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15 Attorneys for Plaintiff
16 JULIO C. MARROQUIN

17 IN THE UNITED STATES DISTRICT COURT

18 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

19 JULIO C. MARROQUIN, individually and
20 on behalf of other persons similarly situated,

21 Plaintiffs,

22 vs.

23 PREMIUM PACKING, INC., a California
24 Corporation; and DOES 1 through 10,

25 Defendants.

Case No. 5:16-CV-06472-LHK

**[proposed] ORDER AND FINAL JUDGMENT
GRANTING FINAL APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: December 7, 2017
Time: 1:30 p.m.
Ctrm: 8 – 4th Floor

26 The motion of plaintiff Julio C. Marroquin (“Plaintiff”) for an order granting final approval of
27 the class action settlement reached with defendant Premium Packing, Inc. (“Defendant”) that was
28 preliminarily approved on August 10, 2017 (the “Settlement”), along with Plaintiff’s motion for an
award of attorney’s fees, costs and enhancement payment in connection with final approval, came
regularly on for hearing. Good cause having been shown, Plaintiff’s motions are GRANTED and IT IS
HEREBY ORDERED, ADJUDGED and DECREED:

1. The Court certifies for settlement purposes, for treatment as a class action under Rule
23 of the Federal Rules of Civil Procedure, a settlement class defined as all persons who worked for

1 Defendant as hourly packing shed employees in the state of California during the period October 5,
2 2012 to July 2, 2017.

3 2. The Court grants final approval of the Settlement and finds the terms of the Settlement
4 to be fair, reasonable, and adequate under Rule 23(e) of the Federal Rules of Civil Procedure,
5 including the amount of the settlement fund; the amount of distributions to class members; the
6 procedure for giving notice to class members; the procedure for members of the Settlement Class to
7 opt out of the Settlement; the procedure for members of the Settlement Class to object to the
8 Settlement; and the maximum amounts allocated to an incentive payment, costs and attorney's fees.

9 3. The Court finds that class members were provided proper and adequate notice of their
10 rights in a manner that satisfies the requirements of due process.

11 4. The Court orders that all class members who did not timely file a request for exclusion
12 from the Settlement are barred from prosecuting against the Released Parties any and all released
13 claims as set forth in the Settlement.

14 5. The Court orders that Defendant make payment to the settlement administrator, in
15 accordance with the procedures set forth in the Settlement, of the amount needed to fund all amounts
16 payable under the Settlement.

17 6. The Court orders payment from the settlement fund of settlement administration fees to
18 Atticus Administration in the amount of \$12,490 in accordance with the Settlement.

19 7. The Court awards Plaintiff \$237,500 in attorney's fees, to be paid from the settlement
20 fund in accordance with the procedures set forth in the Settlement.

21 8. The Court awards Plaintiff \$7,689.31 in litigation costs, to be paid from the settlement
22 fund in accordance with the procedures set forth in the Settlement.

23 9. The Court awards Plaintiff the amount of \$7,500 as a class representative enhancement
24 payment, to be paid from the settlement fund in accordance with the procedures set forth in the
25 Settlement.

26 10. The Court directs that this order be entered as a final judgment dismissing the action
27 with prejudice.
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11. The Court orders that, notwithstanding entry of final judgment, the Court shall retain jurisdiction in this matter for the purposes of interpreting or enforcing the Settlement or final judgment.

12. The Clerk shall close the file.

Dated: December 7, 2017



United States District Judge