

FILED  
ENDORSED

2021 JAN -5 PM 3:35

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

SUPERIOR COURT OF THE STATE 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] FINAL JUDGMENT**

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



PROPOSED FINAL JUDGMENT

FILED BY FAX

This matter came for hearing before this Court, the Honorable Steven M. Gevercer presiding, on January 5, 2021 at 1:30 p.m., upon Plaintiff’s unopposed motion for final approval of the settlement set forth in the Joint Stipulation of Settlement and Release to Settle Class Action (the “Stipulation” or “Settlement Agreement”). The Court having granted final approval to the Stipulation, it is hereby ORDERED THAT FINAL JUDGMENT BE ENTERED as follows:

1. The Settlement Agreement shall be enforced according to its terms.

2. The Court certifies the class for purposes of settlement, defined as follows: all individuals who are currently employed, or formerly have been employed, as nonexempt hourly employees of Defendant and who were members of the Union at any time from August 10, 2014 to August 5, 2020.

3. The Court finds that zero (0) of the 321 Class Members have objected to the Settlement and one (1) Class Member has requested exclusion from the Settlement. The 320 Participating Class Members will be paid from a net settlement amount of \$110,007.50.

4. As of the date of this Final Judgment and the Effective Date, and except as to all rights and claims created by this Settlement, the Named Plaintiff ISMAEL PITA and all Participating Class Members, without the need to manually sign a release document, shall be deemed to have fully released and discharged Defendant FARMERS' RICE COOPERATIVE, any parents or subsidiaries, corporations, or affiliates of Defendant, and each of their owners, officers, directors, employees, attorneys, insurers, successors, predecessors, and agents ("Released Parties") from any and all claims that are asserted in the Complaint or that could have been asserted by Plaintiff or any Settlement Class member based on any of the factual allegations contained in the Complaint (the "Released Claims"). The Released Claims shall be released as to Defendant and the Released Parties from the period beginning August 10, 2014 through August 5, 2020. Excluded from the Released Claims are unrelated claims, including but not limited to, claims that are outside

1 the Class Period, unemployment, Workers' Compensation, disability, discrimination, and  
2 retaliation. In addition, the Participating Class Members, comprised of each member of  
3 the Class who has not submitted a valid Opt-Out Request, forever agrees that it, he or she  
4 shall neither request nor accept compensation, back pay, liquidated damages, punitive  
5 damages, penalties of any nature, attorneys' fees or costs, interest, or any other relief from  
6 any other suit, class, representative, or collective action, administrative claim or other  
7 claim of any sort or nature whatsoever against the Released Parties, for any period from  
8 August 10, 2014 through August 5, 2020, relating to the Released Claims on behalf of  
9 Class Members. The Class Members agree not to sue or otherwise make a claim against  
10 any of the Released Parties that is in any way related to the Released Claims. The Class  
11 Members may later discover facts in addition to or different from those they now know or  
12 believe to be true with respect to the subject matter of this Release, but the Class Members  
13 upon the Effective Date, shall be deemed to have, and by operation of the Final Order  
14 shall have, fully, finally, and forever settled and released any all of the claims released  
15 pursuant to this Release. It is agreed that because the Class Members are so numerous, it  
16 is impossible or impractical to have each Class Member execute this Agreement. The  
17 Notice of Proposed Class Action Settlement will, and has so advised, all Class Members  
18 of the binding nature of the releases. Excepting only the Class Members who timely  
19 submitted a valid Opt-Out Request, the Notice of Proposed Class Action Settlement shall  
20 have the same force and effect as if this Settlement and Agreement were executed by each  
21 Class Member with regard to the claims that he or she is releasing pursuant to the  
22 Settlement and Agreement.

23 5. The Court finds that the settlement is fair, adequate, and reasonable.

24 6. Defendant FARMERS' RICE COOPERATIVE, ("Defendant") shall pay  
25 \$225,000 in payment for settlement of Class Members' claims, Enhancement Award for  
26 Named Plaintiff ISMAEL PITA, Class Counsel's attorney's fees and costs, the Claims  
27 Administrator's fees and expenses, PAGA Penalties and Defendants' share of employer

1 payroll taxes.

2 7. Class Counsel is awarded \$74,992.50 in attorney fees and \$10,359.40 in  
3 costs.

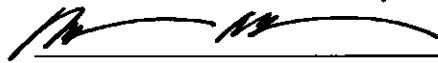
4 8. Plaintiff ISMAEL PITA is awarded an enhancement payment of \$5,000.00.

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

6 10. Payment of \$7,500 (75% of \$10,000 PAGA penalty) to the LWDA is  
7 approved.

8 11. Without affecting the finality of this Judgment, the Court shall retain  
9 continuing jurisdiction over this action and the parties, including all Class Members, and  
10 over all matters pertaining to the implementation and enforcement of the terms of the  
11 Settlement Agreements pursuant to California Rule of Court 3.769(h). Except as provided  
12 to the contrary herein, any disputes or controversies arising with or with respect to the  
13 interpretation, enforcement, or implementation of the Settlement Agreement shall be  
14 presented to the Court for resolution.

15  
16 Dated: JAN - 5 2021



JUDGE SHAMA H. MESIWALA

JUDGE OF THE SUPERIOR COURT