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ENDORSED (PB)

2021 SEP 27 AM 9:48

LAW AND MOTION DEPT. 53/54
SUPERIOR COURT
OF CALIFORNIA
SACRAMENTO COUNTY

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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SACRAMENTO**

RANDY MUNOZ, individually, and on
behalf of other members of the general public
similarly situated;

Plaintiff,

v.

OSRAM SYLVANIA INC., a Delaware
corporation; SYLVANIA LIGHTING
SERVICES CORP., a Delaware corporation;
LEDVANCE LLC, a Delaware limited
liability company; and DOES 1 through 100,
inclusive;

Defendants.

Case No.: 34-2020-00284677

Honorable Shama H. Mesiwala
Department 53

CLASS ACTION

(PB) **~~PROPOSED~~ ORDER GRANTING
PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT, CONDITIONAL
CERTIFICATION, APPROVAL OF CLASS
NOTICE, SETTING OF FINAL
APPROVAL HEARING DATE**

[Reservation ID: 2585255]

Hearing Date: September 23, 2021
Hearing Time: 1:30 p.m.
Hearing Place: Department 53

Complaint Filed: August 25, 2020
Trial: None Set



**~~PROPOSED~~ ORDER GRANTING PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT,
CONDITIONAL CERTIFICATION, APPROVAL OF CLASS NOTICE, SETTING OF FINAL APPROVAL HEARING DATE**

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 The Motion for Preliminary Approval of Class Action Settlement came before this Court, the
3 Honorable Shama H. Mesiwala presiding, on September 23, 2021. The Court having considered the
4 papers submitted in support of the Motion, HEREBY ORDERS THE FOLLOWING:

5 1. The following Class is conditionally certified for purposes of settlement only: all non-
6 exempt or hourly-paid current and former employees of Defendant Sylvania Lighting Services Corp. in
7 California during the Class Period ("Class"). The Class Period is the time period from April 6, 2016 to
8 March 5, 2019 ("Class Period").

9 2. The Court grants preliminary approval of the Settlement based upon the terms set forth
10 in the Joint Stipulation and Settlement Agreement ("Settlement Agreement," "Settlement," or
11 "Agreement") attached hereto as **Exhibit 1**. Capitalized terms shall have the definitions set forth in
12 the Settlement.

13 3. The Settlement appears to be fair, adequate, and reasonable to the Class. The
14 Settlement falls within the range of reasonableness and appears to be presumptively valid, subject only
15 to any objections that may be raised at the final approval hearing and final approval by this Court.

16 4. Plaintiff Randy Munoz ("Plaintiff") is conditionally approved as the Class
17 Representative for the Class.

18 5. The proposed Class Representative Incentive Payment of up to \$10,000 payable to
19 Plaintiff for his agreement to a general release of claims and his services as the Class Representative is
20 conditionally approved.

21 6. Douglas Han, Shunt Tatavos-Gharajeh, and Phillip Song of Justice Law Corporation are
22 conditionally approved as Class Counsel for the Class.

23 7. The proposed awards of up to \$190,000 in Attorney Fee Award and up to \$20,000 in
24 Cost Award to Class Counsel are conditionally approved.

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1 8. A final approval hearing on the question of whether the Settlement, Attorney Fee
2 Award, Cost Award, and the Class Representative Incentive Payment should be finally approved as
3 fair, reasonable, and adequate as to all Class Members who did not submit a valid and timely request to
4 exclude themselves from the Settlement ("Participating Class Members") is scheduled on the date and
5 time set forth in Paragraph 14 below.

6 9. The Court confirms CPT Group, Inc. ("CPT Group") as the Settlement Administrator.

7 10. The proposed payment of no more than \$10,000 in Administration Costs to CPT Group
8 for its services as the Settlement Administrator is conditionally approved.

9 11. The Court approves, as to form and content, the Notice of Class Action Settlement
10 ("Class Notice") as attached as Exhibit A to the Settlement. The Court approves the procedure for
11 Class Members to participate in, to opt out of, and to object to, the Settlement as set forth in the Class
12 Notice.

13 12. The Court directs the mailing of the Class Notice to all identified Class Members via
14 first-class regular U.S. Mail in accordance with the implementation schedule set forth in paragraph 14
15 below. The Court finds the dates selected for the mailing and distribution of the Class Notice, as set
16 forth in the Implementation Schedule, meet the requirements of due process and provide the best
17 notice practicable under the circumstances and shall constitute due and sufficient notice to all persons
18 entitled thereto.

19 13. To facilitate administration of the Settlement pending final approval, the Court hereby
20 enjoins Plaintiff and all Class Members from filing or prosecuting any claims, suits or administrative
21 proceedings (including, but not limited to, filing claims with the Division of Labor Standards
22 Enforcement of the California Department of Industrial Relations) regarding claims released by the
23 Settlement unless and until such Participating Class Members have filed valid requests for exclusion
24 with the Settlement Administrator and the time for filing valid requests for exclusion with the
25 Settlement Administrator has elapsed. This provision shall not apply to claims not alleged in the
26 Action.

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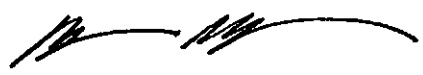
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14. The Court orders the following Implementation Schedule for further proceedings:

a.	Deadline for Defendant to submit the Database to Settlement Administrator	Within thirty (30) calendar days after entry of the Preliminary Approval Order
b.	Deadline for Settlement Administrator to mail the Class Notice to Settlement Class Members	Within ten (10) business days after receipt of the Database
c.	Deadline for Class Members to request for exclusion from Settlement or postmark objections to Settlement to the Settlement Administrator	Within sixty (60) calendar days from the initial mailing of the Class Notice
e.	Deadline for Class Counsel to file Motion for Final Approval of Settlement	Within sixteen (16) Court days before Final Approval Hearing in conformity with Code of Civil Procedure § 1005
f.	Deadline for Class Counsel to file Motion for the Attorneys Fee Award, the Cost Award, and Class Representative Incentive Payment	Within sixteen (16) Court days before Final Approval Hearing in conformity with Code of Civil Procedure § 1005
g.	Final Approval Hearing and Final Approval	<u>01/25/22</u> 2021 at <u>1:30</u> am p.m. in Department 53

IT IS SO ORDERED.

Dated: SEP 27 2021

BY 
SHAMA H. MESIWALA
Honorable Shama H. Mesiwala
Judge of the Superior Court