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Attorneys for Plaintiff Serg Ramirez

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

SERG RAMIREZ, an individual, on behalf
of himself and others similarly situated,

Plaintiff,

v.

BAXALTA US, INC.; and DOES 1 thru 50,
inclusive,

Defendants.

FILED
Superior Court of California
County of Los Angeles
08/14/2023

David W. Slayton, Executive Officer / Clerk of Court
By: I. Arellanes Deputy

Case No.: 21STCV07572

Assigned to the Hon. Kenneth R. Freeman

**~~[AMENDED PROPOSED]~~ ORDER
GRANTING MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT**

Date: August 8, 2023
Time: 11:00 a.m.
Place: Department 14

Complaint Filed: February 26, 2021

1 **ORDER**

2 On August 8, 2023, this Court conducted a hearing on Plaintiffs’ Motion for Preliminary
3 Approval of the Class Action and PAGA Settlement (the “Motion”). Having considered the Motion and
4 the points and authorities submitted in support of the Motion, including the Class Action and PAGA
5 Settlement Agreement (“Settlement Agreement” or “Settlement”), and **GOOD CAUSE** appearing, **IT**
6 **IS HEREBY ORDERED** that the Motion is **GRANTED**, subject to the following findings and orders:

7 1. This Order incorporates by reference the Settlement Agreement, and unless indicated
8 otherwise, all capitalized terms used herein will have the same meaning as set forth in the Settlement
9 Agreement.

10 2. The Settlement Class shall be conditionally certified for settlement purposes only and
11 shall consist of all persons employed by Defendant Baxalta US, Inc. (“Defendant” or “Baxalta”) in
12 California and classified as non-exempt employees at any time during the period from July 11, 2019 to
13 November 13, 2022.

14 3. The class action settlement set forth in the Settlement Agreement, entered into among
15 the Parties and their counsel, is preliminarily approved as it appears to be proper, to fall within the range
16 of reasonableness, to be the product of arm’s-length and informed negotiations, to treat all Class
17 Members fairly, and to be presumptively valid, subject only to any objections that may be raised at or
18 before the final approval hearing.

19 4. The Court further finds that Plaintiffs conducted extensive investigation and research,
20 and that they were able to reasonably evaluate their positions and the strengths and weaknesses of their
21 claims and their ability to certify them. Plaintiffs have provided the Court with enough information about
22 the nature and magnitude of the claims being settled, as well as the impediments to recovery, to make an
23 independent assessment of the reasonableness of the terms to which the Parties have agreed.

24 5. The Court also finds that settlement now will avoid additional and potentially substantial
25 litigation costs, as well as delay and risks if the Parties were to continue to litigate the Action.

26 6. The Court preliminarily approves the Settlement Agreement, including all the terms and
27 conditions set forth therein and the Gross Settlement Amount and allocation of payments.

28 7. The rights of any potential dissenters to the proposed Settlement are adequately

1 protected in that they may exclude themselves from the Settlement and proceed with any alleged claims
2 they may have against Defendant, or they may object to the Settlement and appear before this Court.
3 However, to do so they must follow the procedures outlined in the Settlement Agreement and Notice of
4 Class Action Settlement.

5 8. The Court approves, as to form and content, the proposed Notice of Class Action
6 Settlement and Hearing Date for Final Court Approval (“Class Notice”).

7 9. The Court directs the mailing, by First-Class U.S. mail, of the Class Notices to Class
8 Members in accordance with the schedule set forth below and the other procedures described in the
9 Settlement Agreement. The Court finds that the method selected for communicating the preliminary
10 approval of the Settlement Agreement to Class Members is the best notice practicable under the
11 circumstances, constitutes due and sufficient notice to all persons entitled to notice, and thereby satisfies
12 due process.

13 10. The Court appoints Plaintiffs Fritzgerald De Roxas and Serg Ramirez as the
14 representatives for the Settlement Class conditionally certified by this Order.

15 11. The Court appoints Capstone Law APC, Kingsley & Kingsley APC, and Tojarieh Law
16 Firm as Class Counsel. The Court finds that counsel have demonstrable experience litigating, certifying,
17 and settling class actions, and will serve as adequate counsel for the Class conditionally certified by this
18 Order.

19 12. The Court approves and appoints CPT Group, Inc. as the Settlement Administrator.

20 13. The following dates shall govern for purposes of this Settlement:

Date	Event
September 7, 2023 (or not later than 30 calendar days after the Court grants preliminary approval of the Settlement Agreement, if later)	Last day for Defendant to produce the Class List to the Settlement Administrator.
September 21, 2023 (or not later than 14 calendar days after Defendant produces the Class List, if later)	Last day for the Settlement Administrator to mail Class Notices to all Class Members.
November 20, 2023 (or not later than 60 calendar days after the Settlement Administrator mails the Class Notices, if later)	Last day for Class Members to submit Requests for Exclusion or Objections to the Settlement.

Date	Event
January 15, 2024	Last day for Plaintiffs to file the Motion for Final Approval of Class Action Settlement and Motion for Attorneys' Fees, Costs, and Class Representative Enhancement Payments.
February 13, 2024 at 10:00 a.m.	Hearing on Motion for Final Approval of Class Action Settlement and Motion for Attorneys' Fees, Costs, and Class Representative Enhancement Payments.

14. The Court expressly reserves the right to continue or adjourn the final approval hearing without further notice to the Class Members.

IT IS SO ORDERED.

Dated: 08/14/2023



A handwritten signature in black ink, appearing to read "Kenneth R. Freeman".

Hon. Kenneth R. Freeman
 Los Angeles County Superior Court Judge
 Kenneth R. Freeman / Judge