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14
15 **UNITED STATES DISTRICT COURT FOR THE**
16 **EASTERN DISTRICT OF CALIFORNIA**
17 **FRESNO DIVISION**

18 PATRICIA FRANCO and LILIA CASTRO,) Case No. 1:10-cv-02354-SKO
on behalf of themselves and on behalf of all)
19 other similarly situated individuals,)

20 Plaintiffs,)

**FINAL JUDGMENT AND DISMISSAL
WITH PREJUDICE**

21 v.)

22)
23 RUIZ FOOD PRODUCTS, INC., and)
DOES 1-50, inclusive,)

24 Defendants.)
25)
26)
27)
28)

1 This matter, having come before the Court on the Motion For Final Approval Of Class
2 Action Settlement (“Motion”), based upon the Joint Stipulation of Settlement and Release
3 Between Plaintiffs, Patricia Franco and Lilia Castro (“Plaintiffs”), and Defendants, Ruiz Foods
4 Products, Inc. (“Ruiz”) and Does 1-50, (collectively, “Defendant” and together with Plaintiffs,
5 the “Parties”) (“Stipulation of Settlement”) (Dkt. No. 29-1), and the Court having duly
6 considered the papers and arguments of counsel and having rendered a decision granting the
7 Motion:
8

9 Accordingly, IT IS HEREBY ORDERED that:

10 1. Judgment shall be entered in accordance with this Court’s Order Granting Final
11 Approval of Class Action Settlement (“Order”) filed on November 27, 2012. (Dkt. No. 53);

12 2. The Court enters a judgment of dismissal of the entire Action, with prejudice, as
13 of the filing date of this Judgment and Dismissal With Prejudice (“Judgment”). The Court
14 retains jurisdiction over the Parties to enforce the terms of the Order and Judgment, and shall
15 have continuing jurisdiction over the construction, interpretation, implementation, and
16 enforcement of the Stipulation of Settlement in accordance with its terms;

17 3. As set forth in the Order, the “RELEASED CLAIMS” section of the Stipulation
18 of Settlement provides that each member of the Settlement Class, except for the two individuals
19 who opted out of the Settlement, fully releases and discharges Defendant as set forth in the
20 Stipulation of Settlement. Each such Settlement Class member shall not be entitled to pursue,
21 accept or recover damages for any Released Claims against the Released Parties arising between
22 December 15, 2006, and the date of the Order. Notwithstanding this Release of Claims, waivers
23 of claims expressly under the Federal Labor Standards Act (“FLSA”) shall be binding on
24 Settlement Class members who opted-in as provided in the Order and who are reflected in the
25 Declaration Of Settlement Administrator Regarding Due Diligence In Complying With This
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1 Court's Order Granting Final Approval Of Class Action Settlement ("Declaration of Settlement
2 Administrator") and accompanying Exhibit A, which identifies Class Members' checks issued
3 and cleared (or to be issued) as of May 24, 2013. (Dkt. No. 54). The foregoing provisions, in
4 their entirety, shall also be binding upon Class Members, Andres B. Chavez, in accordance with
5 Paragraphs 13-15 of the Declaration of Settlement Administrator, and Maria Luisa Garcia, in
6 accordance with the Declaration of Settlement Administrator at Paragraph 10, when the Court
7 has received the Supplemental Declaration from the Settlement Administrator verifying that both
8 Mr. Chavez and Ms. Garcia have cashed their Settlement Award checks; and
9

10 4. The Clerk of the Court is directed to administratively close this action.
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14 IT IS SO ORDERED.

15 Dated: May 30, 2013

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE