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16 *Attorneys for Plaintiff*

**DISTRICT COURT
CLARK COUNTY, NEVADA**

17
18
19 MARIAH MARTIN, on behalf of herself
and all others similarly situated,

20 Plaintiff,

21 vs.

22 DED OPS NV LLC d/b/a and a/k/a
23 WALLFLOWER also d/b/a and a/k/a
WALLFLOWER CANNABIS HOUSE; H
24 & H MANAGEMENT LLC; DOES 1
through 50; inclusive,

25 Defendants.

Case No.: A-22-863216-C
Dept. No.: 1

**ORDER GRANTING
FINAL APPROVAL OF CLASS
ACTION SETTLEMENT**

26
27 On April 3, 2024, this Court considered the Joint Motion for Final Approval of
Class Action Settlement ("Motion") at hearing. Kaine Messer, Esq., appeared at the
28 hearing on behalf of Plaintiffs, Jared Hague, Esq. appeared on behalf of Defendant H &

1 H Management LLC, and Steve Guinn, Esq. appeared on behalf of Defendant DED
2 Ops NV LLC d/b/a and a/k/a Wallflower also d/b/a and a/k/a Wallflower Cannabis
3 House. Having fully considered the Motion, comments of counsel, the papers and
4 pleadings on file, and all supporting legal authorities, the Court orders as follows:

5 IT IS HEREBY ORDERED THAT:

6 1. The Court adopts the defined terms in the Joint Stipulation of Settlement
7 and Release on file herein (referenced below as the “Settlement” or the “Agreement”).

8 2. This Court has jurisdiction over the subject matter of this litigation and
9 personal jurisdiction over the named-Plaintiff, all settlement class members, and
10 Defendants.

11 3. The Court confirms as final the following settlement class pursuant to
12 Nev. R. Civ. P. 23: “all hourly paid non-overtime exempt persons employed by
13 Defendants in the state of Nevada who earned less than 1 ½ times the applicable
14 minimum wage and who worked over eight (8) hours in a twenty-four (24) hour period
15 and were not paid overtime properly in accordance with Nevada law at any time from
16 December 29, 2019 until December 13, 2023.”

17 4. The Court confirms the appointment of Mariah Martin as the Class
18 Representative and the enhancement payment of \$15,000.00 to Mariah Martin, as set
19 forth in the Settlement.

20 5. The Court confirms the appointment of Christian Gabroy, Esq., and Kaine
21 Messer, Esq., of Gabroy | Messer as class counsel for the settlement class and
22 approves their requests for attorneys’ fees of \$76,666.67 and actual litigation costs of
23 \$5,916.04, respectively.

24 6. The class notice was distributed to class members, pursuant to this
25 Court’s orders, and fully satisfied the requirements of Rule 23 of the Nevada Rules of
26 Civil Procedure and any other applicable law.

27 7. Pursuant to Rule 23 of the Nevada Rules of Civil Procedure, the Court
28 grants final approval to this Settlement and finds that the settlement is fair, reasonable,

1 and adequate in all respects, including the attorneys' fees, costs, and enhancement
2 award provisions. The Court specifically finds that the settlement confers a substantial
3 benefit to settlement class members, considering the relative strength of plaintiff's
4 claims and defendants' defenses and the risk, expense, complexity, and duration of
5 further litigation. The response of the class supports settlement approval. No class
6 members objected to the settlement and none requested exclusion from the settlement.
7 The Court further finds that the settlement is the result of arms'-length negotiations
8 between experienced counsel representing the interests of both sides, which supports
9 approval of the settlement in accordance with the standards set forth in the joint motion
10 for final approval of settlement.

11 8. The Court finds that, as of the date of this Order, each and every class
12 member has waived and released claims as set forth in the Settlement and Notice of
13 Class Action Settlement (the "Notice").

14 9. The Court finds that the Claims Administrator Phoenix Settlement
15 Administrators is entitled to \$8,000.00 for administrative fees.

16 10. The Court directs the parties to effectuate the settlement terms as set
17 forth in the Agreement and the Order Granting Preliminary Approval of Class Action
18 Settlement entered herein on December 13, 2023 ("Preliminary Approval Order").
19 Consistent with the Agreement and Preliminary Approval Order, Defendant H & H
20 Management LLC shall fund the settlement account opened and maintained by the
21 Claims Administrator with the appropriate amount due under the Agreement no later
22 than fourteen (14) business days following the later of the notice of entry of this order
23 and the receipt by Defendants of the calculation of the aggregate amount of the
24 payments due under the Agreement, and the Claims Administrator shall calculate and
25 pay the claims of the Participating Class Members in accordance with the terms set
26 forth in the Agreement and Preliminary Approval Order.

27 11. The Complaint is dismissed with prejudice.


28 12. This Court hereby permanently enjoins Plaintiff and all Class Members

1 who have not timely requested exclusion from the Settlement in accordance with the
2 Agreement's terms from filing or prosecuting any claims, suits, or administrative
3 proceedings (including filing claims with the Nevada Office of the Labor Commissioner)
4 regarding claims released by the Settlement. Class Members must withdraw any
5 claims with prejudice.

