1	Counsel of record listed on the next page	ELECTRONICALLY FILED Superior Court of California,
2		County of San Diego 09/08/2021 at 11:04:00 AM
3		Clerk of the Superior Court
4		By Richard Day Deputy Clerk
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8	SUBEDIOD COUDT OF TH	JE STATE OF CALIFODNIA
9	SUPERIOR COURT OF THE STATE OF CALIFORNIA COUNTY OF SAN DIEGO - CENTRAL DIVISION	
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11	FRANCISCO MUNOZ, on behalf of himself and all others similarly situated,	Case No.: 37-2018-00031675-CU-OE-CTL (Consolidated case 37-2018-00012621-CU-OE- CTL)
12	Plaintiffs,	
13	v.	[Assigned to the Hon. Kenneth J. Medel, Dept. C-66]
14	BON SUISSE INC., a California corporation; and DOES 1 through 100, Inclusive,	CLASS ACTION
15	Defendants.	[PROPOSED] JUDGMENT, FINAL ORDER, AND DECREE GRANTING
16	Detendants.	FINAL APPROVAL TO CLASS ACTION SETTLEMENT
17		IMAGED FILE
18 19		Complaint Filed: October 13, 2017 Trial Date: May 21, 2021
20		111a1 Date. Way 21, 2021
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		D DECREE GRANTING FINAL APPROVAL TO CLASS ACTION SETTLEMENT
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1	Attorneys for Plaintiff:
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9	Telephone: 818-230-7502 Facsimile: 818-230-7259
10	Attorneys for Defendant Bon Suisse Inc.:
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	[PROPOSED] JUDGMENT, FINAL ORDER, AND DECREE GRANTING FINAL APPROVAL TO CLASS ACTION SETTLEMENT

1	ORDER		
2	On <u>April 7</u> , 2021, this Court entered an "Order Conditionally Certifying Settlement		
3	Class, Granting Preliminary Approval, Approving Notice Program, And Setting Hearing on Final		
4	Settlement Approval."		
5	On July 30, 2021 this Court conducted a final approval and fairness hearing to evaluate		
6 7	the proposed class settlement agreement (the "Settlement Agreement"). The parties appeared through		
8	their attorneys of record. This Court, having read, heard, and considered all papers, pleadings,		
9	arguments, and evidence submitted, and good cause appearing therefor, now finds and orders as		
10	follows:		
11	FINDINGS		
12	1. All defined terms contained herein shall have the same meanings as set forth in the		
13	Settlement Agreement.		
14 15	2. The Notice provided a neutral, informative, and clear explanation of the settlement,		
15 16	including a description of the Settlement Class, the settlement process, the settlement amount, the		
10	relief the settlement proceeds will provide Settlement Class Members, and the rights of Settlement		
18	Class Members to object to or opt out of the settlement, and informed Settlement Class Members that		
19	Settlement Class Counsel would seek an award of attorneys' fees and costs from the settlement		
20	proceeds.		
21	3. The Notice provided the "best practicable" notice of the settlement, constitutes valid,		
22	due, and sufficient notice, and meets the requirements for notice of a class action settlement. See Bell		
23 24	v. American Title Insurance Co., 226 Cal. App. 3d 1589 (1991); Cartt v. Superior Court, 50 Cal. App.		
25	3d 960 (1975). Accordingly, this Court determines that all members of the Settlement Class who did		
26	not opt out of the Settlement are bound by this Judgment, Final Order, and Decree.		
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28			
	3 [PROPOSED] JUDGMENT, FINAL ORDER, AND DECREE GRANTING FINAL APPROVAL TO CLASS		

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For the reasons set forth in the settling parties' written responses and expressed by this 4. Court and the settling parties at the hearing, the objections to the settlement, if any, do not warrant the denial of final approval.

Certification for settlement purposes of the proposed Settlement Class is appropriate 5. under California Code of Civil Procedure section 382.

6. The settlement is fair, adequate, and reasonable, in the best interest of the Settlement Class as a whole, and represents a fair and reasonable outcome in light of the defenses raised. The settlement is the product of arm's-length, serious, informed and non-collusive negotiations.

7. The Defendant opposed, and continues to oppose, the Settlement Class Members' claims and the class treatment of the Settlement Class Members' claims for litigation purposes. Nothing herein purports to extinguish or waive the Defendant's right to continue to oppose the merits of these or other claims or class treatment of these or other claims in this or any other case if the settlement fails to become effective.

ORDER

GOOD CAUSE APPEARING THEREFOR, IT IS HEREBY ORDERED THAT:

The objections, if any, to the settlement are without merit and are hereby overruled.

2. Pursuant to California law, this Court hereby grants final approval to the Settlement Agreement, which is expressly incorporated herein by this reference and which shall have the full force and effect of an order of this Court, and hereby directs that the settlement be consummated in accordance with its terms and conditions.

24 3. The Settlement Class is defined as follows: all current and former Bon Suisse 25 employees compensated on an hourly basis and/or classified as non-exempt at any time between 26 December 31, 2014 through September 30, 2020, unless any such person timely elected to opt out of 27 the settlement pursuant to Section 4.b of the Settlement Agreement.

