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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES COUNTY

SERGIO ARELLANO, EDGAR MURILLO,  
JOHN HENRY, and CURT UYEMURA,  
individually, and on behalf of other members of  
the general public similarly situated,

Plaintiffs,

vs.

R&B SALES AND MARKETING, INC., a  
Delaware corporation; TECHTRONIC  
INDUSTRIES NORTH AMERICA, INC., a  
Delaware corporation; and DOES 1 through 10,  
inclusive,

Defendants.

Case No.: 20STCV04112

Assigned to the Hon. Carolyn B. Kuhl  
Spring Street Courthouse; Department 12

**~~AMENDED PROPOSED~~ ORDER  
GRANTING MOTION FOR PRELIMINARY  
APPROVAL OF CLASS AND COLLECTIVE  
ACTION SETTLEMENT**

Date: March 7, 2022  
Time: 10:30 a.m.  
Place: Department 12

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1 litigation costs, as well as delay and risks if the Parties were to continue to litigate the action.

2 7. The Court preliminarily approves the Settlement Agreement, including all the terms and  
3 conditions set forth therein and the Settlement Sum and allocation of payments.

4 8. The rights of any potential California Settlement Class Member dissenters to the  
5 proposed Settlement are adequately protected in that they may exclude themselves from the Settlement  
6 and proceed with any alleged claims they may have against Defendants, or they may object to the  
7 Settlement and appear before this Court. However, to do so they must follow the procedures outlined in  
8 the Settlement Agreement and Notice of Class Action Settlement.

9 9. The Court approves, as to form and content, the proposed: (i) Notice of Class,  
10 Collective, and Representative Action Settlement which will be issued to California Settlement Class  
11 Members; and (ii) Notice of Collective Action Settlement, which will be issued to Non-California Opt-In  
12 Eligible Plaintiffs (collectively, "Notice Packets").

13 10. The Court directs the mailing, by First-Class U.S. mail, of the Notice Packets in  
14 accordance with the schedule set forth below and the other procedures described in the Settlement  
15 Agreement. The Court finds that the method selected for communicating the preliminary approval of the  
16 Settlement Agreement, is the best notice practicable under the circumstances, constitutes due and  
17 sufficient notice to all persons entitled to notice, and thereby satisfies due process. The Settlement  
18 Administrator will have 5 business days to re-mail any returned Notice Packets.

19 11. The Court appoints Plaintiffs Sergio Arellano, Edgar Murillo, John Henry and Curt  
20 Uyemura as the Class and Collective Action Representatives.

21 12. The Court appoints Capstone Law APC and Goldstein, Borgen, Dardarian & Ho as  
22 Class Counsel. The Court finds that counsel have demonstrable experience litigating, certifying, and  
23 settling class actions, and will serve as adequate counsel for California Settlement Class Members and  
24 Non-California Opt-In Eligible Plaintiffs.

25 13. The Court approves and appoints CPT Group, Inc. as the Settlement Administrator.

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

Date	Event
March 21, 2022 (or not later than 10 business days after the Court grants preliminary approval of the Settlement Agreement, if later)	Last day for Defendants to produce the Settlement Class Lists to the Settlement Administrator.
April 4, 2022 (or not later than 14 calendar days after Defendants produce the Settlement Class Lists, if later)	Last day for the Settlement Administrator to mail Notice Packets to all California Settlement Class Members and Non-California Opt-In Eligible Plaintiffs.
June 3, 2022 (or not later than 60 calendar days after the Settlement Administrator mails the Notice Packets, if later)	Last day for California Settlement Class Members to submit Requests for Exclusion or Objections to the Settlement, and for Non-California Opt-In Eligible Plaintiffs to return the Opt-In Forms.
<del>June 17, 2022</del> Filing of Motion for Final Approval of Class and Collective Action Settlement and Motion for Attorneys' Fees, Costs, and Service Awards *	Last day for Plaintiffs to file the Motion for Final Approval of Class and Collective Action Settlement and Motion for Attorneys' Fees, Costs, and Service Awards.
July 12, 2022	Hearing on Motion for Final Approval of Class Action Settlement and Motion for Attorneys' Fees, Costs, and Service Awards.

15. 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: 03/16/2022



Handwritten signature of Carolyn B. Kuhl in black ink.

Carolyn B. Kuhl / Judge

Hon. Carolyn B. Kuhl  
Los Angeles County Superior Court Judge

**PROOF OF SERVICE**

I am employed in the State of California, County of Los Angeles. I am over the age of 18 and not a party to the within suit; my business address is 1875 Century Park East, Suite 1000, Los Angeles, California 90067.

On **February 28, 2022**, I served the document(s) described as: **[AMENDED PROPOSED] ORDER GRANTING MOTION FOR PRELIMINARY APPROVAL OF CLASS AND COLLECTIVE ACTION SETTLEMENT** on the interested parties in this action by sending [ ] the original [✓] a true copy thereof [✓] to interested parties as follows [or] [ ] as stated on the attached service list:

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*Attorneys for Plaintiffs*  
JOHN HENRY and CURT UYEMURA

( ) **BY MAIL (ENCLOSED IN A SEALED ENVELOPE):** I deposited the envelope(s) for mailing in the ordinary course of business at Los Angeles, California. I am “readily familiar” with this firm’s practice of collection and processing correspondence for mailing. Under that practice, sealed envelopes are deposited with the U.S. Postal Service that same day in the ordinary course of business with postage thereon fully prepaid at Los Angeles, California.

( ) **BY FAX TRANSMISSION:** At or before 5:00 pm, I caused said document(s) to be transmitted by facsimile. The name(s) and facsimile machine telephone number(s) of the person(s) served are set forth in the service list. The document was transmitted by facsimile transmission, and the sending facsimile machine properly issued a transmission report confirming that the transmission was complete and without error.

( ) **BY PERSONAL SERVICE:** I caused delivery of the document(s), enclosed in a sealed envelope, by hand via ProLegal Network to the offices of the addressee(s) named herein.

(X) **BY ELECTRONIC SERVICE:** Pursuant to Court Order, I hereby certify that I caused a true and correct copy of the document(s) listed above to be served electronically on counsel of record via transmission to an electronic service provider.

( ) **BY OVERNIGHT DELIVERY:** I am “readily familiar” with this firm’s practice of collection and processing correspondence for overnight delivery. Under that practice, overnight packages are enclosed in a sealed envelope with a packing slip attached thereto fully prepaid. The packages are picked up by the carrier at our offices or delivered by our office to a designated collection site.

(X) **BY E-MAIL:** I hereby certify that this document was served from Los Angeles, California, by e-mail delivery on the parties listed herein at their most recent known e-mail address or e-mail of record in this action: [kimberly.higgins@pillsburylaw.com](mailto:kimberly.higgins@pillsburylaw.com); [paula.weber@pillsburylaw.com](mailto:paula.weber@pillsburylaw.com)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on **February 28, 2022**, at Los Angeles, California.

Riley McIntire  
Type or Print Name

  
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Signatur