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FILED
2023 JAN 20 The Honorable LeRoy McCullough
KING COUNTY Hearing Date/Time: January 20, 2023 at 9 a.m.
SUPERIOR COURT CLERK

CASE #: 20-2-13163-6 SEA

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

KENNY ZAVALA ORTEGA, ERIC REYES,
and KEVIN MELENDEZ,

No. 20-2-13163-6 SEA

Plaintiffs,

~~PROPOSED~~ ORDER APPROVING
CLASS-WIDE SETTLEMENT AND
DISMISSING CASE WITH
PREJUDICE

v.

ENRIQUE SOTO ALVAREZ (AKA HENRY
SOTO), et al.,

Defendants.

This matter comes before the Court on Plaintiffs' Unopposed Motion for Final Approval of a Class-Wide Settlement. The Court has reviewed the papers filed in connection with the Motion as well as the records previously submitted by the parties in connection with the proposed Settlement and has held a Final Settlement Approval Hearing on January 20, 2023. The Court hereby GRANTS the Motion for Final Approval of a Class-Wide Settlement and ORDERS as follows:

1. The Court's prior Order Granting Preliminary Approval of Class-Wide Settlement ("November 2 Order") is incorporated herein by reference.
2. The Court has jurisdiction over the subject matter of this action and the parties, including members of the Settlement Class who have not opted out of the matter.

1 3. The Court approves the Settlement, finding that it is fair, reasonable, and adequate
2 to members of the Settlement Class for the reasons set forth in Plaintiffs' unopposed motions
3 for preliminary and final approval.

4 4. The Court finds that the Notices mailed to 143 potential class members at
5 their last known addresses provides the best notice practicable under the circumstances and
6 that the Notice was mailed in accordance with the Court's November 2 Order and the
7 parties' Settlement Agreement.

8 5. No objections to the terms of the Settlement have been communicated to Class
9 Counsel or filed with the Court.

10 6. No individual has opted out of the Settlement Class.

11 7. The Court finds that Plaintiffs Kenny Zavala Ortega, Eric Reyes, and Kevin
12 Melendez and Class Counsel adequately represented the Settlement Class for purposes of
13 entering into and implementing the Settlement.

14 8. The Court finds that Class Counsel's request for an award of attorneys' fees
15 and costs is fair and reasonable, and hereby approves the request for an attorneys' fee award
16 of \$625,000 plus costs of \$20,989.81 incurred by Plaintiffs' counsel and \$6,934 incurred by
17 the parties' third-party settlement administrator.

18 9. The Court approves incentive payments in the amount of \$5,000 each to Kenny
19 Zavala Ortega, Eric Reyes, and Kevin Melendez to be paid from the Gross Settlement Fund.

20 10. The parties are hereby directed to proceed with the settlement payment
21 procedures specified under the terms of the Settlement Agreement, which includes two
22 disbursements to class members.

23 11. Plaintiffs and members of the Settlement Class are enjoined from maintaining,
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1 prosecuting, commencing, or pursuing any claim released under Paragraph 13 of the
2 Settlement Agreement, respectively, and are deemed to have released and discharged the
3 Defendants and Released Parties from any such claims.

4 12. The Court reserves jurisdiction over the parties as to all matters relating to
5 the administration, enforcement, and interpretation of the Settlement Agreement, and for
6 any other necessary purposes.
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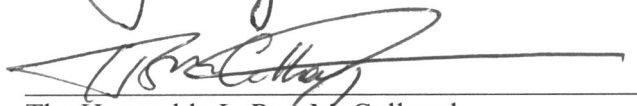
8 13. The parties are authorized, without further approval from the Court, to
9 mutually agree to and adopt any technical or process amendments or modifications to the
10 Settlement Agreement provided such changes are: (i) consistent with this Order, (ii)
11 consistent with the intent of the Settlement Agreement, and (iii) do not limit any substantive
12 rights of the Settlement Class.
13

14 14. In the event the Settlement does not become effective for any reason, this
15 Order shall be rendered null and void and shall be vacated and, in such event, all orders
16 entered in connection therewith shall be vacated and rendered null and void.

17 15. The Court DISMISSES this action and any and all settled claims with prejudice
18 and without costs or attorneys' fees to any party except as provided under the terms of the
19 Settlement Agreement and this Order.

20 16. This case is hereby DISMISSED with prejudice. *

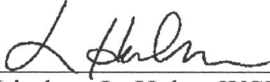
21 IT IS SO ORDERED this 20th day of January, 2023.

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23 
24 The Honorable LeRoy McCullough
25 King County Superior Court

26 * Subject to confirmation hearing 1:30PM Feb. 3, 2023,
Courtroom 4A, MRJC, Kent WA.

1 Presented by:

2 SCHROETER GOLDMARK & BENDER

3 

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