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FILED
Clerk of the Superior Court

JAN 18 2019

By: P. Asnworth, Clerk

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **FOR THE COUNTY OF SAN DIEGO**

11 MINDY SCOTT; individually, and on behalf
12 of other members of the general public
13 similarly situated and on behalf of other
14 aggrieved employees pursuant to the California
15 Private General Act; SHARAN SINGH;
16 individually, and on behalf of other members
17 of the general public similarly situated;

18 Plaintiffs,

19 vs.

20 CORVEL CORPORATION, an unknown
21 business entity; CORVEL ENTERPRISE
22 COMP, INC., an unknown business entity; and
23 DOES 1 through 100, inclusive,

24 Defendants.

Case No.: 37-2015-00020373-CU-OE-CTL

Honorable Eddie C. Sturgeon
Department C-67

CLASS ACTION

**[PROPOSED] FINAL APPROVAL
ORDER AND JUDGMENT**

Date: January 18, 2019
Time: 1:30 p.m.
Department: S-67

Complaint Filed: June 17, 2015
FAC Filed: January 28, 2016
SAC Filed: November 3, 2016
Trial Date: None Set

1 This matter has come before the Honorable Eddie C. Sturgeon in Department C-67 of the
2 above-entitled Court, located at the Hall of Justice Courthouse, 330 West Broadway, San Diego,
3 California 92101, on Plaintiff's Mindy Scott and Sharan Singh's ("Plaintiffs") Motion for Final
4 Approval of Class Action Settlement, Attorneys' Fees, Costs, and Enhancement Payments
5 ("Motion for Final Approval"). Lawyers for Justice, PC appeared on behalf of Plaintiffs and the
6 Class, and Jackson Lewis P.C. appeared on behalf of Defendants Corvel Corporation and Corvel
7 Enterprise Comp, Inc. ("Defendants").

8 On July 31, 2018, the Court entered an Order Granting Preliminary Approval of Class
9 Action Settlement ("Preliminary Approval Order"), thereby preliminarily approving the settlement
10 of the above-entitled action ("Action") in accordance with the Joint Stipulation of Class Action
11 and PAGA Settlement and Release of Claims ("Settlement," "Agreement," or "Settlement
12 Agreement"), which, together with the exhibits annexed thereto, set forth the terms and conditions
13 for settlement of the Action.

14 Having reviewed the Settlement Agreement and duly considered the parties' papers and
15 oral argument, and good cause appearing,

16 **THE COURT HEREBY ORDERS, ADJUDGES, AND DECREES AS FOLLOWS:**

17 1. All terms used herein shall have the same meaning as defined in the Settlement
18 Agreement and the Preliminary Approval Order.

19 2. This Court has jurisdiction over the claims of the Class Members asserted in this
20 proceeding and over all parties to the Action.

21 3. The Court finds that the applicable requirements of California Code of Civil
22 Procedure section 382 and California Rule of Court 3.769, *et seq.* have been satisfied with respect
23 to the Class and the Settlement. The Court hereby makes final its earlier provisional certification
24 of the Class for settlement purposes, as set forth in the Preliminary Approval Order. The Class is
25 hereby defined to include:

26 All current and former hourly-paid or non-exempt employees who
27 worked for any of the Defendants within the State of California at any
28 time during the period from June 17, 2011 through and including July
31, 2018 ("Class" or "Class Members").

1 4. The Notice of Proposed Class Action Settlement (“Notice”) and Claim Form
2 (together, “Notice Packet”) that were provided to the Class Members, fully and accurately
3 informed the Class Members of all material elements of the Settlement and of their opportunity to
4 participate in, object to or comment thereon, or to seek exclusion from, the Settlement; were the
5 best notice practicable under the circumstances; were valid, due, and sufficient notice to all Class
6 Members; and complied fully with the laws of the State of California, the United States
7 Constitution, due process and other applicable law. The Notice Packet fairly and adequately
8 described the Settlement and provided the Class Members with adequate instructions and a variety
9 of means to obtain additional information.

10 5. Pursuant to California law, the Court hereby grants final approval of the Settlement
11 and finds it reasonable and adequate, and in the best interests of the Class as a whole. More
12 specifically, the Court finds that the Settlement was reached following meaningful discovery and
13 investigation conducted by Class Counsel; that the Settlement is the result of serious, informed,
14 adversarial, and arms-length negotiations between the parties; and that the terms of the Settlement
15 are in all respects fair, adequate, and reasonable. In so finding, the Court has considered all of the
16 evidence presented, including evidence regarding the strength of the Plaintiffs’ case; the risk,
17 expense, and complexity of the claims presented; the likely duration of further litigation; the
18 amount offered in the Settlement; the extent of investigation and discovery completed; and the
19 experience and views of Class Counsel. The Court has further considered the absence of objections
20 to the Settlement and Requests for Exclusion. Accordingly, the Court hereby directs that the
21 Settlement be affected in accordance with the Settlement Agreement and the following terms and
22 conditions.

