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2021 JAN -5 PM 3: 32

LAW AND MOTION DEPT. 53/54
SUPERIOR COURT
OF CALIFORNIA
SACRAMENTO COUNTY

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SACRAMENTO

ISMAEL PITA, an individual, on
behalf of the State of California and all
aggrieved employees as a Private
Attorney General,

Plaintiff,

vs.

FARMERS' RICE COOPERATIVE,
a California Agricultural Cooperative
Corporation, and DOES 1-50,
inclusive,

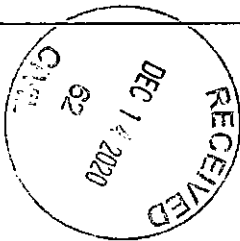
Defendants.

Case No.: 34-2018-00238641
[Assigned for all purposes to the
Hon. Steven M. Gevercer, Dept. 53]

CLASS ACTION

~~PROPOSED~~ **ORDER GRANTING FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: January 5, 2021
Time: 1:30 p.m.
Dept: 53



FILED BY FAX

ORDER

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3 This matter came for hearing before this Court, the Honorable Steven M. Gevercer
4 presiding, on January 5, 2021 at 1:30 p.m., upon Plaintiff's unopposed motion for final
5 approval of the settlement set forth in the Joint Stipulation for Class Action Settlement
6 and Release (the "Stipulation" or "Settlement Agreement"). The Court having granted
7 final approval to the Stipulation, hereby finds and orders as follows:

- 8 1. The Settlement Agreement shall be enforced according to its terms.
- 9 2. The Court certifies the class for purposes of settlement.
- 10 3. This Court finds that the applicable requirements of the California
11 Code of Civil Procedure § 382 have been satisfied with respect to the Settlement Class
12 and the proposed settlement. The Court hereby makes final its earlier provisional
13 certification of the plaintiff class, as set forth in the Preliminary Approval Order. The
14 Court finds that the settlement is fair, adequate, and reasonable, and falls within the range
15 of reasonableness.
- 16 4. The notice given to the Class Members fully and accurately informed
17 the Class Members of all material elements of the proposed Settlement and of their
18 opportunity to object or comment thereon; was the best notice practicable under the
19 circumstances; was valid, due and sufficient notice to all Class Members; and complied
20 fully with the laws of the State of California, Federal Rules of Civil Procedure, the United
21 States Constitution, due process and other applicable law. The summary notices fairly
22 and adequately described the Settlement and provided Class Members adequate
23 instructions and a variety of means to obtain additional information. A full opportunity
24 has been afforded to the Class Members to participate in this hearing, and all Class
25 Members and other persons wishing to be heard have been heard. Accordingly, the Court
26 determines that all Settlement Class Members (as defined in the Settlement Agreement)
27 who did not timely and properly execute a Request for Exclusion are bound by this order
28 and resulting Judgment.

1 5. The Court finds that zero (0) of the 321 Class Members have
2 objected to the Settlement and one (1) Class Members have requested exclusion from the
3 Settlement. There are 320 Participating Class Members participating in the Settlement.

4 6. The Court finds that the Stipulation was the product of arm's length
5 negotiations between experienced counsel. After considering Defendant's potential
6 exposure, the likelihood of success on the class claims, the risk, expense, complexity and
7 delay associated with further litigation, the risk of maintaining class certification through
8 trial, the experience and views of Plaintiff's Counsel, and the reaction of the Class to the
9 Settlement, as well as other relevant factors, the Court finds that the settlement is fair,
10 reasonable, and adequate, and in the best interests of the Settlement Class as a whole.
11 Accordingly, the Court hereby grants final approval to the Settlement and hereby directs
12 that the Settlement be effected in accordance with the Settlement Agreement and the
13 following terms and conditions.

14 7. Class Counsel is awarded \$74,992.50 in attorney fees and \$10,359.40
15 in costs;

16 8. Plaintiff ISMAEL PITA is awarded an enhancement payment of
17 \$5,000.00;

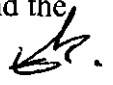
18 9. The claims administrator, CPT Group, Inc., is awarded \$12,500.00 in
19 costs;

20 10. Payment of \$7,500.00 (75% of \$10,000 PAGA penalty) to the
21 LWDA is approved;

22 11. Class counsel, via CPT Group, Inc., is to provide notice to the class
23 members pursuant to California Rules of Court, rule 3.771(b) and section 3.06(j) of the
24 Settlement Agreement.

25 The Court also hereby orders Class Counsel to file a final report summarizing all
26 distributions made pursuant to the approved settlement, supported by declaration.

27 As a condition of final approval, the claims administrator should not make reports
28 to the IRS about settlement payments of class members who did not cash checks.

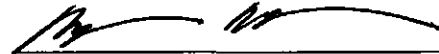
1 The Court reserves exclusive and continuing jurisdiction over the Litigation, the
2 Class Representative ISMAEL PITA, the Settlement Class and Defendant FARMERS'
3 RICE COOPERATIVE, for the purposes of supervising the implementation, enforcement,
4 construction, administration and interpretation of the Stipulation and this Order and the
5 Final Judgment. 

6 The Court sets a non-appearance date for submission of a final report on

7 _____, 2021 at ____:____m.

8
9 IT IS SO ORDERED.

10 Dated: JAN - 5 2021



JUDGE SHAMA H. MESIWALA

JUDGE OF THE SUPERIOR COURT