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**FILED**  
Superior Court of California  
County of Los Angeles

04/05/2021

Sherri R. Carter, Executive Officer / Clerk of Court

By:                     K. Kealing                     Deputy

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11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
12 **FOR THE COUNTY OF LOS ANGELES**

13 GINA DAVIDSON, individually, on behalf of  
14 other members of the general public similarly  
15 situated, and on behalf of aggrieved employees  
16 pursuant to the Private Attorneys General Act  
17 (“PAGA”);

18 Plaintiff,

19 v.

20 AUGUSTA FINANCIAL, INC., a California  
21 corporation; and MICHAEL JOSEPH  
22 MEENA, an individual;

23 Defendant.

Case No.: 20CHCV00420

Honorable Melvin Sandvig  
Department F47

**CLASS ACTION**

**~~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: 370219678289]**

Hearing Date: April 5, 2021  
Hearing Time: 8:30 a.m.  
Hearing Place: Department F47

Complaint Filed: July 17, 2020  
FAC Filed: February 25, 2021  
Trial: None Set

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 Melvin Sandvig presiding, on April 5, 2021. The Court having considered the papers submitted  
4 in support of the Motion, HEREBY ORDERS THE FOLLOWING:

5 1. The following Class is conditionally certified for purposes of settlement only: all hourly-  
6 paid or non-exempt employees employed by Defendants Augusta Financial, Inc., and Michael Joseph  
7 Meena (“Defendants”) within the State of California during the Class Period (“Class”). The Class Period  
8 is the time period from July 17, 2016, to March 31, 2021 (“Class Period”).

9 2. The Court grants preliminary approval of the settlement based upon the terms set forth in  
10 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 the  
12 Settlement Agreement.

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

16 4. Plaintiff Gina Davidson (“Plaintiff”) is conditionally approved as the Class  
17 Representative for the Class.

18 5. The proposed Class Representative Enhancement Payment of \$10,000 to Plaintiff for her  
19 services as Class Representative is conditionally approved.

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

22 7. The proposed payment of an Attorney Fee Award in an amount not to exceed \$350,000  
23 and a Cost Award for actual litigation costs to Class Counsel in the amount not to exceed \$20,000 are  
24 conditionally approved.

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1           8.       A Final Approval hearing on the question of whether the Settlement Agreement, the  
2 Attorney Fee Award, the Cost Award, and the Class Representative Enhancement Payment should be  
3 finally approved as fair, reasonable and adequate as to all Class Members who do not submit a valid and  
4 timely request to exclude themselves from the class action Settlement (“Participating Class Members”)  
5 is scheduled on the date and time set forth in Paragraph 15 below.

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

7           10.      The proposed payment of Administration Costs currently estimated at \$9,000 but not to  
8 exceed \$10,000 to CPT Group for its services is conditionally approved.

9           11.      The Court also hereby conditionally approves and orders payment from the Gross  
10 Settlement Amount the Private Attorney General Act (“PAGA”) Payment of \$50,000, seventy-five  
11 percent (75%) of which (\$37,500) will be paid to the California Labor and Workforce Development  
12 Agency (“LWDA”) and twenty-five percent (25%) of which (\$12,500) shall be distributed to the  
13 aggrieved employees eligible to recover the PAGA Payment that consist of all hourly-paid or non-  
14 exempt employees who worked for Defendants within the State of California during the period between  
15 May 5, 2019 to March 31, 2021 (“Eligible Aggrieved Employees,” “PAGA Period,” and “Individual  
16 PAGA Payment”), on a pro rata basis.

17           12.      The Court approves, as to form and content, the Notice of Class Action Settlement (“Class  
18 Notice”) as attached as **Exhibit A** to the Settlement Agreement. The Court also approves the procedure  
19 for Class Members to participate in, to opt out of, and to object to the Settlement as set forth in the Class  
20 Notice. The Court approves, as to the form and content, of the Election Not To Participate or Opt-out  
21 Form (“Exclusion Form”) the Class Members may use to opt out of the Settlement attached as **Exhibit**  
22 **B** to the Settlement Agreement. The Class Notice and Exclusion Form are collectively known as the  
23 Notice Packet.

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

6           14.     To facilitate administration of the Settlement Agreement pending final approval, the  
7 Court hereby enjoins Plaintiff and all Participating Class Members from filing or prosecuting any claims,  
8 suits or administrative proceedings (including, but not limited to, filing claims with the Division of Labor  
9 Standards Enforcement of the California Department of Industrial Relations) released by the Settlement  
10 Agreement (the Released Claims and the PAGA Released Claims) unless and until such Participating  
11 Class Members have filed valid requests for exclusion with the Settlement Administrator and the time  
12 for filing 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 proceedings:

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a.	Deadline for Defendant to submit Class Data to Settlement Administrator	Within fifteen (15) calendar days after entry of the Preliminary Approval Order
b.	Deadline for Settlement Administrator to mail the Notice Packet to Class Members	Within fourteen (14) calendar days after Defendants' deadline to provide the Class Data to the Settlement Administrator
c.	Deadline for Class Members to request for exclusion from Settlement or postmark objections to Settlement to the Settlement Administrator	Forty-five (45) calendar days after initial mailing of the Notice Packet
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
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
g.	Final Approval Hearing and Final Approval	<del>August 9, 2021</del> CE * ~ • of F47 at 8:30 a.m. in Department F47

14 **IT IS SO ORDERED.**

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17 Dated: 04/05/2021

18 BY



Honorable Melvin Sandvig  
Judge of the Superior Court