obligations  
9 under the Settlement or under this order.

10           18.     Upon completion of administration of the Settlement, the Settlement  
11 Administrator will provide written certification of such completion to the Court, which shall be  
12 filed with the Court seven days before the non-appearance compliance hearing set for ~~October~~  
13 ~~24, 2025 at 09:00 a.m.~~ [or October 24, 2025 at 10:00 a.m./p.m.] in  
14 Department 42.

15           19.     The Court hereby enters final judgment in accordance with the terms of the  
16 Settlement, the Order Granting Plaintiff's Motion for Preliminary Approval of Class Action  
17 Settlement, and this Order.

18           20.     The Parties will bear their own costs and attorneys' fees except as otherwise  
19 provided by this Court's Order awarding Class Counsel's attorneys' fees and litigation costs.



22 Dated: 05/15/2025

/s/ Hon. Trisha Hirashima  
Honorable Trisha Hirashima  
JUDGE OF THE SUPERIOR COURT