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10 on behalf of herself and others similarly situated

FILED
Superior Court of California
County of Los Angeles
JUL 01 2020
Sherri R. Carter, Executive Officer/Clerk of Court
By Dejane Wortham, Deputy

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

14 MAYRA CRUZ, on behalf of herself and
15 others similarly situated,

16 Plaintiff,

17 vs.

18 DAHAN INVESTMENTS INC., a California
19 corporation; and DOES 1 through 50,
inclusive,

20 Defendants.

Case No. BC657871

Judge: Hon. Ann Jones

Department: 11, Spring Street Courthouse

CLASS ACTION

**AMENDED [~~PROPOSED~~] ORDER
GRANTING MOTION FOR AN ORDER (1)
PRELIMINARILY APPROVING THE
CLASS ACTION SETTLEMENT, (2)
APPROVING NOTICE OF CLASS ACTION
SETTLEMENT, AND (3) SETTING
HEARING FOR FINAL APPROVAL**

Date: July 1, 2020

Time: 10:00 a.m.

Dept.: 11

1 Plaintiff MAYRA CRUZ (“Plaintiff”) filed a Motion (the “Motion”) for an Order (1)
2 preliminarily approving the Joint Stipulation of Class Action Settlement reached between the
3 parties; (2) approving the Notice of Class Action Settlement, and (3) setting the final approval
4 hearing. The hearing on the Motion was set for July 1, 2020 at 10:00 a.m., at 312 N. Spring
5 Street, Los Angeles, CA 90012, Department 11. Defendants Dahan Investments Inc. and
6 Interstate Foods, Inc., (“Defendants”), did not oppose the Motion. (Plaintiff and Defendants shall
7 be collectively referred to herein as the “Parties”).

8 The Court, having considered Plaintiff’s Motion, the Memorandum of Points and
9 Authorities in support thereof and supporting evidence and Declaration, and Defendants’
10 agreement with and/or non-opposition to the Motion, hereby ORDERS, ADJUDGES, AND
11 DECREES as follows:

12 1. The Court hereby adopted its tentative ruling. A copy of the Court’s Tentative
13 Rulings for June 30, 2020, is provided at Exhibit 1 to the Second Supplemental Declaration of
14 David Yeremian in support of the Motion for Preliminary Approval of the Class Action
15 Settlement. The Preliminary Approval Motion is GRANTED and the Parties’ Joint Stipulation of
16 Class Action Settlement (the “Settlement” or “Settlement Agreement”) attached to the
17 Declaration of David Yeremian is preliminarily approved.

18 2. This Order incorporates by reference the definitions in the Settlement Agreement
19 and all terms defined therein shall have the same meaning in this Order.

20 3. The Class is preliminarily certified for settlement purposes only. The class is
21 defined as: “all current and former non-exempt employees of Defendants, who worked in
22 California during the Class Period”, which is the period from April 13, 2013 through December
23 31, 2019. Should the Settlement not become final, this Order shall be rendered null and void and
24 shall be vacated, and the fact that the Parties were willing to stipulate to class certification as part
25 of the settlement shall have no bearing on, nor be admissible in connection with, the issue of
26 whether a class should be certified in a non-settlement context. Should the Settlement not become
27 final, the Parties shall revert to their respective positions prior to notifying the Court of the
28 settlement of the action.

1 under the circumstances and shall constitute due and sufficient notice to all persons entitled
2 thereto:

3 a. Deadline for Defendant to provide to Class Action Administrator the class
4 list and related information in electronic form: 10 days after the Order granting
5 preliminary approval.

6 b. Deadline for Class Action Administrator to mail the Class Notice by first-
7 class regular U.S. mail: 10 calendar days after receiving the class list and related
8 information.

9 c. Deadline for class members to mail requests for exclusion to the Class
10 Action Administrator: 45 calendar days after the mailing of the Notice.

11 d. Deadline for class members to mail objections to the Class Action
12 Administrator: 45 calendar days after the mailing of the Notice

13 e. Deadline for Class Counsel to file a Motion for Final Approval and a
14 Motion for Attorneys' Fees: October 20, 2020.

15 f. A Final Approval Hearing on the question of whether the proposed
16 settlement, attorneys' fees and costs to Class Counsel, and the class representative
17 enhancement should be approved as fair, reasonable, and adequate as to the
18 Settlement Class: November 13, 2020 at 10:00 a.m./p.m. via LACourt
19 Connect.

20 8. The Joint Stipulation shall not be construed as an admission or evidence of either
21 liability or the appropriateness of class certification in the non-settlement context, as more
22 specifically set forth in the Joint Stipulation. Entry of this Order is without prejudice to the rights
23 of Defendant to oppose certification of a class in this action should the proposed settlement not be
24 granted final approval.

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9. All further proceedings in this action shall be stayed except such proceedings necessary to review, approve, and implement this Settlement.

IT IS SO ORDERED.

DATED: 7-1-20



HONORABLE ANN JONES
JUDGE OF THE SUPERIOR COURT

