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*Attorneys for Plaintiff Jon Wood*

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

JON WOOD *et al.*

Plaintiff,

vs.

2018HMO LLC DBA HIKEI MODERN  
CANNABIS *et al.*

Defendants.

Case No. 37-2021-00053035-CU-OE-CTL

*Hon. Carolyn Caietti*  
*Dept. 70*

**CLASS ACTION**

**Notice of Final Approval Order and Entry of  
Judgment**

Action Filed: December 20, 2021

1 TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD, PLEASE  
2 TAKE NOTICE THAT:

3 1. On April 14, 2023 at 10:30 a.m. in this Department, the Court granted final approval  
4 of the class and representative action settlement at the final approval hearing heard

5 2. On May 17, 2023 at 8:30 a.m., counsel for the parties appeared before the Honorable  
6 Carolyn Caietti in department 70 for the hearing on Plaintiff's *Ex Parte* Application for Court to Sign  
7 Final Proposed Order and Judgment.

8 3. Rick Waltman appeared on behalf of Plaintiff Jon Wood.

9 4. Annalyse Butler appeared on behalf Defendant 2018HMO LLC dba Hikei Modern  
10 Cannabis.

11 5. On May 17, 2023, the Court fully executed the Order and Judgment Granting Final  
12 Approval, attached hereto as Exhibit A.

13 6. The Court thereafter entered a Minute Order signing the Order and Judgment Granting  
14 Final Approval. A copy of the Minute Order is attached hereto as Exhibit B.

15 7. Plaintiff hereby provides notice of the Court's final ruling and entry of judgment.

16  
17 Respectfully submitted,

18  
19 Dated: May 22, 2023

***Ferraro Vega Employment Lawyers, Inc. /  
Rick Waltman Law, APC***



Nicholas J. Ferraro  
Rick Waltman Law, APC  
*Attorneys for Plaintiff Jon Wood*



**FILED**  
San Diego Superior Court

MAY 17 2023

Clerk of the Superior Court  
By: A. Shirley, Deputy

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

JON WOOD, *et al.*

Plaintiff,

vs.

2018HMO LLC DBA HIKEI MODERN  
CANNABIS, *et al.*

Defendants.

Case No. 37-2021-00053035-CU-OE-CTL

*Hon. Carolyn Caietti*  
*Dept. 70*

**CLASS ACTION**

**[Proposed] Order Granting Final Approval of  
Class Action Settlement and Attorneys' Fees and  
Costs and Entering Judgment**

**Motion for Final Approval/Attorneys' Fees**

Date: April 14, 2023

Time: 10:30 a.m.

[Filed concurrently with Notice of Motion and  
Motion for Final Approval of Class Action  
Settlement, Memorandum of Points and Authorities,  
Declaration of Rick A. Waltman, Declaration of  
Plaintiff Jon Wood; and Declaration of Jarrod  
Salinas]

Action Filed: December 20, 2021

1 This matter came on for hearing on April 14, 2023, at 10:30 a.m. in Department 70 of the above-  
2 captioned Court, the Honorable Carolyn Caietti presiding, on (1) Plaintiff's Motion for Final Approval  
3 of Class Action Settlement and (2) Plaintiff's Motion for Attorneys' Fees and Costs.

4 Having received and considered the motions and supporting papers, including the Class Action  
5 Settlement Agreement ("Settlement"), attached as Exhibit 1 to the Declaration of Rick Waltman, the  
6 evidence and documents received by the Court in connection with the Motions for Final Approval and  
7 Attorneys' Fees and Costs, and the Motion for Preliminary Approval of Class Action Settlement, the  
8 Court GRANTS FINAL APPROVAL of the Settlement and ORDERS AND MAKES THE  
9 FOLLOWING DETERMINATIONS:

10 1. Pursuant to the Order Granting Preliminary Approval of Class Action Settlement on  
11 December 9, 2022, and as confirmed by the declaration provided by the appointed Settlement  
12 Administrator, Phoenix Settlement Administrators, a Class Notice was sent to each Class Member by  
13 first-class U.S. mail. The Class Notice informed the Class of the terms of the Settlement, including  
14 the \$350,000 Gross Settlement Amount, their right to receive a settlement payment without any  
15 required action, their right to comment upon or object to the Settlement, and their right to appear in  
16 person or by counsel at the Final Approval Hearing and to be heard regarding approval of the  
17 Settlement. Adequate periods of time were provided for each of these procedures.