6 13. The Court retains jurisdiction to enforce the terms of the settlement,
7 including the payment of the settlement fund.

8 **IT IS SO ORDERED.**

9
10 Dated this 5th day of April, 2024

11 

12 **5C3 442 4F7D 1445**
13 **Brita Yeager**
14 **District Court Judge**

15 Respectfully submitted by:

16 GABROY | MESSER

17 By: /s/ Christian Gabroy
18 Christian Gabroy
19 Nev. Bar No. 8805
20 Kaine Messer
21 Nev. Bar No. 14240
22 170 South Green Valley Parkway
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24 Henderson, Nevada 89012

25 Mark R. Thierman
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27 Joshua D. Buck
28 Nev. Bar No. 12187
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Attorneys for Plaintiff

Approved as to form and content:

Sutton | Hague

By: /s/ Jared Hague
Jared Hague
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Las Vegas, NV 89119

Attorney for Defendant
H & H Management LLC

Laxalt Law Group LTD

By: /s/ Steve Guinn
Steve Guinn
Nev. Bar No. 5341
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Suite 200
Reno, NV 89521

Attorney for Defendant
DED Ops NV LLC d/b/a and a/k/a Wallflower
also d/b/a and a/k/a Wallflower Cannabis
House

Martin v. DED Ops NV LLC et al. / Joint Stipulation of Settlement

Steve Guinn <sguinn@laxallaw.com>

Wed, Apr 3, 2024 at 4:51 PM

To: Kaine Messer <kmesser@gabroy.com>

Cc: "Jared Hague, Esq." <jared@suttonhague.com>, Christian Gabroy <christian@gabroy.com>, Josh Buck <josh@thiermanbuck.com>, Gabroy Law Assistant <assistant@gabroy.com>, Gabroy Law <clerk@gabroy.com>, Celeste Gabroy <celeste@gabroy.com>, Heather Hague <heather@suttonhague.com>, "Brett Sutton, Esq." <brett@suttonhague.com>

Approved. Thanks and have a good evening.

Steve

Steve Guinn

ATTORNEY



[9790 Gateway Drive, Suite 200 | Reno, NV 89521](#)

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From: Kaine Messer <kmesser@gabroy.com>

Sent: Wednesday, April 3, 2024 4:27 PM

To: Steve Guinn <sguinn@laxallaw.com>

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[Quoted text hidden]



Kaine Messer <kmesser@gabroy.com>

Martin v. DED Ops NV LLC et al. / Joint Stipulation of Settlement

Jared Hague, Esq. <jared@suttonhague.com>

Fri, Apr 5, 2024 at 8:57 AM

To: Kaine Messer <kmesser@gabroy.com>

Cc: Christian Gabroy <christian@gabroy.com>, Steve Guinn <sguinn@laxaltlaw.com>, Josh Buck <josh@thiermanbuck.com>, Gabroy Law Assistant <assistant@gabroy.com>, Gabroy Law <clerk@gabroy.com>, Celeste Gabroy <celeste@gabroy.com>, Heather Hague <heather@suttonhague.com>, "Brett Sutton, Esq." <brett@suttonhague.com>

Kaine,

I've reviewed and you have my permission to submit on behalf of Defendant H&H Management. Thanks.



Jared Hague, Esq.
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Sutton Hague Law Corporation
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From: Kaine Messer <kmesser@gabroy.com>

Sent: Friday, April 5, 2024 7:15 AM

To: Jared Hague, Esq. <jared@suttonhague.com>

Cc: Christian Gabroy <christian@gabroy.com>; Steve Guinn <sguinn@laxaltlaw.com>; Josh Buck <josh@thiermanbuck.com>; Gabroy Law Assistant <assistant@gabroy.com>; Gabroy Law <clerk@gabroy.com>; Celeste Gabroy <celeste@gabroy.com>; Heather Hague <heather@suttonhague.com>; Brett Sutton, Esq. <brett@suttonhague.com>

Subject: Re: Martin v. DED Ops NV LLC et al. / Joint Stipulation of Settlement

Good morning Jared,

Following up on the below.

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 Mariah Martin, Plaintiff(s)

CASE NO: A-22-863216-C

7 vs.

DEPT. NO. Department 1

8 DED OPS NV 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: 4/5/2024

15 Steven Guinn	sguinn@laxaltlaw.com
16 Mark Thierman	legalfilings@thiermanbuck.com
17 Josh Buck	josh@thiermanbuck.com
18 Thierman Buck	legalfilings@thiermanbuck.com
19 Kaine Messer	kmesser@gabroy.com
20 Christian Gabroy	christian@gabroy.com
21 Legal Assistant	assistant@gabroy.com
22 Law Clerk	clerk@gabroy.com
23 Rachel Mullinax	rachel@suttonhague.com
24 Jared Hague	jared@suttonhague.com
25 Darla Mason	Darla@suttonhague.com

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Leah Jones

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