

1 AARON C. GUNDZIK (State Bar No. 132137)
REBECCA G. GUNDZIK (State Bar No. 138446)
2 GUNDZIK GUNDZIK HEEGER LLP
14011 Ventura Blvd., Suite 206E
3 Sherman Oaks, CA 91423
Telephone: (818) 290-7461
4 Facsimile: (818) 918-2316

5 MARSHALL A. CASKEY (State Bar No. 65410)
DANIEL M. HOLZMAN (State Bar No. 176663)
6 N. CORY BARARI (State Bar No. 295306)
CASKEY & HOLZMAN
7 24025 Park Sorrento, Ste. 400
Calabasas, CA 91302
8 Telephone: (818) 657-1070
Facsimile: (818) 297-1775
9

10 Attorneys for Plaintiffs Maria del Socorro Jimenez,
Elisa Lopez, Rosa Valdez and Osiris Gonzalez, individually
and on behalf of all others similarly situated
11

12 SUPERIOR COURT OF THE STATE OF CALIFORNIA

13 COUNTY OF LOS ANGELES

FILED
Superior Court of California
County of Los Angeles

DEC 08 2022

Sherri R. Carter, Executive Officer/Clerk
By Marisela Fregoso Deputy

14 *Coordination Proceeding Special Title (CRC 3.550)*

JCCP Case No. 5097

15 *T.J. MAXX WAGE AND HOUR CASES*

Assigned to Hon. Elihu M. Berle

16 *Included Actions:*

Department SSC-6

17 *Lortkipanidze v. T.J. Maxx of CA, LLC, et al., Los*
18 *Angeles County Superior Court Case No.*
19STCV43210

[PROPOSED] JUDGMENT

Date: November 17, 2022

Time: 9:00 a.m.

Dept.: 6

19 *Rucker v. T.J. Maxx of CA, LLC, et al., Sonoma*
20 *County Superior Court Case No. SCV-264483*

Consolidated Complaint Filed:
February 8, 2021

21 *Karine Gragyan v. T.J. Maxx of CA, LLC, et al.,*
22 *Alameda County Superior Court Case No.*
RG20068810

23 *Karine Gragyan v. T.J. Maxx of CA, LLC, et al.,*
24 *Los Angeles County Superior Court Case No.*
20STCV38799
25

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

2 1. Judgment is entered in favor of Plaintiffs Michael Lortkapanidze, Robert
3 Rucker and Karine Gragyan (“Representative Plaintiffs” of “Plaintiffs”) and against
4 Defendants T.J. Maxx of CA, LLC, a Delaware limited liability company and T.J. Maxx of
5 CA, LLC, a Virginia limited liability company (“Defendants”) in the amount of \$2,300,000,
6 which is to be distributed as set forth in the Order Granting Final Approval of Class and
7 PAGA Action Settlement.

8 2. The Class in this action is defined Class consists of all non-exempt
9 employees who worked for Defendants in California during the Class Period who did not
10 sign an arbitration agreement and/or who opted out of the arbitration agreement. (August 11,
11 2016, through March 1, 2022).

12 3. Tam Chau and Carla Angelica De La Torre are the only class members that
13 opted out of the Settlement and therefore all Class Members except Tam Chau and Carla
14 Angelica De La Torre are bound by this Judgment.

15 4. Pursuant to the terms of the Settlement Agreement (Paragraphs VI), upon the
16 receipt by the Settlement Administer of the gross settlement amount of \$2,300,000 and
17 Employee Withholding Share from Defendants, all Settlement Class Members are deemed
18 to have released Defendants and their past, present and/or future officers, directors,
19 members, managers, employees, agents, representatives, attorneys, insurers, partners,
20 investors, shareholders, administrators, parent companies, subsidiaries, affiliates, divisions,
21 predecessors, successors, assigns, and joint venturers, from all causes of action and factual
22 or legal theories that were alleged, or could have been alleged, in the Complaint or arise
23 from facts alleged in the Complaint, including all damages, penalties, interest, and other
24 amounts recoverable under said claims, causes of action or legal theories of relief. The time
25 period governing these Released Claims shall be from November 8, 2017, through the end
26 of the Class Period (March 1, 2022) only. Provided, however, the Released Claims shall not
27 include the claims released by PAGA Employees, which are defined separately below.
28 Claims and damages that were not alleged in the Complaint (or any prior individual

1 complaint of any Representative Plaintiff, or in any subsequent operative Complaint) and
2 could not be alleged based on the fact and legal theories alleged, and do not arise from the
3 facts alleged in the Complaint, are specifically excluded from the release.

4 5. Upon the receipt by the Settlement Administer of the gross settlement amount
5 of \$2,300,000 and other amounts due, as specified in the Order, from Defendant, all PAGA
6 Employees will be deemed to have released Defendants and their past, present and/or future
7 officers, directors, members, managers, employees, agents, representatives, attorneys,
8 insurers, partners, investors, shareholders, administrators, parent companies, subsidiaries,
9 affiliates, divisions, predecessors, successors, assigns, and joint venturers, from any and all
10 claims for civil penalties under the PAGA that were alleged in, or arise out of the facts
11 alleged in any letter sent to the LWDA by any of the Representative Plaintiffs or the
12 consolidated Complaint including, but not limited to, failure to provide meal and rest breaks,
13 failure to pay for all hours worked, failure to pay overtime, failure to provide accurate wage
14 statements, and failure to pay all wages owed at termination. The Release Period for the
15 PAGA Released Claims is May 22, 2018, through June 3, 2022.