18 2. No Class Member returned a written objection to the proposed Settlement as part of the  
19 notice process or stated an intention to appear at the final approval hearing and none appeared at  
20 hearing. No Class Member requested exclusion from the Settlement.

21 3. The Court finds and determines the Class Notice and associated procedure afforded  
22 adequate protections to Class Members and provides the basis for the Court's informed decision  
23 regarding approval of the Settlement based on responses of the Class. The Court finds and determines  
24 the notice provided was the best notice practicable, satisfying the requirements of law and due process.

25 4. For purposes of approving this Settlement only, this Court finds and concludes: (a) the  
26 proposed Class is ascertainable and so numerous that joinder of all members of the class is  
27 impracticable; (b) there are questions of law or fact common to the proposed Class, and there is a well-  
28 defined community of interest among members of the proposed Class with respect to the subject matter

1 of the class action; (c) the claims of the Class Representatives are typical of the claims of the Class;  
2 (d) the Class Representatives have and will fairly and adequately protect the interests of the Class;  
3 (e) a class action is superior to other available methods for an efficient adjudication of this controversy  
4 in the context of settlement; and (f) Class Counsel Ferraro Vega Employment Lawyers, Inc. for the  
5 Class Representatives are qualified and adequate to serve as Class Counsel in this action.

6 5. The Court approves, for purposes of this settlement order and judgment, the Class  
7 defined as: "all individuals currently or formerly employed by Hikei in the State of California as  
8 hourly, non-exempt employees at any time during the Class Period." The Court further approves, for  
9 purposes of this settlement order and judgment, "Class Period" is defined as December 20, 2017,  
10 through September 27, 2022 and/or the PAGA Period of December 14, 2020, through September 27,  
11 2022.

12 6. The Court finds and determines the terms set forth in the Settlement, including the Gross  
13 Settlement Amount of \$350,000, are fair, reasonable, and adequate and, having found the Settlement  
14 was reached as a result of informed and non-collusive arms'-length negotiations facilitated by a neutral  
15 and experienced mediator, directs the Parties to effectuate the Settlement according to its terms. The  
16 Court further finds the Parties conducted extensive investigation, research, and informal discovery,  
17 and that their attorneys were able to reasonably evaluate their respective positions. The Court also  
18 finds that Settlement will enable the Parties to avoid additional and potentially substantial litigation  
19 costs, as well as delay and risks if the Parties were to continue to litigate the case. The Court has  
20 reviewed the monetary recovery and recognizes the significant value provided to the Class.

21 7. The Court further finds and determines the terms of the Settlement are fair, reasonable  
22 and adequate to the Class and to each Class Member and that the Settlement of the Class claims is  
23 ordered finally approved, and that all terms and provisions of the Settlement should be and are ordered.

24 8. The Court finds and determines the individual payments to be paid to Class Members  
25 as provided for by the Settlement are fair and reasonable. The Court orders the payment of those  
26 amounts be made to the Class Members in accordance with the Settlement.

1           9.     The Court finds and determines the fees and expenses in administering the Settlement  
2 incurred by Phoenix Settlement Administrators of \$8,950.00 are fair and reasonable. The Court orders  
3 the settlement administration costs be paid in accordance with the terms of the Settlement.

4           10.    The Court finds and determines the Service Awards of \$12,500 to Plaintiff Wood as fair  
5 and reasonable. The Court orders the service awards be paid in accordance with the terms of the  
6 Settlement.

