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FILED
Superior Court of California
County of Los Angeles
11/19/2021

Sherri R. Carter, Executive Officer / Clerk of Court

By: A. Lim Deputy

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES**

GEOFFREY FRANK, et al.,

 Plaintiffs,

 v.

CITY OF PASADENA,

 Defendant.

CASE NO. BC666535

Case Assigned for All Purposes to:
Judge Hon. William Highberger (Dept. 10)

Case Filed: June 26, 2017
Trial Date: None Set

CLASS ACTION

[PROPOSED] FINAL JUDGMENT

Matter Heard

Date: November 19, 2021
Time: 11:00 a.m.
Place: Department 10



[PROPOSED] FINAL JUDGMENT

1 **WHEREAS**, this matter came before the Court for hearing on November 19, 2021 at
2 11:00 a.m. (“Final Hearing”), in accordance with the Order Granting Preliminary Approval of
3 Class Action Settlement, entered July 6, 2021, seeking final approval of the settlement set forth
4 in the parties’ Revised Settlement Agreement (the “Revised Settlement Agreement”); and

5 **WHEREAS**, the Court having considered all papers filed in this action, oral arguments
6 of counsel in this action and those persons appearing at the Final Hearing and otherwise being
7 fully informed, and good cause appearing therefore; and

8 **WHEREAS**, unless otherwise defined, all capitalized words and terms contained in this
9 Final Judgment shall have the same meanings as set forth in the Revised Settlement Agreement
10 (Section I, Definitions, ¶¶ 1.1-1.21).

11 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that:

12 1. This Court has jurisdiction over the subject matter of the Lawsuit, this litigation,
13 and over all parties to the Lawsuit, including all Class Members.

14 2. The Class certified pursuant to California Code of Civil Procedure §382 shall
15 consist of “All persons or entities who paid a parking fee and/or received a parking citation at a
16 Pay & Display Meter in the City of Pasadena during the Class Period January 18, 2016 through
17 April 3, 2017 (the Class Period).”

18 3. There are no exemptions or opt-outs to the Class.

19 4. The Court hereby enters Judgment in accordance with, and subject to, the terms
20 set forth in the Order Granting Final Approval of Class Action Settlement. Pursuant thereto, the
21 Representative Plaintiffs and the Class Members shall take nothing except as provided in the
22 Revised Settlement Agreement.

23 5. Plaintiffs and Class Representatives Geoffrey Frank, Devin Swanson and Babak
24 Zahabizadeh fairly and adequately represented the Class Members.

25 6. Class Counsel Michael Bruce Abelson and Vincent H. Herron of Halpern May
26 Ybarra Gelberg LLP fairly, adequately, and competently represented the Class Members.

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1 7. The parties shall take all steps necessary and appropriate to provide Class
2 Members with the benefits to which they are entitled under the terms of the Revised Settlement
3 Agreement and pursuant to the Orders of the Court.

4 8. Each Class Representative shall be awarded \$ ~~AGI €€€€~~ as an Incentive Award
5 in his capacity as a Representative Plaintiff in the Lawsuit. Within 30 days of entry of this Final
6 Judgment, such payments shall be made by Defendant City and delivered to Class Counsel for
7 conveyance to the Class Representatives pursuant to the terms of the Revised Settlement
8 Agreement.

9 9. Class Counsel shall be awarded \$ ~~Äí €€€€€~~ in attorneys'
10 fees and \$26,481 in costs, which amounts are approved as fair and reasonable, in accordance
11 with the terms of the Revised Settlement Agreement. Such payments shall be made by
12 Defendant City and delivered to Class Counsel within 30 days of entry of this Final Judgment.

13 10. The Court approves the Revised Settlement Agreement and finds that it is, in all
14 respects, fair, reasonable and adequate to the Class.

15 11. Upon the Effective Date of the Final Judgment, Plaintiffs and all Class Members
16 and their executors, estates, predecessors, successors, assigns, agents and representatives, shall
17 be deemed to have jointly and severally released and forever discharged the City and the City's
18 past, present, and future Mayor, council members, city managers, city clerks, finance directors,
19 employees, agents, attorneys, and their respective predecessors and successors in interest and
20 legal representatives ("Related Parties") from any and all claims, demands, rights, damages,
21 obligations, suits, and causes of action of every nature and description whatsoever, ascertained or
22 unascertained, suspected or unsuspected, existing or claimed to exist, including both known and
23 unknown claims of the Plaintiffs and all Class Members, that were brought against the City
24 and/or its Related Parties, or any of them, during the Class Period, arising out of the facts alleged
25 in the Lawsuit ("Released Claims").

26 12. The Class Notice as ultimately effectuated by Defendant City, constitutes the best
27 notice practicable under the circumstances. Such notice provided due and adequate notice of the
28 Lawsuit and related proceedings, including the Revised Settlement Agreement, to all persons

1 entitled to such notice, and the fully satisfied the requirements of California law and the
2 requirements of due process.

3 13. Pursuant to the Revised Settlement Agreement, California Code of Civil
4 Procedure § 664.6 and Rule 3.70(h) of the California Rules of Court, this Court retains
5 jurisdiction over the parties to enforce the terms of the Revised Settlement Agreement, the Order
6 Granting Final Approval of the Class Action Settlement and this Final Judgment.

7 14. This document shall constitute a judgment for purposes of California Rule of
8 Court 3.769(h). The Court is directed to enter this Final Judgment forthwith.

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10 **ORDER**

11 **IT IS SO ORDERED** this ^{FJ} day of November 2021.

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14 _____
15 William Highberger
16 Judge of the Los Angeles Superior Court
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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

Geoffrey Frank, and all others similarly-situated, et al. v. City of Pasadena

LASC Case No. BC666535

I am over the age of 18 and not a party to the within action; I am employed by Halpern May Ybarra Gelberg LLP in the County of Los Angeles at 550 South Hope Street, Suite 2330, Los Angeles, California 90071.

On October 25, 2021, I served the document below described as:

[PROPOSED] FINAL JUDGMENT

The document was served by the following means:

- × **BY ELECTRONIC TRANSMISSION** Per the stipulated agreement between counsel, delineated in the Joint Initial Status Conference Class Action Response Statement of September 15, 2017 for electronic service via repository *Case Anywhere*, I transmitted the document described above to *Case Anywhere* for electronic service on the parties in listed below.

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Pasadena, California 91101
Email: mbagneris@ci.pasadena.ca.us

I declare under penalty of perjury under the laws of State of California that the foregoing is true and correct.

Executed on October 25, 2021 at Glendale, California.



Soonja Bin