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FILED
Superior Court of California
County of Los Angeles

JAN 23 2020

Class Counsel and Attorneys for Representative Plaintiff,
MOSTAFA JOHARIFARD, and
the Certified Settlement Class

Sherril H. ...
By: *[Signature]* Deputy

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Class Counsel and Attorneys for Representative Plaintiffs,
Ranko Vukovic and Laura Ciucci,
and the Certified Settlement Class

[Additional Plaintiffs' Counsel Listed on Next Page]

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

RANKO VUKOVIC and LAURA CIUCCI,
individually and on behalf of all others
similarly situated and on behalf of the general
public,

Case No. 30-2014-00744629-CU-OE-CJC
(Vukovic)

Case No. 30-2015-00794747-CU-OE-CXC
(Joharifard)

Plaintiff,

CLASS ACTION

v.

Assigned for all purposes to:
Hon. Daniel J. Buckley
Department 1 (Spring Street)

PENNYVISION, LLC, a California limited
liability company, and DOES 1 through 10,
inclusive,

Defendants.

~~(PROPOSED)~~

[Caption Continues – Next Page]

**ORDER AND JUDGMENT GRANTING
FINAL APPROVAL OF CLASS ACTION
SETTLEMENT**

RECEIVED

JAN 23 2020

FILING WINDOW

1 MOSTAFA JOHARIFARD
an individual,

2 Plaintiff,

3 v.

4 PENNYVISION, LLC, a California Limited
5 Liability Company, and DOES 1 through 100,
inclusive,

6 Defendants.
7

FINAL FAIRNESS HEARING:

Date: January 29, 2020
Time: 10:30 a.m.
Dept: 1 - Spring Street

8
9 *Additional Plaintiffs' Counsel:*

10 **Mazarei Law Group, Inc.**

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13 Class Counsel and Attorneys for Representative Plaintiff,
14 MOSTAFA JOHARIFARD,
and the Certified Settlement Class

1 The above-captioned matter came on for hearing in Department 1 of the above-captioned court, as
2 noticed and calendared, on January 29, 2020, the Hon. Daniel J. Buckley, Judge, presiding. The matter
3 was before the Court for the Final Fairness Hearing on the parties' class action settlement, including:
4 (1) Motion for Final Approval of Class Action Settlement; and (2) Motion for Approval of Attorneys'
5 Fees, Costs, and Incentive Awards.

6 Previously, on August 9, 2019, this Court entered an Order Granting Preliminary Approval of
7 Class Action Settlement. (For ease of reference, the Court's Order is appended hereto as Exhibit-1.) The
8 Order resulted in certification of the following provisional Settlement Class:

9 All non-exempt, hourly paid employees of Defendant who worked at any of its Pizza Hut
10 restaurant locations in California owned and/or operated by Defendant at any time during
11 the Class Period of September 10, 2010 through January 18, 2016.

12 (Order, ¶ 4.)

13 The Court further approved the form of the Class Notice and directed the parties to provide the
14 Class Notice to the Settlement Class Members. The Class Notice informed Settlement Class Members of:
15 (a) the proposed Settlement, and the Settlement's key terms; (b) the date, time, and location of the Final
16 Fairness Hearing; (c) the right of any Class Members to object to the proposed Settlement, and an
17 explanation of the procedures to exercise that right; (d) the right of any Class Member to exclude
18 themselves from the proposed Settlement, and an explanation of the procedures to exercise that right; and
19 (e) an explanation of the procedures to participate in the proposed Settlement.

20 As set forth in the Declaration of Settlement Administrator, CPT Group, Re Motion for Final
21 Approval of Class Action Settlement (Decl. of Melinda Yang), filed on or about January 10, 2020, no
22 objections to the Settlement were made by any Settlement Class Member, timely or otherwise, pursuant
23 to the Class Notice sent to the Settlement Class Members (Decl. at ¶ 10), nor did any objectors appear at
24 the time of the Final Fairness Hearing.

25 This matter having come before the Court for the Final Fairness Hearing pursuant to the above-
26 referenced Order of August 9, 2019, for final approval of the settlement set forth in the Joint Stipulation
27 of Class Action Settlement ("Stipulation" or "Settlement"), and due and adequate notice having been given
28 to the Settlement Class Members as required in the said Order, and the Court having considered all papers

1 filed and proceedings had herein and otherwise being fully informed of the promises and good cause
2 appearing therefor, it is ORDERED, ADJUDGED AND DECREED THAT:

3
4 1. This Court has jurisdiction over the subject matter of the Action and
5 over all of the parties to the Action.

6 2. The Court finds that the Settlement Class is properly certified as a
7 class for settlement purposes, only.

