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EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

JOHN VALENCIA, on behalf of herself
and all others similarly situated,

Plaintiff,

vs.

P & M HOLDINGS, LLC d/b/a and a/k/a
GOLDEN STEER STEAKHOUSE;
DOES 1 through 50; inclusive,

Defendant(s).

Case No.: A-21-830175-C
Dept. No.: 25

**~~PROPOSED~~ ORDER GRANTING
MOTION FOR FINAL APPROVAL
OF CLASS ACTION SETTLEMENT,
ATTORNEYS' FEES, COSTS, AND
ENHANCEMENT AWARD**

June 29

On ~~June 30~~, 2021, this Court considered the Motion for Final Approval. Class Counsel and Counsel for Defendant appeared at the hearing. Having fully considered the motion, comments of counsel, and all supporting legal authorities, the Court orders as follows:

IT IS HEREBY ORDERED THAT:

1. The Court adopts the defined terms in the Settlement.
2. This Court has jurisdiction over the subject matter of this litigation and

1 personal jurisdiction over the named-plaintiff, all settlement class members, and
2 defendants.

3 3. The Court confirms as final the following settlement class pursuant to
4 Nev. R. Civ. P. 23: "All hourly paid non-exempt persons employed by Defendant in the
5 state of Nevada who earned less than 1 ½ times the applicable minimum wage and
6 who worked over eight (8) hours in a workday and were not paid their total owed wages
7 for the time period commencing on January 17, 2017, up to and including April 15,
8 2021."

9 4. The Court confirms the appointment of John Valencia as the Class
10 Representative and the enhancement payment of \$2,500.00 to John Valencia, as set
11 forth in the Settlement.

12 5. The Court confirms the appointment of Mark Thierman, Esq., Joshua
13 Buck, Esq., and Leah Jones, Esq., of Thierman Buck LLP and Christian Gabroy, Esq.,
14 and Kaine Messer, Esq., of Gabroy Law Offices as class counsel for the settlement
15 class and approves their requests for attorneys' fees and litigation costs of \$11,666.67
16 and \$281.60, respectively.

17 6. The class notice was distributed to class members, pursuant to this
18 Court's orders, and fully satisfied the requirements of Nev. R. Civ. P. 23 and any other
19 applicable law.

20 7. Pursuant to Nev. R. Civ. P. 23, the Court grants final approval to this
21 settlement and finds that the settlement is fair, reasonable, and adequate in all
22 respects, including the attorneys' fees, costs, and incentive award provisions. The
23 Court specifically finds that the settlement confers a substantial benefit to settlement
24 class members, considering the strength of plaintiff's claims and the risk, expense,
25 complexity, and duration of further litigation. The response of the class supports
26 settlement approval. No class members objected to the settlement and only one
27 requested exclusion from the settlement. The Court further finds that the settlement is
28 the result of arms'-length negotiations between experienced counsel representing the

interests of both sides, which supports approval of the settlement in accordance with the standards set forth in the joint motion for final approval of settlement.

8. The Court finds that as of the date of this Order each and every class member has waived and released claims as set forth in the Settlement Agreement and Notice of Class Action Settlement.

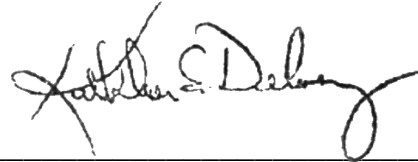
9. The Court finds that the settlement administrator Simpluris is entitled to \$4,000 for administrative fees.

10. The Court directs the parties to effectuate the settlement terms as set forth in the Settlement Agreement and the settlement administrator to calculate and pay the claims of the class members in accordance with the terms set forth in the Settlement Agreement.

11. The Complaint is dismissed with prejudice.

12. The Court retains jurisdiction to enforce the terms of the settlement, including the payment of the settlement fund.

Dated this 10th day of August, 2021



Judge of the District Court Date

698 6E9 23F0 8BA9
Kathleen E. Delaney
District Court Judge

Respectfully submitted by: /s/ Christian Gabroy
Christian Gabroy, Esq.
Kaine Messer, Esq.
Class Counsel/Counsel for Plaintiff

Approved as to form: /s/ Kirsten A. Milton
Kirsten A. Milton, Esq.
Joshua A. Sliker, Esq.
Counsel for Defendant



Kaine Messer <kmesser@gabroy.com>

Valencia v. P&M Holdings, LLC

Milton, Kirsten A. (Chicago) <Kirsten.Milton@jacksonlewis.com>

Wed, Jun 30, 2021 at 8:34 AM

To: Kaine Messer <kmesser@gabroy.com>, "Sliker, Joshua A. (Las Vegas)" <Joshua.Sliker@jacksonlewis.com>

Cc: Christian Gabroy <christian@gabroy.com>, Gabroy Law Assistant <assistant@gabroy.com>

Hi Kaine,

This looks good to me. I do not have any edits.

Thanks,
Kirsten

Kirsten A. Milton

Attorney at Law

Jackson Lewis P.C.

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Visit our [resource page](#) for information and guidance on COVID-19's workplace implications

From: Kaine Messer <kmesser@gabroy.com>

Sent: Wednesday, June 30, 2021 10:08 AM

To: Milton, Kirsten A. (Chicago) <Kirsten.Milton@jacksonlewis.com>; Sliker, Joshua A. (Las Vegas) <Joshua.Sliker@Jacksonlewis.com>

Cc: Christian Gabroy <christian@gabroy.com>; Gabroy Law Assistant <assistant@gabroy.com>

Subject: Valencia v. P&M Holdings, LLC

[EXTERNAL SENDER]

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1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

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5
6 John Valencia, Plaintiff(s)

CASE NO: A-21-830175-C

7 vs.

DEPT. NO. Department 25

8 P & M HOLDINGS, LLC,
9 Defendant(s)

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

12 This automated certificate of service was generated by the Eighth Judicial District
13 Court. The foregoing Order was served via the court's electronic eFile system to all
recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 8/10/2021

15 Christian Gabroy christian@gabroy.com

16 Kaine Messer kmesser@gabroy.com

17 Josh Buck josh@thiermanbuck.com

18 Thierman Buck legalfilings@thiermanbuck.com

19 Ella Dumo assistant@gabroy.com

20 Kirsten Milton kirsten.milton@jacksonlewis.com

21 Joshua Sliker joshua.sliker@jacksonlewis.com

22 Kelley Chandler kelly.chandler@jacksonlewis.com

23 Las Vegas Docketing lasvegasdocketing@jacksonlewis.com

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