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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT

ALDIBERT ESTEBAN, an individual, on behalf of himself and all others similarly situated,

Plaintiff,

v.

AMERICAN AIRLINES, INC., a Delaware Corporation; and DOES 1 through 10, inclusive,

Defendants.

Case No.: 20STCV47361

Assigned for all purposes to Hon. Mel Red Recana, Dept. 45

**AMENDED [PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF CLASS AND REPRESENTATIVE ACTION SETTLEMENT**

**FILED**  
Superior Court of California  
County of Los Angeles

**NOV 09 2023**

David W. Slayton, Executive Officer/Clerk of Court  
By: R. Duarte, Deputy

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Attorneys for Plaintiffs Aldibert Esteban, Maisha Sykes, Deborah Berens,  
and Linda Hinkley

1           Having considered the proposed settlement agreement and class notice; the Motion for  
2 Preliminary Approval of Class Action Settlement filed by Plaintiffs; and the supplemental briefing in  
3 support thereof and good cause appearing, **HEREBY ORDERS THE FOLLOWING:**

4           The Court grants preliminary approval of the settlement and finds the terms to be within the  
5 range of reasonableness of a settlement that ultimately could be granted approval by the Court at the  
6 final Fairness Hearing. For purposes of the settlement, the Court finds that the proposed settlement  
7 class is ascertainable and that there is a sufficiently well-defined community of interest among the  
8 Class in questions of law and fact. Therefore, for settlement purposes only, the Court grants  
9 conditional certification of the following "Settling Class Members" defined as: All individuals  
10 employed by American as California-based Flight Attendants during the period from January 18,  
11 2015, until September 30, 2023.

12           1.       For purposes of the settlement, the Court further designates named Plaintiffs Aldibert  
13 Esteban, Deborah Berens, Linda Hinkley, Maisha Sykes as Class Representatives, and Joseph Lavi  
14 and Vincent C. Granberry of Lavi & Ebrahimian LLP; Matthew Bainer of the Bainer Law Firm;  
15 David Marham, Maggie Realin, and Lisa Brevard of the Markham Law Firm; and Walter Haines of  
16 United Employees Law Group as Class Counsel.

17           2.       The Court confirms CPT Group, Inc. as the Settlement Administrator.

18           3.       Within three (3) court days of this Order, Plaintiffs shall file their consolidated Second  
19 Amended Complaint ("SAC") attached as Exhibit 3 to the Declaration of Vincent Granberry filed in  
20 support of Plaintiffs' motion for preliminary approval. Defendant will be deemed to have generally  
21 denied the allegations of the SAC without the need to file and serve an Answer thereto. Should, for  
22 whatever reason, the settlement set forth in this Settlement Agreement not become final, the SAC  
23 shall be deemed stricken without further order of the Court.

24           4.       A final fairness hearing on the question of whether the proposed settlement should be  
25 finally approved as fair, reasonable and adequate as to the members of the Settlement Class is  
26 scheduled in Department 45 of this Court, located at 111 North Hill Street, Los Angeles, California  
27 90012, on February 26, 2024 at 830 a.m. The Court reserves the right to adjourn or continue the date  
28 of the final approval hearing and all dates provided for in this Order without further notice to Class

1 Members and retains jurisdiction to consider all further applications arising out of or connected with  
2 the proposed Settlement.

3 5. At the final fairness hearing, the Court will consider: (a) whether the settlement should  
4 be approved as fair, reasonable, and adequate for the class; (b) whether a judgment granting approval  
5 of the settlement should be entered; and (c) whether Plaintiffs' application for an award of attorneys'  
6 fees, reimbursement of litigation expenses, and class representative enhancement should be granted.

7 6. The Court approves, as to form and content, the Amended Class Notice attached to the  
8 Declaration of Vincent C. Granberry at Exhibit 3 and filed concurrently with Plaintiffs' Supplemental  
9 Briefing in support of Motion for Preliminary Approval filed with this Court on November 2, 2023.

10 7. The Court directs the mailing of the Class Notice by first class mail to the members of  
11 the Class on or before the deadline to mail the notice packet pursuant to the Settlement Agreement.

12 8. The Court finds that the form of notice to the Class Members regarding the pendency  
13 of the action and of this settlement, and the methods of giving notice to members of the Class  
14 Members to constitute the best notice practicable under the circumstances and constitute valid, due,  
15 and sufficient notice to all members of the Class. The notice complies fully with the requirements of  
16 California Code of Civil Procedure section 382, California Civil Code section 1781, California Rules  
17 of Court 3.766 and 3.769, the California and United States Constitutions, and other applicable law.

18 9. The Court further approves the procedures for Class Members to participate in, opt out  
19 of, or object to the Settlement, as set forth in the settlement agreement and class notice. The  
20 procedures and requirements for filing objections in connection with the fairness hearing are intended  
21 to ensure the efficient administration of justice and the orderly presentation of any Class Member's  
22 objection to the Settlement Agreement, in accordance with the due process rights of all Class  
23 Members.

24 10. Pending the Fairness Hearing, all proceedings in this action, other than proceedings  
25 necessary to carry out or enforce the terms and conditions of the settlement agreement and this Order,  
26 are stayed. To facilitate administration of the Settlement pending final approval, this Court hereby  
27 enjoins Class Members from filing or prosecuting any claims, suits or administrative proceedings  
28 (including filing claims with the California Department of Industrial Relations, Division of Labor

1 Standards Enforcement (DLSE)) regarding claims released by the settlement unless and until such  
2 Class Members have filed valid Requests for Exclusion with the Settlement Administrator in this  
3 case.

4 11. Counsel for the parties are hereby authorized to utilize all reasonable procedures in  
5 connection with the administration of the settlement which are not materially inconsistent with either  
6 this Order or the terms of the Settlement Agreement.


7 12. The Court orders the following schedule for further proceedings:

EVENT	TIMING
Preliminary Approval	
Deadline for Plaintiffs to file consolidated Second Amended Complaint ("SAC")	Not later than three (3) court days after Preliminary Approval.
Last Day for Defendant to provide the class member data to the Settlement Administrator	Not later than fifteen (15) business days after receipt of notice of the Court's entry of an Order of Preliminary Approval
Notice Date: last day for Settlement Administrator to mail the Class Notice	Not later than ten (10) business days after receipt of the class member data
Document Receipt Deadline, i.e., the Deadline for Objections, Exclusion Requests, and Disputes	45 days after the Notice Date, unless extended by re-mailing.
Deadline to file motion for final approval and supporting documents	16 court days prior to the final approval hearing
Deadline to file a response to an objection	No later than 10 court days prior to the final approval hearing
Hearing on final approval of class action settlement	February 26, 2024

18 13. The Court reserves the right to adjourn or continue the date of the Settlement Fairness  
19 Hearing and all dates provided for in the Stipulation without further notice to the Class, and retains  
20 jurisdiction to consider all further applications arising out of or connected with the Stipulation.

21 **IT IS SO ORDERED.**

22  
23 Dated: NOV - 9 2023

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26 Hon. Mel Red Recana  
27 Judge of the Superior Court  
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