1 2 3 4 5	BLUMENTHAL NORDREHAUG BHOWMIK NORMAN B. BLUMENTHAL (SB# 068687) Norm@bamlawca.com KYLE R. NORDREHAUG (SB# 205975) kyle@bamlawca.com APARAJIT BHOWMIK (SB# 248066) AJ@bamlawca.com 2255 Calle Clara La Jolla, CA 92037 Telephone: 1(858) 551-1223	FILED Clark of the Superior Court AUG 0 4 2023 By: C. Beuttler, Deputy
6 7	Facsimile: 1(858) 551-1232 Attorneys for Plaintiffs	
8	the Class and System comes Across States	
9	SUPERIOR COURT OF TH	E STATE OF CALIFORNIA
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11	COUNTY OF	
12	IN RE: UNITED AIRLINES WAGE AND HOUR CASES	Case No. JCCP 5187
13	Included Actions:	PROPOSED ORDER GRANTING PRELIMINARY APPROVAL TO CLASS AND REPRESENTATIVE
14 15	BROWN v. UNITED AIRLINES, INC. San Diego County Superior Court	ACTION SETTLEMENT AND RELEASE
16	Case No. 37-2019-00008533-CU-OE-CTL (Lead Case) (filed on February 14, 2019)	Judge: Hon. Katherine Bacal
17	ROBINSON vs. UNITED AIRLINES, INC.	Dep't C-69
18	Alameda County Superior Court Case No. RG19014578	Date: August 4, 2023
19	(filed on April 11, 2019)	Time: 1:30 p.m.
20	SANTOS vs. UNITED AIRLINES, INC.	
21	San Francisco County Superior Court Case No. CGC-20-585926	
22	(filed on August 12, 2020)	
23	SANTOS vs. UNITED AIRLINES, INC.	Kallyda yan ar cedy a l
24	San Francisco County Superior Court Case No. CGC-20-587208	water of the second
25	(filed on October 19, 2020)	ER U. 16 1 19 19 19 19 19 19 19 19 19 19 19 19 1
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The Court has before it the joint Agreement by Plaintiffs Ella Brown, Roland E. Robinson, Samuel Umanzor, and Carlos Santos, individually and as class representatives (collectively, "Plaintiffs"), and Defendant United Airlines, Inc. ("Defendant" or "United") for preliminary approval of a proposed class action settlement. After reviewing the parties' written submissions and after hearing arguments of counsel, the Court hereby finds and orders as follows:

- 1. The Court finds on a preliminary basis that the settlement memorialized in the Class and Representative Action Settlement Agreement (the ("Settlement" or "Agreement") and filed with the Court, falls within the range of reasonableness and therefore meets the requirements for preliminary approval. The Agreement sets out the terms upon which United will settle all claims that have been brought against it in the coordinated case *In re: United Airlines Wage and Hour Cases*, JCCP 5187, as well as in all constituent matters as listed in the caption above.
- 2. Settling Class. The Court finds, for purposes of settlement only, that the Settling Class as defined in the Agreement meets the requirements for certification under California law, and therefore conditionally certifies, for settlement purposes only, the following Settling Class comprised of two subclasses:

California Subclass: All individuals who are or previously were employed by United in California and classified as a non-exempt ramp agent or customer service representative employees at any time during the period February 14, 2015, to March 31, 2023.

FCRA Subclass: All prospective employees and/or current employees employed by, or formerly employed by United in California who, as a condition of employment, were required to submit to a background check and/or consumer report at any time during the period August 12, 2015, to March 31, 2023.

3. Appointment of Class Representative. The Court appoints, for settlement purposes only, Plaintiffs Ella Brown, Roland E. Robinson, Samuel Umanzor, and Carlos

