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1 Nicol E. Hajjar, Esq. (SBN 303102)
2 nicol@wilshirelawfirm.com
3 Tina Petrosian, Esq. (SBN 352752)
4 tina.petrosian@wilshirelawfirm.com
5 **WILSHIRE LAW FIRM**
6 3055 Wilshire Blvd., 12th Floor
7 Los Angeles, California 90010
8 Telephone (213) 381-9988
9 Facsimile: (213) 381-9989

10 Attorneys for Plaintiffs

FILED
Superior Court of California
County of Los Angeles
10/17/2024

David W. Slayton, Executive Officer / Clerk of Court
By: N. Navarro Deputy

11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
12 **FOR THE COUNTY OF LOS ANGELES**

13 JOHN ARIAS, individually, and on behalf of all
14 others similarly situated; and JEFFREY
15 HENSLEY, individually, and on behalf of all
16 others similarly situated,

17 *Plaintiffs,*

18 v.

19 FLOWSERVE US, INC.; and DOES 1 through
20 10, inclusive,

21 *Defendants.*

Case No. 22STCV27829

CLASS AND REPRESENTATIVE ACTION

[Assigned for all purposes to: Hon. Laura Seigle, Dept. 17]

~~PROPOSED~~ JUDGMENT AND ORDER GRANTING PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS AND REPRESENTATIVE ACTION SETTLEMENT

FINAL APPROVAL HEARING

Date: October 17, 2024
Time: 9:00 a.m.
Dept: 17

Complaint filed: August 25, 2022
Trial date: None set

1 On May 23, 2024, this Court issued an Order Granting Preliminary Approval of Class and
2 Representative Action Settlement for the above-entitled matter and Plaintiff ESTEBAN ROMO’s
3 Related¹ case (both matters collectively referred herein as “Actions”). Plaintiffs JOHN ARIAS,
4 JEFFREY HENSLEY, and ESTEBAN ROMO now seek an order granting final approval of the
5 Stipulation of Settlement ("Settlement"), attached to the Declaration of Nicol E. Hajjar in Support
6 of Plaintiffs’ Motion for Final Approval of Class and Representative Action Settlement as Exhibit
7 2.

8 Due and adequate notice having been given to the Class, and the Court having reviewed
9 and considered the Settlement, Plaintiffs’ Notice of Motion and Motion for Final Approval of
10 Class and Representative Action Settlement, the supporting declarations and exhibits thereto, all
11 papers filed and proceedings had herein, and the absence of any written objections received
12 regarding the proposed settlement, and having reviewed the record in this action, and good cause
13 appearing therefor,

14 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

15 1. The Court, for purposes of this Order, adopts all defined terms as set forth in the
16 Settlement filed in this case.

17 2. The Court has jurisdiction over all claims asserted in the Actions, Plaintiffs, the
18 Settlement Class Members, and Defendant Flowserve US, Inc. (“Defendant”).

19 3. The Court finds that the Settlement appears to have been made and entered into in
20 good faith and hereby approves the settlement subject to the limitations on the requested fees and
21 enhancements as set forth below.

22 4. Plaintiffs and all Settlement Class Members, (“Participating Class Members”), shall
23 have, by operation of this Final Order and Judgment, fully, finally, and forever released,
24 relinquished, and discharged Defendant from all Released Claims as defined in the Settlement.

25 5. The Parties shall bear their own respective attorneys' fees and costs, except as
26 otherwise provided for in the Settlement and approved by the Court.

27
28 ¹ On June 30, 2023, the Court in the above-entitled action Related the *Romo v. Flowserve
US, Inc.*, Case No. 22STCV27551. (Hajjar Decl. ¶ 4.)

1 6. Solely for purposes of effectuating the settlement, the Court finally certified the
2 following Class: “All persons employed by Flowserve in California as an hourly paid or non-
3 exempt employee during the Settlement Class Period.”

4 7. The Settlement Period means the period from August 25, 2018 through May 23,
5 2024, the date of preliminary approval.

6 8. No Class Members have objected to the terms of the Settlement.

7 9. Two Class Members have requested exclusion from the Settlement.

8 10. The Notice provided to the Class conforms with the requirements of California Rules
9 of Court 3.766 and 3.769, and constitutes the best notice practicable under the circumstances, by
10 providing individual notice to all Class Members who could be identified through reasonable effort,
11 and by providing due and adequate notice of the proceedings and of the matters set forth therein to
12 the Class Members. The Notice fully satisfies the requirements of due process.

13 11. The Court finds the Settlement Amount, the Net Settlement Amount, and the
14 methodology used to calculate and pay each Participating Class Member’s Net Settlement Payment
15 are fair and reasonable, and authorizes the Settlement Administrator to pay the Net Settlement
16 Payments to the Participating Class Members in accordance with the terms of the Stipulation.