23 6. A full opportunity has been afforded to the Class Members to participate in the
24 Final Approval Hearing, and all Class Members and other persons wishing to be heard have been
25 heard. The Class Members also have had a full and fair opportunity to exclude themselves from
26 the Settlement. Accordingly, the Court determines that all Class Members who did not submit a
27 timely and valid Request for Exclusion to the Settlement Administrator (“Settlement Class
28 Members”) are bound by this Final Approval Order and Judgment.

1 7. The Court finds that payment of settlement administration costs in the amount of
2 \$22,000 is appropriate for the services performed and costs incurred and to be incurred for the
3 notice and settlement administration process. It is hereby ordered that the Settlement
4 Administrator, KCC Class Action Services, LLC ("KCC"), issue payment to itself in the amount
5 of \$22,000, in accordance with the Settlement Agreement.

6 8. The Court finds that the enhancement payments sought are fair and reasonable for
7 the work performed by Plaintiffs on behalf of the Class. It is hereby ordered that the Settlement
8 Administrator issue payments to Plaintiffs Mindy Scott and Sharan Singh in the amount of \$5,000
9 to each of them for enhancement payments, according to the terms set forth in the Settlement
10 Agreement.

11 9. The Court finds that the allocation of \$40,000 toward penalties under the California
12 Private Attorneys General Act of 2004 ("PAGA"), is fair, reasonable, and appropriate, and hereby
13 approved. The Settlement Administrator shall distribute the PAGA penalties as follows: the
14 amount of \$30,000 to the California Labor and Workforce Development Agency, and the amount
15 of \$10,000 to be included in the Net Settlement Amount for distribution to Settlement Class
16 Members who were current employees of Defendants as of July 31, 2018 ("Automatic Qualified
17 Class Members"), and Settlement Class Members who were former employees of Defendants as
18 of July 31, 2018 and submitted a timely and valid Claim Form ("Elective Qualified Class
19 Members") (together, "Qualified Class Members").

20 10. The Court finds that the request for attorneys' fees in the amount of \$420,000 falls
21 within the range of reasonableness, and the results achieved justify the award sought. The
22 requested attorneys' fees are fair, reasonable, and appropriate, and are hereby approved. It is
23 hereby ordered that the Settlement Administrator issue payment in the amount of \$420,000 to
24 *Lawyers for Justice, PC* for attorneys' fees, in accordance with the Settlement Agreement.

25 11. The Court finds that reimbursement of litigation costs and expenses in the amount
26 of \$20,851.34 to Class Counsel is reasonable, and hereby approved. It is hereby ordered that the
27 Settlement Administrator issue payment in the amount of \$20,851.34 to *Lawyers for Justice, PC*
28 for reimbursement of litigation costs and expenses, in accordance with the Settlement Agreement.

1 12. The Court hereby enters Judgment by which Settlement Class Members shall be
2 conclusively determined to have given a release of any and all Class Member Released Claims
3 against the Released Parties, as set forth in the Settlement Agreement and Notice Packet.

4 13. It is hereby ordered that Defendants shall fund the Settlement within fourteen(14)
5 calendar days of the Effective Date, in accordance with the Settlement Agreement.


6 14. It is hereby ordered that the Settlement Administrator shall distribute payments for
7 Settlement Shares to each Qualified Class Member within fourteen (14) calendar days of receipt
8 of the settlement fund from Defendants, according to the methodology and terms set forth in the
9 Settlement Agreement.

10 15. It is ordered that any and all Settlement Share checks issued to Qualified Class
11 Members that are not cashed within one hundred eighty (180) calendar days after they are issued
12 shall be cancelled, and the funds associated with such cancelled checks shall be transmitted as
13 follows: twenty-five percent (25%) to the California State Treasury for deposit in the Trial Court
14 Improvement and Modernization Fund, twenty-five percent (25%) to the California State Treasury
15 for deposit into the Equal Access Fund of the Judicial Branch, and fifty percent (50%) to the
16 Wounded Warrior Project.

17 16. After entry of this Final Approval Order and Judgment, pursuant to California Rules
18 of Court, Rule 3.769(h), the Court shall retain jurisdiction to construe, interpret, implement, and
19 enforce the Settlement Agreement and this Final Approval Order and Judgment, to hear and
20 resolve any contested challenge to a claim for settlement benefits, and to supervise and adjudicate
21 any dispute arising from or in connection with the distribution of settlement benefits.

22 17. Notice of entry of this Final Approval Order and Judgment shall be given to the
23 Class Members by posting a copy of the Final Approval Order and Judgment on KCC Class Action
24 Services, LLC website for a period of at least sixty (60) calendar days after the date of entry of
25 this Final Approval Order and Judgment. No individualized notice shall be required.

26
27 Dated: 18 JAN 2019


HONORABLE EDDIE C. STURGEON
JUDGE OF THE SUPERIOR COURT

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