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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO

JUANITA VALLADARES, individually, and
on behalf of other members of the general public
similarly situated,

Plaintiff,

vs.

MOUNTAIN SHADOWS SUPPORT
GROUP, a California corporation; MOUNTAIN
SHADOWS ANCILLARY SERVICES, a
California corporation; and DOES 1 through 10,
inclusive,

Defendants.

Case No.: 37-2020-00037995-CU-OE-CTL

**[PROPOSED] ORDER GRANTING MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Date: May 26, 2022
Time: 9:00 a.m.
Place: Department C-73

FILED
Clerk of the Superior Court
MAY 26 2022
By: A. Taylor, Deputy

~~**ELECTRONICALLY RECEIVED**
Superior Court of California,
County of San Diego
04/29/2022 at 11:39:18 AM
Clerk of the Superior Court
By Taylor Crandall, Deputy Clerk~~

1 **ORDER**

2 On May 26, 2022, this Court conducted a hearing on Plaintiff's Motion for Preliminary
3 Approval of the Class Action Settlement (the "Motion"). Having considered the Motion and the points
4 and authorities submitted in support of the Motion, including the Joint Stipulation of Class Action
5 Settlement and Release ("Settlement Agreement" or "Settlement"), and **GOOD CAUSE** appearing, **IT**
6 **IS HEREBY ORDERED** that the Motion is **GRANTED**, subject to the following findings and orders:

7 1. This Order incorporates by reference the Settlement Agreement, and unless indicated
8 otherwise, all capitalized terms used herein will have the same meaning as set forth in the Settlement
9 Agreement.

10 2. The Settlement Class shall be conditionally certified for settlement purposes only and
11 shall consist of all persons who worked for Defendants as non-exempt, hourly paid employees in the
12 State of California at any time from October 22, 2016 to the earlier of (i) May 21, 2022 or (ii) date of
13 Preliminary Approval.

14 3. The class action settlement set forth in the Settlement Agreement, entered into among
15 the Parties and their counsel, is preliminarily approved as it appears to be proper, to fall within the range
16 of reasonableness, to be the product of arm's-length and informed negotiations, to treat all Class
17 Members fairly, and to be presumptively valid, subject only to any objections that may be raised at or
18 before the final approval hearing.

19 4. The Court further finds that Plaintiff conducted extensive investigation and research, and
20 that she was able to reasonably evaluate her position and the strengths and weaknesses of her claims and
21 her ability to certify them. Plaintiff has provided the Court with enough information about the nature and
22 magnitude of the claims being settled, as well as the impediments to recovery, to make an independent
23 assessment of the reasonableness of the terms to which the Parties have agreed.

24 5. The Court also finds that settlement now will avoid additional and potentially substantial
25 litigation costs, as well as delay and risks if the Parties were to continue to litigate the Action.

26 6. The Court preliminarily approves the Settlement Agreement, including all the terms and
27 conditions set forth therein and the Class Settlement Amount and allocation of payments.

28 7. The rights of any potential dissenters to the proposed Settlement are adequately

1 protected in that they may exclude themselves from the Settlement and proceed with any alleged claims
2 they may have against Defendants, or they may object to the Settlement and appear before this Court.
3 However, to do so they must follow the procedures outlined in the Settlement Agreement and Notice of
4 Class Action Settlement.

5 8. The Court approves, as to form and content, the proposed Notice of Class Action
6 Settlement (“Notice Packet”).

7 9. The Court directs the mailing, by First-Class U.S. mail, of the Notice Packets to Class
8 Members in accordance with the schedule set forth below and the other procedures described in the
9 Settlement Agreement. The Court finds that the method selected for communicating the preliminary
10 approval of the Settlement Agreement to Class Members is the best notice practicable under the
11 circumstances, constitutes due and sufficient notice to all persons entitled to notice, and thereby satisfies
12 due process.

13 10. The Court appoints Plaintiff Juanita Valladares as the representative for the Settlement
14 Class conditionally certified by this Order.

15 11. The Court appoints Capstone Law APC as Class Counsel. The Court finds that counsel
16 have demonstrable experience litigating, certifying, and settling class actions, and will serve as adequate
17 counsel for the Class conditionally certified by this Order.

18 12. The Court approves and appoints CPT Group, Inc. as the Settlement Administrator.

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

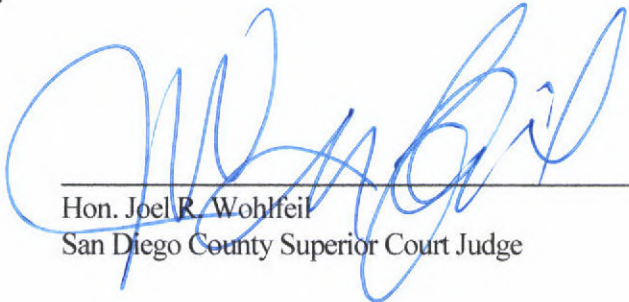
Date	Event
June 15, 2022 (or not later than 20 calendar days after the Court grants preliminary approval of the Settlement Agreement, if later)	Last day for Defendants to produce the Class List to the Settlement Administrator.
June 27, 2022 (or not later than 10 calendar days after Defendants produce the Class List, if later)	Last day for the Settlement Administrator to mail Notice Packets to all Class Members.
August 11, 2022 (or not later than 45 calendar days after the Settlement Administrator mails the Notice Packets, if later)	Last day for Class Members to submit Requests for Exclusion or Objections to the Settlement.
September 2, 2022	Last day for Plaintiff to file the Motion for Final Approval of Class Action Settlement and Motion for Attorneys’ Fees, Costs, and a Class Representative Enhancement Payment.

Date	Event
September 29, 2022 at 9:00 a.m.	Hearing on Motion for Final Approval of Class Action Settlement and Motion for Attorneys' Fees, Costs, and a Class Representative Enhancement Payment.

14. 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: 5-26-22



Hon. Joel R. Wohlfeil
San Diego County Superior Court Judge