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The Settlement Agreement and this Judgment fully release and discharge Bon Suisse 4. and its past or present officers, directors, shareholders, employees, agents, principals, heirs, representatives, accountants, auditors, consultants, insurers and reinsurers, and respective successors 4 and predecessors in interest, subsidiaries, affiliates, related companies, parents and attorneys from the following claims against Bon Suisse during the period between October 13, 2013 and September 30, 6 2020 alleged in the action, including: any and all causes of action, claims, rights, damages, or statutory 7 damages, statutory penalties, Labor Code section 203 penalties, liabilities, expenses, and losses that 8 were or could have been asserted based on the facts alleged in the Action for: (1) Failure to Pay 9 10 Overtime Wages; (2) Failure to Provide Meal Periods or Meal Period Premiums; (3) Failure to Provide 11 Rest Periods or Rest Period Premiums; (4) Failure to Pay All Wages Upon Termination; (5) Failure to 12 Provide Accurate Wage Statements; (6) Unfair Competition based on the alleged Labor Code 13 violations; (7) Unpaid Minimum Wages; (8) Unreimbursed Business Expenses; Civil Penalties under 14 Labor Code Section 2698, et seq., based on the alleged Labor Code violations asserted in the Action 15 or that could have been asserted based on or related to the alleged Labor Code violations (the 16 17 "Released Claims").

18 5. Under Code of Civil Procedure Sections 578, 579, and 664.6, this Court, in the interests 19 of justice, and there being no just reason for delay, expressly directs the Clerk of this Court to enter 20 this Order as a Judgment, and hereby decrees, that, upon entry, it be deemed as a final judgment with 21 respect to all claims by all members of the Settlement Class against the settling Defendant and the 22 other Released Parties, in accordance with the terms of the Settlement Agreement. 23

24 6. All members of the Settlement Class who did not opt out of the Settlement are barred 25 and permanently enjoined from prosecuting the Settled Claims and/or Released Claims pursuant to 26 and/or under the Settlement.

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7. Rodolfo Munoz, Francisco Munoz and Gilbert Deras are hereby approved as the Settlement Class Representatives. Rodolfo Munoz, Francisco Munoz and Gilbert Deras are hereby approved to each receive an incentive award in the amount of \$ 10,000.00 from the Gross Settlement Amount.

8. Michael Nourmand, James A. De Sario and Melissa M. Kurata of The Nourmand Law Firm and Douglas Han and Shunt Tatavos-Gharajeh of the Justice Law Corporation are hereby approved as Settlement Class Counsel. Upon hearing and review of the motion for an award of Settlement Class Counsel fees and costs, this Court hereby approves \$420,000.00 for Settlement Class Counsel's fees and \$23,288.80 (not to exceed \$30,000) for Settlement Class Counsel's costs. These awards shall be paid from the Gross Settlement Amount and constitute the full and total compensation for Settlement Class Counsel for all fees and expenses incurred in connection with all claims ever asserted in this action.

9. CPT Group, Inc. is approved as the Claims Administrator and shall be paid \$27,500.00
from the Gross Settlement Amount as full and total compensation for its services and expenses
incurred in connection with the settlement administration in this matter.

18 10. Without affecting the finality of this Judgment, this Court shall retain exclusive and
19 continuing jurisdiction over this action and the parties, including all Settlement Class Members, for
20 purposes of supervising, administering, implementing, enforcing, construing, and interpreting the
21 Settlement Agreement, the claims process thereunder, and this Judgment.

21 22 23 24 Rennets g. Medel 09/08/2021 25 Dated: HON, KENNETH J. MEDEL 26 27 28 [PROPOSED] JUDGMENT, FINAL ORDER, AND DECREE GRANTING FINAL APPROVAL TO CLASS **ACTION SETTLEMENT**

1	PROOF OF SERVICE	
2	STATE OF CALIFORNIA, COUNTY OF LOS ANGELES	
3 4	I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within entitled action; my business address is 8822 West Olympic Boulevard, Beverly Hills, California 90211.	
5	On August 31, 2021, I served the following document(s) described as:	
6	APPROVAL TO CLASS ACTION SETTLEMENT	
7 8	on the interested parties in this action by placing a true copy thereof enclosed in a sealed envelope, with postage thereon fully prepaid, addressed as follows:	
10	Douglas Han, Esq. JUSTICE LAW CORPORATION 751 Northg Fair Oaks Avenue, Suite 101 Pasadena, California 91103	
11 12	Courtesy Copy By Email: dhan@justicelawcorp.com	
13	Sheldon A. Osroff, Esq. LAW OFFICES OF SHELDON A. OSTROFF 2488 Historic Decatur Road, Suite 200 San Diego, California 92106	
15	Courtesy Copy By Email: sostrofflaw@gmail.com	
	Daniel R. Shinoff, Esq. ARTIANO SHINOFF 2488 Historic Decatur Road, Suite 200 San Diego, California 92106	
	Courtesy Copy By Email: dshinoff@as7law.com	
19 20 21 22	BY MAIL: As follows: I am readily familiar with our office's practice for collection and processing of correspondence and other materials for mailing with the United States Postal Service. On this date, I sealed the envelope(s) containing the above materials and placed the envelope(s) for collection and mailing on this date at the address stated above, following our office's ordinary business practices. The envelope(s) will be deposited with the United States Postal Service on this date, in the ordinary course of business.	
23 24	I declare under penalty of perjury under the laws of the State of California that the above is true and correct and that this Proof of Service was executed on August 31, 2021, at Beverly Hills, California.	
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	PROOF OF SERVICE	