17 12. Defendant shall pay the total of \$1,097,694.10 to resolve this litigation. Within
18 twenty-eight calendar days from the date of this Order, Defendant shall deposit this amount and
19 employer taxes into an interest-bearing trust account for the benefit of the participating Class
20 Members and Class Counsel, through the Settlement Administrator. Thereafter, compensation to
21 the Participating Class Members shall be disbursed pursuant to the terms of the Settlement (i.e.,
22 within fifteen calendar days following the receipt of funds).

23 13. From the Settlement Amount, \$50,000 allocated to Plaintiffs’ claims under under the
24 terms of the Class Action and PAGA Settlement Agreement and pursuant to the Labor Code Private
25 Attorneys General Act of 2004, California Labor Code section 2698, *et seq.* with 75% of which
26 (\$37,500) will be paid to the California Labor and Workforce Development Agency and 25%
27 (\$12,500) will be paid to Class Members.

28

1 14. From the Settlement Amount, \$5,000.00 (totaling \$15,000.00) shall be paid to each
2 named Plaintiff for their service as a class representative and for their agreement to release claims.

3 15. From the Settlement Amount, 9,500.00 shall be paid to the Settlement Administrator,
4 CPT Group, Inc.

5 16. The Court hereby confirms Nicol E. Hajjar of Wilshire Law Firm, PLC and Justin
6 Lo, Esq., of Work Lawyers, P.C. as Class Counsel.

7 17. From the Settlement Amount, Class Counsel is awarded \$365,898.03 for their
8 reasonable attorneys' fees and \$14,642.68 for their reasonable costs incurred in these Actions. The
9 fees and costs shall be distributed to Class Counsel as set forth in the Settlement. The Court finds
10 that the fees are reasonable in light of the benefit provided to the Class.

11 18. Notice of entry of this Final Approval Order and Judgment shall be given to Class
12 Members by posting a copy of the Final Approval Order and the Judgment on CPT Group Inc.'s
13 website for a period of at least sixty (60) calendar days after the date of entry of this Final Approval
14 Order and Judgment.

15 19. Without affecting the finality of this Order in any way, this Court retains continuing
16 jurisdiction over the implementation, interpretation, and enforcement of the Settlement with respect
17 to all Parties to these Actions, and their counsel of record.

18 20. Plaintiffs' Motion for Final Approval of Class Action Settlement is hereby granted,
19 and the Court directs that judgment shall be entered in accordance with the terms of this Order.

20 **IT IS SO ORDERED.**

21
22
23 DATE: 10/17/2024



24 *Laura Seigle*
25 _____
26 Hon. Laura Seigle
27 Los Angeles County Superior Court
28 Laura A. Seigle / Judge

1 **PROOF OF SERVICE**

2 *John Arias, et al. v. FLOWSERVE US, INC.*

3 Case No.: 22STCV27829

4 STATE OF CALIFORNIA)
5) ss
6 COUNTY OF LOS ANGELES)

7 I, Chris Silmon, state that I am employed in the aforesaid County, State of California; I
8 am over the age of eighteen years and not a party to the within action; my business address is
9 3055 Wilshire Blvd., 12th Floor, Los Angeles, California 90010.

10 On **September 20, 2024**, I served the foregoing **[PROPOSED] JUDGMENT AND
11 ORDER GRANTING PLAINTIFFS’ MOTION FOR FINAL APPROVAL OF CLASS
12 AND REPRESENTATIVE ACTION SETTLEMENT** on the interested parties by placing a
13 true copy thereof, enclosed in a sealed envelope by following one of the methods of service as
14 follows:

15 Brittaney de la Torre, Esq.
16 Marytza J. Reyes, Esq.
17 **SANCHEZ & AMADOR, LLP**
18 800 S. Figueroa Street, 11th Floor
19 Los Angeles, CA 90017
20 Tel: (213) 955-7200
21 Email: delatorre@sanchez-amador.com
22 reyes@sanchez-amador.com
23 saucedo@sanchez-amador.com

24 *Attorneys for Defendant,*
25 *FLOWSERVE US, INC.*

- 26 (X) **BY UPLOAD:** I hereby certify that the documents were uploaded by my office to the State
27 of California Labor and Workforce Development Agency Online Filing Site
28
29 (X) **BY E-MAIL:** I hereby certify that this document was served from Los Angeles,
30 California, by e-mail delivery on the parties listed herein at their most recent known
31 email address or e-mail of record in this action.

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

34 Executed on **September 20, 2024**, at Los Angeles, California.

35 */s/ Chris Silmon*
36 Chris Silmon