1	Santos as Class Representatives.		
2	4. Appointment of Class Counsel. The Court appoints, for settlement		
3	purposes only, the following counsel as Settlement Class Counsel:		
4	Norman B. Blumenthal		
5	Kyle R. Nordrehaug		
6	Aparajit Bhowmik BLUMENTHAL NORDREHAUG BHOWMIK DE BLOUW LLP		
7	2255 Calle Clara		
8	La Jolla, CA 92037 Telephone: 858-551-1223		
9	Facsimile: 858-551-1232		
10	Michael Nourmand		
	James A. De Sario		
11	THE NOURMAND LAW FIRM, APC		
12	8822 West Olympic Boulevard		
13.	Beverly Hills, CA 90211 Telephone: 310-553-3600		
	Facsimile: 310-553-3603		
14			
15	Laurence D. King		
16	Matthew B. George		
	KAPLAN FOX & KILSHEIMER LLP 1999 Harrison Street, Suite 1560		
17	Oakland, California 94612		
18	Telephone: 415-772-4700		
19	Facsimile: 415-772-4707		
	James R. Hawkins		
20	Christina M. Lucio		
21	JAMES HAWKINS APLC		
22	9880 Research Drive, Suite 200		
	Irvine, CA 92618 Telephone: 415-772-4700		
23	Facsimile: 415-772-4707		
24			
25	Shani O. Zakay		
26	ZAKAY LAW GROUP, APLC		
	5440 Morehouse Drive, Suite 5400 San Diego, CA 92121		
27	Telephone: (619) 255-9047		
28	-3-		
	ORDER GRANTING PRELIMINARY APPROVAL TO CLASS AND REPRESENTATIVE ACTION		
10 10 10 10	SETTLEMENT AND RELEASE JCCP 5187		

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Settlement Administrator and Notice. The Settling Parties shall retain the services of CPT Group for the administration of the Settlement, and said entity is hereby appointed Settlement Administrator. As described in Paragraphs 21 and 22 of the Agreement, by no later than ten (10) business days after receiving the information described in Paragraph 20 of the Agreement, the Settlement Administrator shall provide notice of settlement ("Settlement Class Notice") and an adjustment form ("Adjustment Form") to all Settling Class Members by first class U.S. mail to their last known address according to the information that United will provide to the Settlement Administrator pursuant to Paragraph 20 of the Agreement. The Settlement Class Notice shall be in the form lodged as Exhibit "B" to the Agreement. The Settlement Administrator shall make such further efforts as are possible and reasonable (if any) to provide the Settlement Class Notice to Settling Class Members whose original Settlement Class Notice is returned as undeliverable, provided that all such efforts shall be completed by the sixtieth (60th) calendar day after the Settlement Class Notice is mailed. The Court finds that the content and schedule of the mailings discussed in this Order meet the requirements of due process, provide the best notice practicable, and will constitute sufficient notice to Settling Class Members.

- 6. Requests for Adjustment. Settling Class Members may request a change to their allocation under the Settlement by mailing the Settlement Administrator a signed and dated Adjustment Form, along with supporting documentation, as set forth in Paragraph 48 of the Agreement. The Adjustment Form shall be in the form lodged as Exhibit "C" to the Agreement. Pursuant to the terms of the Agreement, the Settlement Administrator shall have the authority to determine the appropriate payments to Settling Class Members and shall have final authority to resolve any disputes regarding the same.
- Exclusions. Putative Settling Class Members may exclude themselves from the Settlement Class by mailing the Settlement Administrator a signed and dated request

for exclusion, as set forth in Paragraph 26 of the Agreement. Pursuant to the terms of the Agreement, all Settling Class members will be bound by the Agreement and its release, regardless of whether or not they receive a payment, unless they timely file a proper Request for Exclusion.

- 8. Final Approval. A Final Approval Hearing shall be held before this Court on December 8, 2023 at 1:30 p.m. in Department 69 at the San Diego County Superior Court to determine all necessary matters concerning the Settlement, including: whether the proposed settlement of the Action on the terms and conditions provided for in the Agreement is fair, adequate and reasonable and should be finally approved by the Court; whether the Final Approval Order and Judgment should be entered herein; whether the plan of allocation contained in the Agreement should be approved as fair, adequate and reasonable to the Class Members; and to finally approve attorneys' fees and costs, the service award, and the expenses of the Settlement Administrator. All papers in support of the motion for final approval and the motion for attorneys' fees, costs and service award shall be filed with the Court and served on all counsel no later than sixteen (16) court days before the hearing and both motions are scheduled for and shall be heard at the Final Approval Hearing,
- 9. The Court reserves the right to adjourn or continue the date of the final approval hearing and all dates provided for in the Agreement without further notice to Class Members and retains jurisdiction to consider all further applications arising out of or connected with the proposed Settlement.
- 10. The Action is stayed and all trial and related pre-trial dates are vacated, subject to further orders of the Court at the Final Approval Hearing.

IT IS SO ORDERED.

Dotad.

HON. KATHERINE A. BACAL

Superior Court of California, County of

San Diego