8 3. The Class Notice provided to the Settlement Class conforms with
9 the requirements of Cal. Code of Civil Procedure section 382, Cal. Civil Code
10 section 1781, Cal. Rules of Court, rules 3.766 and 3.769, the California and United
11 States Constitutions, and any other applicable law, and constitutes the best notice
12 practicable under the circumstances, by providing individual notice to all Class
13 Members who could be identified through reasonable effort, and by providing due
14 and adequate notice of the proceedings and of the matters set forth therein to the
15 other Class Members. The notice fully satisfied the requirements of Due Process.

16 4. The Court finds the Settlement was entered into in good faith, that
17 the Settlement is fair, reasonable and adequate, and that the Settlement satisfies the
18 standards and applicable requirements for final approval of this class action
19 settlement under California law, including the provisions of Cal. Code of Civil
20 Procedure section 382 and Cal. Rules of Court, rule 3.769.

21 5. No Settlement Class Members have objected to the terms of the
22 Settlement.

23 6. No Settlement Class Member requested exclusion from the
24 Settlement and thus no Settlement Class Member will be excluded or not bound by
25 the Judgment in this Action.

26 7. Upon entry of this Order, compensation to the participating
27 members of the Settlement Class shall be effected pursuant to the terms of the
28 Settlement.

1 8. In addition to any recovery that the Representative Plaintiffs may
2 receive under the Settlement, and in recognition of the Representative Plaintiffs'
3 efforts and risks taken on behalf of the Settlement Class, the Court hereby approves
4 the payment of incentive awards to the Representative Plaintiffs, Mostafa
5 Joharifard, Laura Ciucci, and Ranko Vukovic, in the amount of \$15,000, each.

6 9. The Court approves the payment of attorneys' fees to Class Counsel
7 in the total sum of \$566,666.67, and the reimbursement of litigation expenses in the
8 sum of \$43,822.43.

9 10. The Court approves and orders payment in the amount of
10 \$23,000.00 to CPT Group, pursuant to the Settlement terms, for performance of its
11 settlement administration services.

12 11. Upon the Date of Finality (as defined in Article I, subpara. h, of the
13 Settlement), Plaintiffs and all members of the Settlement Class shall have, by
14 operation of this Order and the accompanying Judgment, fully, finally and forever
15 released, relinquished, and discharged Defendant from all claims as defined by the
16 terms of the Settlement. Upon the Date of Finality, all members of the Settlement
17 Class shall be and are hereby permanently barred and enjoined from the institution
18 or prosecution of any and all of the claims released under the terms of the
19 Settlement.

20 12. The Court approves the Settlement's provisions for the *cy pres*
21 distribution of uncashed and undeliverable settlement shares, to Public Counsel,
22 which is a 501(c)(3) non-profit corporation selected by the Parties and which
23 "strives to achieve three main goals: protecting the legal rights of disadvantaged
24 children; representing immigrants who have been the victims of torture,
25 persecution, domestic violence, trafficking, and other crimes; and fostering
26 economic justice by providing individuals and institutions in underserved
27 communities with access to quality legal representation."

28 13. The PAGA payment to the LWDA in the amount of ~~\$45,000.00~~ ^{33,750.00}, is

JPB

1 approved. Class Counsel shall complete all required notice to the LWDA of this
2 Order and Judgment, as required by Labor Code section 2699.

3 14. Pursuant to Section 3:06(c) of the approved Settlement, the
4 Settlement Administrator shall provide notice of final judgment on its website, and
5 such notice shall remain on the website for six months after the check-cashing
6 period expires.


7 15. Upon completion of administration of the Settlement, including any
8 *cy pres* distribution, the Settlement Administrator shall file a declaration setting
9 forth that settlement shares have been paid and that the terms of the settlement have
10 been completed.

11 16. This Judgment is intended to be a final disposition of the above
12 captioned action in its entirety, and is intended to be immediately appealable.

13 17. The Court, pursuant to Cal. Rules of Court, rule 3.769(h), directs the
14 clerk to enter this Judgment pursuant to the Settlement, however, this Court shall
15 retain jurisdiction with respect to all matters related to the administration and
16 consummation of the settlement, as provided under Rule 3.769(h), and any and all
17 claims, asserted in, arising out of, or related to the subject matter of the lawsuit,
18 including but not limited to all matters related to the Settlement and the
19 determination of all controversies related thereto.
20

21 **IT IS SO ORDERED.**

22
23 Dated: Jan 29, 2020

24 
25 _____
26 Hon. Daniel J. Buckley
27 JUDGE OF THE SUPERIOR COURT
28