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7 *Attorneys for Plaintiff and the Putative Classes*

8  
9 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**

10 **COUNTY OF LOS ANGELES**

11 **TRACY GRANBERRY**, individually and on  
12 behalf of all others similarly situated,

13 Plaintiff,

14 vs.

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16 **AZUSA PACIFIC UNIVERSITY**, a California  
Non-Profit Corporation,

17 Defendant.  
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CASE NO. 19STCV28949

**JOINT STIPULATION REGARDING  
SETTLEMENT DISTRIBUTION;  
[PROPOSED] ORDER**

1 Plaintiff TRACY GRANBERRY (“Plaintiff”), Defendant AZUSA PACIFIC UNIVERSITY  
2 (“Defendant”), and the non-party *cy pres* recipient INTERDISCIPLINARY CENTER FOR HEALTHY  
3 WORKPLACES (“ICHW”), hereby stipulate as follows:

4 1. On March 5, 2021, the Court approved a Class Settlement in the amount of \$1,112,100,  
5 and directed the parties to file a stipulation and proposed order including, *inter alia*, “the amount of the  
6 distribution of unpaid cash residue, and unclaimed or abandoned funds to the non-party, the accrued  
7 interest on that sum and any other information required to be set forth pursuant to Section 68520 of the  
8 Government Code, as incorporated into CCP Section 384.5.” The Court also directed the parties to file a  
9 Proposed Amended Judgment, which is submitted herewith.

10 2. Pursuant to Government Code § 68520(a)(1), the name of the case is *Tracy Granberry v*  
*Azusa Pacific University*.

11 3. Pursuant to Government Code § 68520(a)(2), the causes of action resolved by the judgment  
12 include Labor Code §§ 226.2, 226.7, 226(a), 512, 1194, 201-203, 2802 and 2699; Industrial Welfare  
13 Commission Wage Order No. 4-2011 § 4, 11, and 12; and the California Business & Professions Code  
14 §§17200 *et seq.* A summary of the underlying allegations are as follows: Plaintiff alleged that Class  
15 Members were non-exempt employees because their compensation did not meet the requirements of the  
16 Industrial Welfare Commission Wage Order’s “professional exemption.” Plaintiff alleges that as result,  
17 Defendant was required – but failed – to pay Class Members for their rest breaks and at least minimum  
18 wage for the non-teaching activities performed outside of their scheduled classroom hours, separately and  
19 apart from the piece; failed to authorize and permit rest breaks; failed to provide off-duty meal breaks;  
20 failed to pay missed break premium pay; failed to pay all wages due and owing upon discharge; and failed  
21 to issue accurate wage statements. Plaintiff further alleges that APU required and/or expected Class  
22 Members to use their personal cell phones for work yet provided no reimbursement for their cell phone  
23 expenses.

24 4. Pursuant to Government Code § 68520(a)(3), the name of the nonparty entity who is  
25 receiving the uncashed check funds is Interdisciplinary Center for Healthy Workplaces. The uncashed  
26 funds total \$64,618.35. No interest has accrued on those funds.

27 5. Pursuant to Government Code § 68520(a)(4), the name of the judge ordering the  
28 distribution is the Hon. Ann I. Jones.

6. Pursuant to Government Code § 68520(a)(5), ICHW plans to use the uncashed check funds  
to further research and analysis to determine the best practices for changing work and working conditions  
on the ground and for training supervisors and management regarding how to create healthy work and

1 maintain a healthy workplace. ICHW will pay specific attention to extending the understanding of legal  
2 compliance beyond HR departments and general counsels to professionals in occupational health, human  
3 factors/ergonomics, and IT and expand their roles in supporting worker health, safety, and well-being.  
4 ICHW hopes to lower the opportunity for employment and wage/hour violations by ensuring all  
5 professionals work collaboratively to reduce and eliminate unfair and harmful business practices.

6 7. All interested persons are in accord with the amended judgment and have no objection to  
7 the entry of an amended judgment.  
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9 DATED: November 22, 2021

Respectfully submitted,  
HAMMONDLAW, P.C.

11 By: \_\_\_\_\_ s/ Julian Hammond  
12 Julian Hammonnd  
13 Polina Brandler  
14 Ari Cherniak  
Attorneys for Plaintiff

15 DATED: November 22, 2021

SEYFARTH SHAW LLP

17 By: \_\_\_\_\_ s/ Parnian Vafeenia  
18 Andrew M. McNaught  
19 Parnian Vafeenia  
Attorneys for Defendant  
AZUSA PACIFIC UNIVERSITY

21 DATED: November 24, 2021

INTERDISCIPLINARY CENTER FOR  
HEALTHY WORKPLACES

23  
24 By: Cristina G. Banks  
25 Dr. Cristina G. Banks, PhD  
26 Director, Interdisciplinary Center for Healthy  
27 Workplaces  
28

1 **[PROPOSED] ORDER**

2 PURSUANT TO STIPULATION, IT IS ORDERED that the funds remaining from the uncashed  
3 checks be paid forthwith to the Interdisciplinary Center for Healthy Workplaces. IT IS SO ORDERED.

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5 Dated:

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7 Hon. Ann I. Jones  
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