16 6. Without affecting the finality of this Judgment, the Court retains exclusive
17 and continuing jurisdiction over the litigation for purposes of supervising, implementing,
18 interpreting and enforcing the terms of its Order granting Final Approval of the Settlement
19 Agreement, and in order to conduct further hearing(s) on certification of distribution
20 procedures.

21 Dated: 12/8/22

22 
23 Hon. Elihu M. Berle
24
25
26
27
28

1 **PROOF OF SERVICE**

2 **STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

3 I am employed in the County of Los Angeles, State of California. I am over the age of
4 eighteen (18) and not a party to the within action. My business address is 14011 Ventura Blvd.,
Suite 206E, Sherman Oaks, CA 91423.

5 On November 22, 2022, I served the following document described as

6 - **[PROPOSED] JUDGMENT**

7 on the interested parties in this action:

8 **(X)** by serving () the original **(X)** true copies thereof as follows:

9 *Please see attached service list*

<p>10 () BY MAIL I caused such envelope to be deposited in the mail at 11 Los Angeles, California. The envelope was mailed with 12 postage thereon fully prepaid. I am "readily familiar" with the firm's practice of collection and processing 13 correspondence for mailing. It is deposited with U.S. postal service on that same day in the ordinary course of business. 14 I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage 15 meter date is more than one (1) day after date of deposit for mailing in affidavit.</p>	<p>() BY FACSIMILE TRANSMISSION I caused said document(s) to be transmitted by facsimile transmission to the name(s) and facsimile telephone number(s) of the person(s) named on the attached service list. The facsimile machine telephone number of the 11 sending facsimile machine was (818) 918-2316. A transmission report was issued by the sending facsimile 12 machine confirming that the transmission was completed without error. A true and correct copy of said transmission report is attached hereto.</p>
<p>16 () BY OVERNIGHT DELIVERY Said document was placed in an envelope designated by the express service center and placed for collection in a 17 box regularly maintained by said carrier with whom we have a direct billing account, to be delivered to the office 18 of the addressee listed above on the next business day.</p>	<p>(XX) BY ELECTRONIC TRANSMISSION I caused the above-described document to be electronically served to the names and email addresses listed on the Service List attached hereto.</p>

19 **(X) STATE** I declare under penalty of perjury under the laws of the State of California
20 that the above is true and correct.

21 **() FEDERAL** I declare that I am employed in the office of a member of the bar of this
22 court at whose direction the service was made.

23 **(X) EXECUTED** on November 22, 2022, at Sherman Oaks, California.

24 

25 _____
26 *Nicole Salazar*

Electronic Service List

Case: **T.J. Maxx Wage and Hour Cases**
 Case Info: **JCCP 5097, Los Angeles Superior Court**

Caskey & Holzman

Cory Barari, Esq. (nbarari@caskeyholzman.com)
 Marshall Caskey, Esq. (mcaskey@caskeyholzman.com)
 Daniel Holzman, Esq. (dholzman@caskeyholzman.com)
 24025 Park Sorrento, Suite 400
 Calabasas, CA 91302
 Phone: (818) 657-1070
 Fax: (818) 297-1775

Representing: Michael Lortkipanidze, individually and on behalf of all others similarly situated

Gundzik Gundzik Heeger LLP

Aaron Gundzik, Esq. (aaron.gundzik@gghllp.com)
 Rebecca Gundzik, Esq. (rebecca.gundzik@gghllp.com)
 14011 Ventura Boulevard, Suite 206E
 Sherman Oaks, CA 91423
 Phone: (818) 290-7461

Representing: Michael Lortkipanidze, individually and on behalf of all others similarly situated

Haffner Law PC

Joshua Haffner, Esq. (jhh@haffnerlawyers.com)
 Graham Lambert, Esq. (gl@haffnerlawyers.com)
 445 South Figueroa Street, Suite 2625
 Los Angeles, CA 90071
 Phone: (213) 514-5681
 Fax: (213) 514-5682

Representing: Robert C. Rucker, an individual, on behalf of himself and all others similarly situated

Lavi & Ebrahimian, LLP

Jordan Bello, Esq. (jbello@lelawfirm.com)
 Vincent Granberry, Esq. (vgranberry@lelawfirm.com)
 Joseph Lavi, Esq. (jlavi@lelawfirm.com)
 Courtney Miller, Esq. (cmiller@lelawfirm.com)
 8889 West Olympic Boulevard, Suite 200
 Beverly Hills, CA 90211
 Phone: (310) 432-0000
 Fax: (310) 432-0001

Representing: Karine Gragyan, on behalf of herself and others similarly situated

Law Offices of Sahag Majarian II

Sahag Majarian II, Esq. (sahagi@aol.com)
 18250 Ventura Boulevard
 Tarzana, CA 91356
 Phone: (818) 609-0807
 Fax: (818) 609-0892

Representing: Karine Gragyan, on behalf of herself and others similarly situated

Littler Mendelson, P.C.

Brittany McCarthy, Esq. (blmccarthy@littler.com)
 Amy Todd-Gher, Esq. (atodd-gher@littler.com)
 501 West Broadway, Suite 900
 San Diego, CA 92101
 Phone: (619) 232-0441
 Fax: (619) 232-4302

Representing: T.J. Maxx of CA, LLC

Littler Mendelson, P.C.

J. Kevin Lilly, Esq. (klilly@littler.com)
 Bradley Schwan, Esq. (bschwan@littler.com)
 2049 Century Park East, Fifth Floor
 Los Angeles, CA 90067
 Phone: (310) 553-0308
 Fax: (310) 553-5583

Representing: T.J. Maxx of CA, LLC