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Attorneys for Defendant
JAMBA JUICE COMPANY

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SONOMA

SEP - 8 2011

BY Chulde
Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SONOMA

MARCO RINCON, individually and on
behalf of other persons similarly situated,

Plaintiffs,

vs.

JAMBA JUICE COMPANY, a California
Corporation, and DOES 1 through 10.

Defendants.

Case No. SCV 243799

BY FAX

[Assigned to the Honorable Rene Auguste
Chouteau for all purposes]

**AMENDED ~~PROPOSED~~ ORDER
GRANTING FINAL APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: August 24, 2011
Time: 3:00 p.m.
Dept.: 17

1 The unopposed motion of plaintiff Marco Rincon (“Plaintiff”) for final approval of the class
2 action settlement reached with defendant Jamba Juice Company (“Defendant”), which was
3 preliminarily approved by the Court on April 6, 2011 (the “Settlement”), came regularly on for hearing
4 on August 24, 2011. Having considered all the papers submitted in connection with the motion, and
5 the lack of objection thereto, and finding good cause shown for granting the motion, Plaintiff’s motion
6 is hereby GRANTED and it is HEREBY ORDERED:

7 1. The Court certifies finally for settlement purposes a settlement class comprised of all
8 persons employed by Jamba Juice in any Jamba Juice store within the state of California during the
9 period October 22, 2004 to October 1, 2009;

10 2. The Court approves finally the Settlement as fair and reasonable;

11 3. The Court orders that, in accordance with the Settlement, all class members who did not
12 timely request exclusion from the Settlement are bound by the terms of the Settlement;

13 4. The Court orders that, in accordance with the Settlement, all class members who did not
14 timely object to the Settlement are barred from prosecuting or pursuing any appeal of the Court’s order
15 granting final approval of the Settlement;

16 5. The Court orders that, in accordance with the Settlement, the Settlement Administrator
17 mail out settlement benefits to all eligible class members;

18 6. The Court orders that, in accordance with the Settlement, the Settlement Administrator
19 be paid administration fees of up to \$95,200.00;

20 7. The Court orders that, in accordance with the Settlement, a payment be made to the
21 Labor and Workforce Development Agency in the amount of \$10,000.00;

22 8. The Court awards Plaintiff an enhancement payment in the amount of \$5,000.00;

23 9. The Court awards Plaintiff costs in the amount of \$17,352.65, and attorneys’ fees in the
24 amount of \$150,000.00, which shall be divided between Spiro Moss LLP and Karasik Law Firm in
25 accordance with their fee sharing agreement;

26 10. The Court directs the clerk of the Court to enter the Court’s order granting final
27 approval of the Settlement as a final judgment;

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is: 2029 Century Park East, Suite 2400, Los Angeles, California 90067. On August 29, 2011, I served the foregoing document(s) described as: **AMENDED [PROPOSED] ORDER GRANTING FINAL APPROVAL OF CLASS ACTION SETTLEMENT** on the interested party(ies) below, using the following means:

Gregory N. Karasik, Esq.
Karasik Law Firm
11835 W. Olympic Boulevard, Suite 1275
Los Angeles, California 90064

Dennis F. Moss, Esq.
Spiro Moss LLP
11377 W. Olympic Boulevard, 5th Floor
Los Angeles, California 90064-1683

BY PERSONAL SERVICE I delivered such envelope(s) by hand to the offices of the addressee(s).

BY UNITED STATES MAIL I enclosed the documents in a sealed envelope or package addressed to the respective address(es) of the party(ies) stated above and placed the envelope(s) for collection and mailing, following our ordinary business practices. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid at Los Angeles, California.

BY OVERNIGHT DELIVERY I enclosed the document(s) in an envelope or package provided by an overnight delivery carrier and addressed to the respective address(es) of the party(ies) stated above. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

BY MESSENGER SERVICE I served the documents by placing them in an envelope or package addressed to the respective address(es) of the party(ies) stated above and providing them to a professional messenger service for service.

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

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

Executed on August 29, 2011 at Los Angeles, California.



Print Name

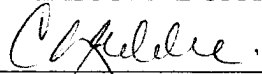
Signature

PROOF OF SERVICE BY MAIL

I certify that I am an employee of the Superior Court of California, County of Sonoma, and that my business address is 600 Administration Drive, Room 107-J, Santa Rosa, CA 95403; that I am not a party to this cause; that I am over the age of 18 years; that I am readily familiar with this office's practice for collection and processing of correspondence for mailing with the United States Postal Service; and that on the date shown below I placed a true copy of the foregoing attached papers in an envelope, sealed and addressed as shown below, for collection and mailing at Santa Rosa, California, first class, postage fully prepaid, following ordinary business practices.

Date: September 8, 2011

JOSÉ OCTAVIO GUILLÉN
COURT EXECUTIVE OFFICER

by 

Deputy Clerk

--ADDRESSEES--

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