

VENTURA  
SUPERIOR COURT  
FILED

OCT 12 2022

BRENDA L. McCORMICK  
Executive Officer and Clerk  
Deputy

RACHEL JACOBS

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF VENTURA

JARID GOMEZ, individually, and on behalf  
of aggrieved employees pursuant to the  
Private Attorneys General Act ("PAGA");

Plaintiff,

v.

PARKER-HANNIFIN CORPORATION, an  
Ohio corporation; and DOES 1 through 100,  
inclusive;

Defendants.

Case No.: 56-2022-00563952-CU-OE-VTA

Assigned for All Purposes to:  
Honorable Benjamin F. Coats  
Dept. 43

CLASS ACTION

~~[PROPOSED]~~ ORDER GRANTING  
PLAINTIFFS' MOTION FOR  
PRELIMINARY APPROVAL OF  
CLASS ACTION SETTLEMENT,  
CONDITIONAL CERTIFICATION,  
APPROVAL OF CLASS NOTICE,  
SETTING OF FINAL APPROVAL  
HEARING DATE

[Reservation ID: 2671845]

Hearing Date: October 11, 2022  
Hearing Time: 8:30 a.m.  
Hearing Place: Department 43

Complaint Filed: March 21, 2022  
FAC Filed: May 26, 2022  
SAC Filed: July 14, 2022  
Trial Date: None Set

~~[PROPOSED]~~ ORDER GRANTING PLAINTIFFS' 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  
3 Court, the Honorable Benjamin F. Coats presiding, on October 11, 2022 at 8:30 a.m. The Court  
4 having considered the papers submitted in support of the Motion, HEREBY ORDERS THE  
5 FOLLOWING:

6 1. The following Class is conditionally certified for purposes of settlement only:  
7 all non-exempt hourly-paid employees who worked for Defendant Parker-Hannifin Corporation  
8 within the State of California at any time during the period from April 4, 2016 June 15, 2022  
9 (“Class” and Class Period”).

10 2. The Court grants preliminary approval of the settlement based upon the terms  
11 set forth in the Joint Stipulation of Class Action and PAGA Settlement (“Agreement,”  
12 “Settlement Agreement,” or “Settlement”). Capitalized terms shall have the definitions set forth  
13 in the Settlement Agreement.

14 3. The settlement embodied in the Settlement Agreement appears to be fair,  
15 adequate, and reasonable to the Class. The Settlement falls within the range of reasonableness  
16 and appears to be presumptively valid, subject only to any objections that may be raised at the  
17 Final Approval Hearing and final approval by this Court.

18 4. Plaintiffs Jarid Gomez, Miguel Cortez, and Jacqueline Ulloa (“Plaintiffs”) are  
19 conditionally approved to serve as the Class Representatives.

20 5. Douglas Han, Shunt Tatabos-Gharajeh, Phillip Song, and John M. Bickford of  
21 Justice Law Corporation are conditionally approved as Class Counsel for the Class.

22 6. The proposed Class Representative Enhancement Payment in the sum of  
23 \$10,000 to each Plaintiff for their services as the Class Representative is conditionally approved.

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1           7.       The proposed payment of an Attorney Fee Award to Class Counsel in an amount  
2 not to exceed thirty-five (35%) of the Gross Settlement Amount and a Cost Award for actual  
3 litigation costs to Class Counsel in the sum not to exceed \$30,000 are conditionally approved.

4           8.       The Court confirms CPT Group, Inc. (“CPT Group”) as the Settlement  
5 Administrator.

6           9.       The proposed payment of Administration Costs in an amount not to exceed  
7 \$35,000, to CPT Group for its services is conditionally approved.

8           10.      The Court also hereby approves the Private Attorneys General Act of 2004  
9 (“PAGA”) Payment from the Net Settlement Amount in the amount of \$300,000 that the Parties  
10 have allocated for the settlement of the claims for PAGA penalties stemming from the alleged  
11 Labor Code violations. Seventy-five percent (75%) of the PAGA Payment (\$225,000) will be  
12 paid to the California Labor and Workforce Development Agency (“LWDA”), and the  
13 remaining twenty-five percent (25%) of the PAGA Payment (\$75,000) shall be distributed to  
14 the aggrieved employees eligible to recover the PAGA Payment that consist all non-exempt  
15 hourly-paid employees who worked for Parker-Hannifin Corporation within the State of  
16 California at any time during the period from January 10, 2020 June 15, 2022 (“Eligible  
17 Aggrieved Employees,” “PAGA Timeframe,” and “PAGA Payment”), on a pro rata basis.

18           11.      A Final Approval Hearing on the question of whether the Settlement, the  
19 Attorney Fee Award, the Cost Award, and the Class Representative Enhancement Payment  
20 should be finally approved as fair, reasonable, and adequate as to all Class Members who do  
21 not submit a valid and timely request to exclude themselves from the Settlement (“Participating  
22 Class Members”) is scheduled on the date and time set forth in paragraph 15 below.

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1           12.     The Court approves, as to form and content, the Notice of Class Action  
2 Settlement (“Class Notice”). as attached as **Exhibit A** to the Agreement. The Court also  
3 approves the procedure for Class Members to participate in, to opt out of, and to object to the  
4 Settlement as set forth in the Class Notice and the Settlement Agreement.

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

11           14.     To facilitate administration of the Settlement pending final approval, the Court  
12 hereby enjoins Plaintiffs and all Class Members from filing or prosecuting any claims, suits, or  
13 administrative proceedings (including, but not limited to, filing claims with the Division of  
14 Labor Standards Enforcement of the California Department of Industrial Relations) based on  
15 claims released by the Settlement (“Released Claims”) unless and until such Class Members  
16 have filed valid requests for exclusion with the Settlement Administrator and the time for filing  
17 valid requests for exclusion with the Settlement Administrator has not elapsed.

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1 15. The Court orders the following Implementation Schedule for further  
2 proceedings:

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| 3 a. | Deadline for Defendant to submit Class Data to Settlement Administrator  | Within fourteen (14) calendar days after entry of the Preliminary Approval Order                        |
| 4 b. | Deadline for Settlement Administrator to mail the Class Notice to Class Members  | Within fourteen (14) calendar days from the receipt of the Class Data                                   |
| 5 c. | Deadline for Class Members to postmark requests for exclusion to the Settlement Administrator or submit written objections | Forty-five (45) calendar days from initial mailing of the Class Notice                                  |
| 6 e. | Deadline for Class Counsel to file Motion for Final Approval of Settlement   | Sixteen (16) Court days before Final Approval Hearing in conformity with Code of Civil Procedure § 1005 |
| 7 f. | Deadline for Class Counsel to file Motion for Attorney Fee Award, Cost Award, and Class Representative Enhancement Payment | Sixteen (16) Court days before Final Approval Hearing in conformity with Code of Civil Procedure § 1005 |
| 8 g. | Final Approval Hearing and Final Approval  | <b>FEB 8, 2023</b> at 8:30 a.m. in Department 43  |

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16 **IT IS SO ORDERED.**

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18 Dated: **10/11/2023**

19 By



Honorable Benjamin F. Coats  
Judge of the Superior Court