1 2 3 4 5 6 7 8	ERIC B. KINGSLEY, Esq. (SBN 185123) eric@kingsleykingsley.com LIANE KATZENSTEIN LY, Esq., (SBN 259) liane@kingsleykingsley.com ARI J. STILLER, Esq. (SBN 294676) ari@kingsleykingsley.com KINGSLEY & KINGSLEY, APC 16133 Ventura Blvd., Suite 1200 Encino, CA 91436 (818) 990-8300, Fax (818) 990-2903 Attorneys for Plaintiff and the Proposed Class	Clerk of the Superior Court By Jenitta Virissimo,Deputy Clerk	
9	SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF SAN DIEGO		
10	FOR THE COUL	NTY OF SAN DIEGO	
11 12	JOEL NOLASCO SUAREZ, an individual,	Case No. 37-2015-00002978-CU-OE-CTL	
12	on behalf of himself and others similarly situated,	[Assigned for all purposes to Hon. Joel M.	
14	Plaintiff,	Pressman, Dept. C-66]	
15	VS.	[PROPOSED] ORDER GRANTING	
16	MAZATLAN, INC.; and DOES 1 thru 50,	PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT	
17 18	inclusive Defendant.	Date: October 6, 2017 Time: 10:30 a.m. Dept.: C-66	
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	[PROPOSED] ORDER GRANTING PRELI	MINARY APPROVAL OF CLASS SETTLEMENT	

The Motion for Preliminary Approval of the Class Settlement came before this Court, the
 Honorable Joel M. Pressman presiding. This is a certified Class action. The Court, having
 considered the papers submitted in support of the motion of the parties, HEREBY ORDERS
 THE FOLLOWING:

1. The Court grants preliminary approval of the Settlement and the Settlement Class based upon the terms set forth in the Class Settlement Agreement filed herewith. The Settlement appears to be fair, adequate, and reasonable to the Class.

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8 2. For purposes of this Order, the Class is defined as follows: all non-exempt,
9 hourly-paid employees who worked for Defendant Mazatlan, Inc. or any of its affiliates,
10 subsidiaries, or successors, from January 27, 2011 to December 14, 2016, and who did not opt out
11 of the Class.

3. The Settlement falls within the range of reasonableness and appears to be
presumptively valid, subject only to any objections that may be raised at the final fairness hearing
and final approval by this Court.

4. A final fairness hearing on the question of whether the proposed Settlement,
attorneys' fees to Class Counsel, and the claims administration costs should be finally approved
as fair, adequate, and reasonable as to the members of the Class is scheduled for February 23,
2018 at 10:30 a.m. (Pacific Time), in Department C-66.

19 5. The Court approves, as to form and content, the Notice to Class Members in
20 substantially the form attached to the Motion for Preliminary Approval as Exhibit "3" and
21 attached hereto as Exhibit "1". The Court approves the procedure for Class Members to object to
22 the Settlement as set forth in the Notice to Class Members.

6. The Court directs the mailing of the Notice and related documents to Class Members by first class mail to the Class Members in accordance with the Implementation Schedule set forth below. The Court finds that the dates selected for the mailing and distribution of the Notice, as set forth in the Implementation Schedule, meet the requirements of due process and provide the best notice practicable under the circumstances and shall constitute due and sufficient notice to all persons entitled thereto.

7 The Court confirms Kingsley & Kingsley APC as Class Coursel				
		ninistrator.		
10. The Court orders that pursuant to the California Private Attorneys General Act,				
Labor Code §§ 2698, et seq. ("PAGA"), statutory notice of this Settlement has been and will				
continue to be given to the Labor & Workforce Development Agency.				
11. The Court orders the following Implementation Schedule for further proceedings:				
a.	Preliminary Approval	October 6, 2017		
b.	Deadline for Defendant to Provide Names and Addresses of Class Members to Claims Administrator	15 days from Preliminary Approval		
с.	Mail Notice to Class Members	21 days from Receipt of List		
е.	Deadline for Postmark of Any Objection	30 Days from Mailing of Notices		
f.	Deadline for Class Counsel to file Motion for Final Approval of Class Settlement	January 26, 2018		
g.	Deadline for Class Counsel to file Motion for Attorneys' Fees	January 26, 2018		
h.	Final Approval Hearing	February 23, 2018		
IT IS FURTHER ORDERED that if the Court does not execute and file an Order of Final				
Approval and Judgment, or if the Effective Date of Settlement, as defined in the Settlement				
Agreement, does not occur for any reason, the Settlement Agreement and the proposed Settlement				
that is the subject of this Order, and all evidence and proceedings had in connection therewith,				
shall be	e without prejudice to the status quo ante rights of the Parties to	the litigation, as more		
specifically set forth in the Settlement Agreement.				
	12. IT IS FURTHER ORDERED that, pending further Or	der of this Court, all		
proceed	lings in this matter except those contemplated herein and in the Set	ttlement Agreement are		
hereby stayed.				
	13. The Court expressly reserves the right to adjourn or continue the Final Fairness			
. <u></u> []	PROPOSED ORDER GRANTING PRELIMINARY APPROVAL OF CLASS SETTLEMENT			
	Labor (continue a. b. c. e. f. g. h. Approv Agreem that is t shall be specific proceed hereby	Labor Code §§ 2698, et seq. ("PAGA"), statutory notice of this Settler continue to be given to the Labor & Workforce Development Agency. 11. The Court orders the following Implementation Schedule for a. Preliminary Approval b. Deadline for Defendant to Provide Names and Addresses of Class Members to Claims Administrator c. Mail Notice to Class Members e. Deadline for Postmark of Any Objection f. Deadline for Class Counsel to file Motion for Final Approval of Class Settlement g. Deadline for Class Counsel to file Motion for Attorneys' Fees h. Final Approval Hearing TT IS FURTHER ORDERED that if the Court does not execute an Approval and Judgment, or if the Effective Date of Settlement, as def Agreement, does not occur for any reason, the Settlement Agreement and t that is the subject of this Order, and all evidence and proceedings had in shall be without prejudice to the status quo ante rights of the Parties to specifically set forth in the Settlement Agreement. 12. IT IS FURTHER ORDERED that, pending further Or proceedings in this matter except those contemplated herein and in the Sethereby stayed. 13. The Court expressly reserves the right to adjourn or cont		

1	Hearing from time to time without further notice to members of the Settlement Class.		
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3	DATED:		
4	JUDGE OF THE SUPERIOR COURT		
5	Judge Kenneth J Medel		
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	PROPOSED ORDER GRANTING PRELIMINARY APPROVAL OF CLASS SETTLEMENT		