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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

SEP 18 2020

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12
13 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**

14
15 **COUNTY OF RIVERSIDE**

16 **JASON OTT**, individually and on behalf of all
17 others similarly situated,

18 Plaintiff,

19 vs.

20 **CALIFORNIA BAPTIST UNIVERSITY**, a
21 California Non-Profit Corporation,

22 Defendant.
23

Case No. RIC 1904830

**~~PROPOSED~~ ORDER GRANTING
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

1 This matter is before the Court on Plaintiff's unopposed Motion for an Order Granting
2 Preliminary Approval of Class Action Settlement based on a Settlement Agreement in the above-titled
3 case, which is attached hereto as **Exhibit 1**. The motion, having been fully considered by the Court, and
4 it appearing to the Court, upon preliminary examination, that the settlement set forth herein is within the
5 range of reasonableness, and that a hearing should and will be held after notice to the Class to confirm
6 that the Settlement Agreement therein is fair, adequate and reasonable, and to determine whether a
7 judgment should be entered in this action thereon:

8 IT IS HEREBY ORDERED THAT:

9 1. This Order hereby incorporates by reference the definitions in the Settlement
10 Agreement, and all terms used herein shall have the same meaning as set forth in the Settlement
11 Agreement.

12 2. This Court preliminarily approves the Settlement Agreement and finds that it is
13 within the range of reasonableness as to the Class and Defendant, and is the product of good faith,
14 arm's length negotiations between the parties.

15 3. This Court certifies a provisional class for the purposes of this settlement defined
16 as: all persons who were employed by Defendant in the State of California as Adjunct Faculty
17 Members during the Class Period, which is the period of time beginning September 23, 2015
18 through to the preliminary approval date.

19 4. The Court finds that for the purposes of settlement, Plaintiff has established in his
20 moving papers and supporting declarations all of the requirements for certification of a provisional
21 settlement class pursuant to California Rule of Court 3.769(d).

22 5. The Court appoints and designates CPT, Inc. as Settlement Administrator. The
23 Court further preliminarily approves the payment of the settlement administration costs as
24 provided in the Settlement Agreement.

25 6. The Court appoints and designates Plaintiff as the Class Representative, and the
26 law firms HammondLaw, P.C. and Jhaveri-Weeks Law as Class Counsel.
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7. The Court preliminarily approves payment from the Gross Settlement Amount of the Service Award to Plaintiff and payment of attorneys' fees and costs to Class Counsel as set forth in the Settlement Agreement, with final approval to be considered following submission of a Motion for Attorneys' Fees and Class Representative Enhancement Award.

8. Notice shall be provided to the Class Members in the following manner: Within 20 calendar days of this Order, Defendant shall provide the Class Data List to the Settlement Administrator. Within 35 calendar days of this Order, the Settlement Administrator will send the Class Notice attached as **Exhibit A** to the Settlement Agreement ("Class Notice") to the Class via U.S. First Class Mail.

9. Class Members will have forty-five (45) calendar days from the date of the first mailing to submit requests for exclusion, and/or objections. Unless a Class Member submits a valid and timely Request for Exclusion as provided in the Settlement Agreement, he/she will automatically become a Settlement Class Member. Class Members who wish to be excluded from the settlement must do so in writing and must include the Class Member's name, address, and a clear statement that he or she seeks to be excluded from the Settlement. Class Members who wish to object to the settlement must do so in writing and must include the Class Member's Class Member's full name, address, last four digits of his or her social security number, and the case name and number of the Action, and a clear statement of the basis for his or her objection. All exclusion and objections must be mailed to the Settlement Administrator and postmarked no later than the Response Deadline.

10. Class Members will have the right to challenge only the number of Credits as shown on the Notice. Class Members who wish to dispute the number of Credits must do so in writing and must include the Class Member's full name, address, signature, and last four digits of his or her Social Security number; the case name and number of the Action; a clear statement indicating that he or she disputes the number of Credits credited to him or her; and facts supporting the Class Member's dispute, along with any supporting materials confirming that the Credits credited to him or her are incorrect. Challenges to the number of Credits must be mailed to

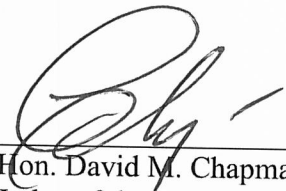
1 the Settlement Administrator and postmarked no later than the Response Deadline. Challenges
2 shall be resolved without hearing by the Settlement Administrator, who will make a decision
3 based on Defendant's records and any document or information presented by the Class Member
4 making the challenge, Class Counsel, or Defendant's Counsel. The Settlement Administrator's
5 determination shall be final and binding.

6 11. The Final Approval Hearing shall be held on 1-12-2021 to
7 determine whether the Settlement Agreement is fair, adequate, reasonable, and should be
8 approved.

8:30
Dept P52

9
10 **IT IS SO ORDERED.**

11 Date: 9-18, 2020

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13 
14 Hon. David M. Chapman
15 Judge of the Superior Court