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**FILED**  
Superior Court of California  
County of Los Angeles

04/12/2022

Sherri R. Carter, Executive Officer / Clerk of Court

By: I. Arellanes Deputy

8 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**  
9 **COUNTY OF LOS ANGELES**

11 AGUSTIN CASTANEDA, individually and on  
12 behalf of all others similarly situated,

13 Plaintiff,

14 v.

15 HUNGRY MAN, INC., a New York Limited  
16 Liability Company; and DOE 1 through and  
17 including DOE 10,

18 Defendants.

Case No. 19STCV26637  
Assigned to Hon. Daniel J. Buckley,  
Dept. SS1

**~~PROPOSED~~ JUDGMENT RE CLASS  
ACTION SETTLEMENT**

Date: April 11, 2022  
Time: 10:30 a.m.  
Dept: 1  
Location: Spring Street Courthouse  
312 N. Spring St.  
Los Angeles, CA 90012

First Amended Complaint  
Filed: November 10, 2021

Electronically Received 04/11/2022 05:55 PM

1 ~~PROPOSED~~ JUDGMENT

2 In accordance with, and for the reasons stated in the Order Granting Final Approval of  
3 Class Action Settlement, judgment shall be entered whereby Plaintiff AGUSTIN CASTANEDA  
4 (“Plaintiff”) and all Settlement Class Members shall take nothing from Defendant HUNGRY MAN,  
5 INC. (“Defendant”), except as expressly set forth in the Revised Joint Stipulation of Class Action  
6 Settlement, which was previously filed as part of Plaintiff’s Motion for Final Approval of Class Action  
7 Settlement, which was granted on April 11, 2022.

8 1. Pursuant to Code of Civil Procedure section 664.6 and Rule 3.769(h) of the California  
9 Rules of Court, the Court reserves exclusive and continuing jurisdiction over this Action, the Parties and  
10 the Class Members for the purposes of supervising:

- 11 (a) the implementation, enforcement, construction, and interpretation of the Settlement, the  
12 Order Granting Preliminary Approval of Class Action Settlement, the plan of allocation, the  
13 Order Granting Final Approval of Class Action Settlement, and the Judgment; and  
14 (b) distribution of amounts paid under this Settlement.

15 2. The certified Class is defined as:

16 “For the period from July 31, 2015 through and including October 5, 2021, all current  
17 and former nonexempt, hourly paid employees employed by Defendant in California  
18 (such persons are referred to as “Class Members,” and such period is referred to hereafter  
19 as the “Class Period”).”

20 3. Plaintiff and all the Class Members who have not submitted a valid and timely Request  
21 for Exclusion (and so who are not Opt Outs), shall be deemed conclusively to have made the following  
22 releases set forth in Paragraphs in § I. P. of the Settlement, which shall have the force and effect of res  
23 judicata as to each of them:

24 [A]ny all claims which Plaintiff, the Class, and/or any Class Member alleged or could  
25 have been alleged against any of the Released Parties, arising out of the facts asserted in  
26 the PAGA Notice and/or the operative Complaint during the Class Period, including  
27 claims, damages (of any kind), statutory penalties, and civil penalties for any violations  
28 of the California Labor Code governing: meal and rest breaks; unpaid wages, including

1 minimum wages, regular wages, overtime, and double time wages; wage statement  
2 violations; failure to maintain accurate records; separation pay violations; any and all  
3 theories for or related to the timing of payments; and failure to produce employment  
4 records.

5 (Settlement, at 2-3, § I. P.) Released Parties are defined as:

6 Defendant [Hungry Man, Inc.] and all of its past and present owners, officers, directors,  
7 shareholders, employees, agents, assigns, attorneys, insurers, brands and concepts, parent  
8 companies, subsidiaries, and affiliates, and their respective predecessors, successors,  
9 assigns, and any individual or entity that could be jointly liable with Defendant, without  
10 limitation.

11 (Settlement, at 3, § I. Q.)

12 Attached to this Judgment as Exhibit A is a list of the Opt-Outs in this action.

13  
14 Dated: 04/12/2022



By: \_\_\_\_\_

*Daniel J. Buckley*  
Superior Court Judge

Daniel J. Buckley / Judge

# **EXHIBIT A**

## List of Opt-Outs

1. Tristan Nyby
2. Christopher Drewes
3. Edward Ekman
4. Lasharn Gilmer
5. Richard Hampton
6. Robert Sanders
7. William McMillin
8. Derrick Rose
9. Daniel Reilly
10. Jess Fairless
11. Mickey Petersen
12. Julia Gombert
13. Anna Rosselli
14. Trent Opaloch
15. Tobia Sempi
16. Benjamin Gilovitz
17. Timothy Hudson
18. Colin Watkinson
19. Agnes Grzybowski
20. Bill Colino
21. Joe Rodmell
22. Sheila Daley
23. Robert Buono
24. Nicole Selmo
25. Irina Tyan
26. Mark Hyde
27. Alisa Hunanyan
28. Paul Barshon
29. Angela Solomon
30. Laura Fowler
31. David Winner
32. Joseph Janott
33. Dustin Payne
34. Sophia Pearson
35. Brian Kunibe
36. Paul Cameron
37. Rochelle Cook
38. Guadalupe Fuentes Cambiasso
39. Alex Ewan
40. Kelly Hawthorne
41. Vince Pearson
42. Rain – Romany Jacobs
43. Eduardo Sanchez
44. Victoria Parello
45. Sarah Willgrube
46. Shauna Nevens
47. Lisa Wong
48. Jonathan Peter
49. Louis-Pascal Walsh
50. Timothy Harris
51. David Skorupski
52. Ivan Cat
53. Jeff McSpadden
54. Thomas Sayles