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FILED
SUPERIOR COURT-STOCKTON

2024 NOV 26 PM 4:26

STEPHAN L. RIVER, CLERK

CRISTINA ARREOLA
DEPUTY

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN JOAQUIN**

KENNETH WILBURN, individually, and on
behalf of all others similarly situated,

Plaintiff,

v.

CONCRETE, INC. d/b/a KNIFE RIVER
CONSTRUCTION, a California corporation,
MDU RESOURCES GROUP, INC., d/b/a
KNIFE RIVER CONSTRUCTION, a Delaware
corporation, KNIFE RIVER
CONSTRUCTION, a Delaware corporation,
and DOES 1 through 10, inclusive,

Defendants.

Case No.: STK-CV-UOE-2021-10183
[Consolidated with STK-CV-UOE-2022-
0002317]

CLASS ACTION

[Assigned to: Hon. Robert T. Waters, Dept.
11B]

AMENDED JUDGMENT

1 **AMENDED JUDGMENT**

2 This Amended Judgement is entered in accordance with the Court's April 24, 2024 Order
3 granting Plaintiff's Motion for Final Approval of Class Action Settlement.

4 On April 24, 2024, this Court granted the Parties' stipulated request for an alternative
5 distribution of uncashed settlement checks to a designated *cy pres* beneficiary, Legal Aid at
6 Work. Upon entry of this Amended Judgment, the Settlement Administrator is approved to
7 distribute the uncashed funds of \$12,157.62 to the *cy pres* recipient, Legal Aid at Work. Once
8 this Amended Judgment is entered, the clerk is directed to send a copy to the Judicial Council
9 pursuant to Code of Civil Procedure section 384.5.

10 Without affecting the finality of this Amended Judgment, the Court shall retain exclusive
11 and continuing jurisdiction over the above-captioned action and the parties for purposes of
12 enforcing the terms of the Amended Judgment. This document shall constitute a judgement
13 (and separate document constituting said judgment) for purposes of California Rules of Court,
14 Rule 3.769(h).

15 **IT IS SO ORDERED, ADJUDGED, AND DECREED.**

16
17 DATE: NOV 26 2024

18 **ROBERT T. WATERS**
19 Hon. Robert T. Waters
20 Judge of the San Joaquin County Superior
21 Court
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PROOF OF SERVICE

Wilburn v. Concrete, Inc., et al.
STK-CV-UOE-2021-0010183

STATE OF CALIFORNIA)
) ss
COUNTY OF LOS ANGELES)

I, Sandy S. Sespene, state that I am employed in the aforesaid County, State of California; I am over the age of eighteen years and not a party to the within action; my business address is 3055 Wilshire Blvd., 12th Floor, Los Angeles, California 90010. My electronic service address is sandy.sespene@wilshirelawfirm.com.

On November 22, 2024, I served the foregoing **AMENDED JUDGMENT**, on the interested parties by the following methods of service:

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Attorneys for Defendants
Concrete, Inc., d/b/a Knife River and MDU Resources Group, Inc.

(X) **BY E-MAIL:** I hereby certify that this document was served from Los Angeles, California, by e-mail delivery on the parties listed herein at their most recent known email address or e-mail of record in this action.

(X) **BY UPLOAD:** I hereby certify that the documents were uploaded by my office to the State of California Labor and Workforce Development Agency Online Filing Site.

I declare under the penalty of perjury under the laws of the State of California, that the foregoing is true and correct.

Executed on November 22, 2024, at Los Angeles, California.



Sandy S. Sespene