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FILED  
SUPERIOR COURT  
Brandon E. Riley, Clerk

Rita Gomez  
March 15, 2021

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*Attorneys for Plaintiff Christopher Starks*

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
11 **FOR THE COUNTY OF SAN JOAQUIN**

13 CHRISTOPHER STARKS, individually, and on  
14 behalf of all others similarly situated,

*Plaintiff,*

v.

17 CON-FAB CALIFORNIA CORPORATION, a  
California corporation, CON-FAB  
18 CALIFORNIA, LLC, a limited liability company  
and DOES 1 through 10, inclusive,

*Defendants.*

Case No. STK-CV-UOE-2019-15008

**CLASS ACTION**

*[Assigned for all purposes to Hon. Carter  
Holly, Dept. 10B]*

**AMENDED [~~PROPOSED~~] JUDGMENT  
AND ORDER GRANTING PLAINTIFF'S  
MOTION FOR FINAL APPROVAL OF  
CLASS ACTION SETTLEMENT**

**FINAL APPROVAL HEARING**

Date: March 10, 2021  
Time: 9:00 a.m.  
Dept: 10B

MAR 10 2021

**FILED BY FAX**

1           On November 10, 2020, this Court issued an Order Granting Preliminary Approval of  
2 Class Action Settlement. Plaintiff Christopher Starks now seeks an order granting final  
3 approval of the Stipulation of Settlement ("Settlement"), attached to the Declaration of Justin  
4 F. Marquez in Support of Plaintiff's Motion for Final Approval of Class Action Settlement as  
5 Exhibit 1.

6           Due and adequate notice having been given to the Class, and the Court having  
7 reviewed and considered the Settlement, Plaintiff's Notice of Motion and Motion for Final  
8 Approval of Class Action Settlement, the supporting declarations and exhibits thereto, all  
9 papers filed and proceedings had herein, and the absence of any written objections received  
10 regarding the proposed settlement, and having reviewed the record in this action, and good  
11 cause appearing therefor,

12           IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

13           1.       The Court, for purposes of this Order, adopts all defined terms as set forth in the  
14 Settlement filed in this case.

15           2.       The Court has jurisdiction over all claims asserted in the Action, Plaintiff, the  
16 Settlement Class Members, and Defendants Con-Fab California Corporation and Con-Fab  
17 California, LLC ("Defendants").

18           3.       The Court finds that the Settlement appears to have been made and entered into in  
19 good faith and hereby approves the settlement subject to the limitations on the requested fees and  
20 enhancements as set forth below.

21           4.       Plaintiff and all Settlement Class Members, ("Participating Class Members"), shall  
22 have, by operation of this Final Order and Judgment, fully, finally, and forever released,  
23 relinquished, and discharged Defendants from all Released Claims as defined in the Settlement.

24           5.       The Parties shall bear their own respective attorneys' fees and costs, except as  
25 otherwise provided for in the Settlement and approved by the Court.

26           6.       Solely for purposes of effectuating the settlement, the Court finally certified the  
27 following Class: "All persons who worked for any Defendant in California as an hourly-paid  
28 or non-exempt employee during the Settlement Period."

1           7.     The Settlement Period means the period from November 12, 2015 through  
2 October 29, 2020.

3           8.     No Class Members have objected to the terms of the Settlement.

4           9.     No Class Members have requested exclusion from the Settlement.

5           10.    The Notice provided to the Class conforms with the requirements of California  
6 Rules of Court 3.766 and 3.769, and constitutes the best notice practicable under the  
7 circumstances, by providing individual notice to all Class Members who could be identified  
8 through reasonable effort, and by providing due and adequate notice of the proceedings and of  
9 the matters set forth therein to the Class Members. The Notice fully satisfies the requirements of  
10 due process.

11          11.    The Court finds the Settlement Amount, the Net Settlement Amount, and the  
12 methodology used to calculate and pay each Participating Class Member's Net Settlement  
13 Payment are fair and reasonable, and authorizes the Settlement Administrator to pay the Net  
14 Settlement Payments to the Participating Class Members in accordance with the terms of the  
15 Stipulation.

16          12.    Defendant shall pay the total of \$630,000.00 to resolve this litigation. Within  
17 fourteen calendar days from the date of this Order, Defendants shall deposit this amount and  
18 employer taxes into an interest-bearing trust account for the benefit of the participating Class  
19 Members and Class Counsel, through the Settlement Administrator. Thereafter, compensation to  
20 the Participating Class Members shall be disbursed pursuant to the terms of the Settlement (i.e.,  
21 within ten calendar days following the receipt of funds).

22          13.    From the Settlement Amount, \$7,500.00 shall be paid to the California Labor and  
23 Workforce Development Agency, representing 75% of the penalties awarded under the terms of  
24 the Joint Stipulation and Amendment pursuant to the Labor Code Private Attorneys General Act  
25 of 2004, California Labor Code section 2698, *et seq.*

26          14.    From the Settlement Amount, \$10,000.00 shall be paid to the named Plaintiff for  
27 his service as a class representative and for his agreement to release claims.

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15. From the Settlement Amount, \$10,000.00 shall be paid to the Settlement Administrator, CPT Group, Inc.

16. The Court hereby confirms Bobby Saadian, Justin F. Marquez, Nicol E. Hajjar, and Rachel J. Vinson of Wilshire Law Firm, PLC as Class Counsel.

17. From the Settlement Amount, Class Counsel is awarded \$209,997.90 for their reasonable attorneys' fees and \$15,000.00 for their reasonable costs incurred in the Action. The fees and costs shall be distributed to Class Counsel as set forth in the Settlement. The Court finds that the fees are reasonable in light of the benefit provided to the Class.

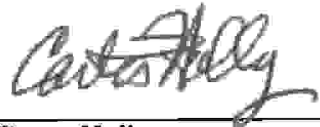
18. Notice of entry of this Final Approval Order and Judgment shall be given to Class Members by posting a copy of the Final Approval Order and the Judgment on CPT Group, Inc.'s website for a period of at least sixty (60) calendar days after the date of entry of this Final Approval Order and Judgment.

19. Without affecting the finality of this Order in any way, this Court retains continuing jurisdiction over the implementation, interpretation, and enforcement of the Settlement with respect to all Parties to this action, and their counsel of record.

20. Plaintiff's Motion for Final Approval of Class Action Settlement is hereby granted and the Court directs that judgment shall be entered in accordance with the terms of this Order.

**IT IS SO ORDERED.**

D Mar 15, 2021 02:49 PM

  
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Hon. Carter Holly  
San Joaquin County Superior Court

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**PROOF OF SERVICE**

*Christopher Starks, et. al. v. CON-FAB California Corporation, et al.*  
STK-CV-UOE-2019-15008

STATE OF CALIFORNIA        )  
                                          ) ss  
COUNTY OF LOS ANGELES    )

I, Min Jee Kim, state that I am employed in the aforesaid County, State of California; I am over the age of eighteen years and not a party to the within action; my business address is 3055 Wilshire Blvd., 12<sup>th</sup> Floor, Los Angeles, California 90010. My electronic service address is minjee@wilshirelawfirm.com.

On **March 10, 2021**, I served the foregoing **AMENDED [PROPOSED] JUDGMENT AND ORDER GRANTING PLAINTIFF'S MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT**, on the interested parties by placing a true copy thereof, enclosed in a sealed envelope by following one of the methods of service as follows:

Brandon R. McKelvey (SBN 217002)  
brandon@medinamckelvey.com  
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*Attorneys for Defendant*  
**CON-FAB CALIFORNIA CORPORATION**

(X) **BY E-MAIL:** I hereby certify that this document was served from Los Angeles, California, by e-mail delivery on the parties listed herein at their most recent known email address or e-mail of record in this action.

I declare under the penalty of perjury under the laws of the State of California, that the foregoing is true and correct.

Executed on **March 10, 2021**, at Los Angeles, California.

\_\_\_\_\_  
Min Jee Kim 