7           11.    The Court finds and determines that the proposed settlement of the claims brought under  
8 the Private Attorneys General Act ("PAGA"), Cal. Labor Code Sections 2698 et. seq., is fair and  
9 reasonable, and the payment to the California Labor and Workforce Development Agency of \$12,000  
10 as its share of the Settlement of civil penalties under the Private Attorneys General Act is fair,  
11 reasonable, and appropriate. The parties provided notice to the Labor and Workforce Development  
12 Agency ("LWDA") and will fully and adequately comply with the notice requirements of California  
13 Labor Code Section 2699(l). The Court orders that amount be paid in accordance with the terms of the  
14 Settlement.

15           12.    Pursuant to the terms of the Settlement, and the authorities, evidence and argument  
16 submitted by Class Counsel, the Court awards Class Counsel attorneys' fees of \$116,666.67 and  
17 litigation costs of \$12,147.50. The Court finds such amounts to be fair and reasonable. The Court  
18 orders the Settlement Administrator to make these payments in accordance with the Settlement.

19           13.    As of the Effective Date, all Class Members shall be deemed to have released the  
20 Released Parties from all Released Class Claims and Released PAGA Claims, as defined in the  
21 Settlement. All Class Members, as of the Effective Date, are hereby forever barred and enjoined from  
22 prosecuting the Released Class Claims and Released PAGA Claims against the Released Parties.

23           14.    In addition, as of the Effective Date, Plaintiff and the State of California, and all  
24 Aggrieved Employees shall be deemed to have fully, finally and forever released and discharged the  
25 Released Parties from all claims for PAGA penalties that were alleged, or reasonably could have been  
26 alleged, based on the PAGA period facts stated in the Operative Complaint and the PAGA Notice, and  
27 could have been ascertained in the course of the Action, and as further specified in the Settlement.  
28 Thus, as of the Effective Date, Plaintiff, the State of California, and all Aggrieved Employees are

1 hereby forever barred and enjoined from prosecuting such claims under PAGA against the Released  
2 Parties.

3 15. Without affecting the finality of this Order or the entry of judgment in any way, the  
4 Court retains jurisdiction of all matters relating to the interpretation, administration, implementation,  
5 and enforcement of this Order and the Settlement.

6 16. Neither Defendants nor any related persons or entities shall have any further liability for  
7 costs, expenses, interest, attorneys' fees, or any other charge, expense, or liability, except as provided  
8 for by the Settlement.

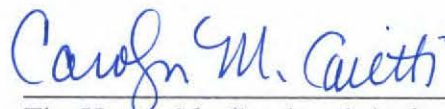
9 17. Nothing in this Order shall preclude any action to enforce the Parties' obligations under  
10 the Settlement or under this Order, including the requirement that Defendant make payments to Class  
11 Members in accordance with the Settlement.

12 18. The Court hereby ENTERS FINAL JUDGMENT in accordance with the terms of the  
13 Settlement, in accordance with the Court's Preliminary Approval Order, and in accordance with this  
14 Final Approval Order and Judgment.

15 19. The Parties will comply with Cal. Rules of Court Rule 3.771(b), by filing a Notice of  
16 Entry of Judgment with the Court.

17 **IT IS SO ORDERED.**

18 Date: 5/17/23



The Honorable Carolyn Caietti  
Judge of the Superior Court

**Exhibit B**  
**Minute Order**

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**SUPERIOR COURT OF CALIFORNIA,  
COUNTY OF SAN DIEGO  
CENTRAL**

**MINUTE ORDER**

DATE: 05/17/2023

TIME: 08:30:00 AM

DEPT: C-70

JUDICIAL OFFICER PRESIDING: Carolyn Caietti

CLERK: Anthony Shirley

REPORTER/ERM:

BAILIFF/COURT ATTENDANT: J. Martinez

CASE NO: **37-2021-00053035-CU-OE-CTL** CASE INIT.DATE: 12/20/2021

CASE TITLE: **WOOD vs 2018HMO LLC [E-FILE]**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Other employment

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**EVENT TYPE:** Ex Parte

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**APPEARANCES**

Rick A. Waltman, counsel, present for Plaintiff(s).

Lara P. Besser, counsel, present for Defendant(s).

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**Plaintiff's Ex Parte Application for Court to Sign Final Proposed Order and Judgment**

Having reviewed the proposed order and after speaking with counsel, the Court signs the proposed order.