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JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JASON HOLLOWAY, individually
and on behalf of all others similarly
situated,

Plaintiff,

vs.

3M COMPANY, a Delaware
corporation; and DOES 1 through 10,
inclusive.

Defendants.

CASE NO. 5:19-cv-00708-RGK (KKx)

**[PROPOSED] FINAL ORDER AND
JUDGMENT**

1 Having considered all papers filed in connection with the Final Approval
2 Hearing, including Plaintiff Jason Holloway’s (“Plaintiff”) Motion for Final
3 Approval of Class Action Settlement and Motion for Attorneys’ Fees and Costs and
4 Class Representative Service Award, any oral argument made at the Final Approval
5 Hearing, and good cause appearing,

6 IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

7 1. The Court, for purposes of this Final Order and Judgment
8 (“Judgment”), adopts all defined terms as set forth in the Stipulation of Class
9 Action Settlement and Release Agreement (“Stipulation”) filed in this Action.

10 2. The Court has jurisdiction over all claims asserted in the Action,
11 Plaintiff, the Class Members, and defendant 3M Company (“Defendant”).

12 3. The Court finds that the Settlement was made and entered into in good
13 faith and hereby approves the Settlement as fair, adequate and reasonable to all
14 Class Members. Any objections which were submitted, timely or otherwise, have
15 been considered and are overruled. Any Class Members who have not timely and
16 validly requested exclusion from the Class are thus bound by this Judgment.

17 **Class Notice**

18 4. Notice to Class Members, as set forth in the Stipulation, has been
19 completed in conformity with the terms of the Stipulation and Preliminary
20 Approval Order as to all Class Members who could be identified through
21 reasonable effort. The Court finds that said notice was the best notice practicable
22 under the circumstances. The Notice Packets provided due and adequate notice to
23 Class Members of the proceedings and of the matters set forth therein, including the
24 Settlement, and the manner by which objections to the Settlement could be made
25 and Class Members could opt out of the Settlement. The Notice Packets fully
26 satisfied the requirements of due process.

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Objections and Requests for Exclusion

5. One objection to the Settlement was submitted by Class Member Paul Castellano in accordance with the requirements set forth in the Stipulation and Notice of Settlement. The Court has considered this objection and overrules it. The objection does not raise valid concerns about the Stipulation, the Motion for Final Approval of Class Action Settlement, or the Motion for Attorneys’ Fees and Costs and Class Representative Service Award.

6. The Court finds that 12 Class Member(s) submitted a valid and timely Request for Exclusion and therefore shall not be bound by the terms of the Stipulation. These class members are: Wester Taylor-Bridgeman, Cam Pham, David Haro, Bronson Mach, Jose Trujillo, Jose Olivas Jr., Charlie Marin, Alex Zambrano, Al Pacheco, Gary White, Ramiro Rodriguez, and Mark Schlott.

Release of Claims and Injunction

7. Plaintiff and all other Class Members, except the Class Member(s) identified in Paragraph 6 above, shall have, by operation of this Judgment, fully, finally, and forever released, relinquished, and discharged the Released Parties from all Released Claims as defined by the Stipulation.

Payments Pursuant to the Stipulation

8. The Court finds that the Maximum Settlement Amount, the Net Settlement Amount, and the methodology used to calculate and pay each Class Member’s Individual Settlement Awards are fair and reasonable, and authorizes the Settlement Administrator to pay the Individual Settlement Awards to the Class Members in accordance with the terms of the Stipulation.

9. If an Individual Settlement Award check remains uncashed after 180 days from issuance, the Settlement Administrator shall pay over the amount represented by the Individual Settlement Award check to the State Controller’s Office Unclaimed Property Fund, with the identity of the Class Member to whom

1 the funds belong. In such event, the Class Member shall nevertheless remain bound
2 by the Settlement.

3 10. Plaintiff shall be paid a Class Representative Service Award in the
4 amount of \$7,000 from the Maximum Settlement Amount in accordance with the
5 terms of the Stipulation. The Court finds this amount of be fair and reasonable and
6 sufficiently supported.

7 11. Class Counsel shall be paid \$449,500 as their attorneys' fees and an
8 amount to be determined by application (Bill of Costs) to the Clerk of Court for
9 reimbursement of costs and expenses from the Maximum Settlement Amount in
10 accordance with the terms of the Stipulation. The Court finds these amounts to be
11 fair and reasonable and sufficiently supported.

12 12. The California Labor and Workforce Development Agency shall be
13 paid \$37,500.00 as penalties under the Private Attorneys' General Act.

14 13. Simpluris, Inc. shall be paid Settlement Administration Costs in the
15 amount of \$14,000.00.

16 **Other Provisions**

17 14. The Parties shall implement the Settlement according to its terms.

18 15. The Court reserves exclusive and continuing jurisdiction over the
19 Action, Plaintiff, the Class Members, and Defendant for purposes of supervising the
20 implementation, enforcement, construction, administration and interpretation of the
21 Settlement and this Judgment.

22 16. The Court hereby enters judgment for Plaintiff and the Class Members
23 in accordance with the terms of the Stipulation, and this order is a final and
24 appealable order.

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17. If the Settlement does not become final and effective in accordance with its terms, this Judgment shall be rendered null and void and shall be vacated and, in such event, all related orders entered and all releases delivered in connection herewith also shall be rendered null and void.

IT IS SO ORDERED.

Dated: June 28, 2021



HON. R. GARY KLAUSNER
UNITED STATES DISTRICT JUDGE