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13 Attorneys for PLAINTIFF ANDREW SANCHEZ,
14 on behalf of himself and others similarly situated

15 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
16 **FOR THE COUNTY OF RIVERSIDE**

17 ANDREW SANCHEZ, on behalf of himself
18 and others similarly situated,

19 PLAINTIFF,

20 vs.

21 FELLOWSHIP WAREHOUSING AND
22 LOGISTICS, LLC; and DOES 1 to 100,
23 inclusive,

24 DEFENDANTS.

25 Case No.: CVRI2104191

26 **CLASS ACTION**

27 *[Assigned for all purposes to the Hon. Harold
28 Hopp, Dept. 1]*

29 **[PROPOSED] ORDER (AFTER HEARING)**
30 **RE: GRANTING PLAINTIFF'S RENEWED**
31 **MOTION FOR PRELIMINARY**
32 **APPROVAL OF CLASS ACTION**
33 **SETTLEMENT**

34 *[Filed concurrently with Renewed Notice of
35 Motion and Motion for Preliminary Approval of
36 Class Action Settlement; Declaration of Eve
37 Howe in Support Thereof; and Declaration of
38 Andrew Sanchez]*

39 Hearing Information:
40 Date: May 17, 2024
41 Time: 8:30 A.M.
42 Dept.: 1

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3 The Renewed Motion for Preliminary Approval of a Settlement came before this Court on
4 May 17, 2024, at 8:30 a.m. in Department 1 of the Riverside County Superior Court Courthouse
5 located at 4050 Main Street, Riverside, California 92501. The Court, having considered the Class
6 Action and PAGA Settlement Agreement, attached as Exhibit 1 to the Declaration of Eve Howe in
7 Support of Plaintiff's Motion for Preliminary Approval of Class Action Settlement, and the Exhibits
8 attached thereto (hereafter collectively, the "Settlement Agreement"); having considered the
9 Renewed Motion for Preliminary Approval of Class Action Settlement filed by the parties; having
10 considered the respective points and authorities and declarations submitted by the parties in support
11 thereof; and good cause appearing, **HEREBY ORDERS THE FOLLOWING:**

12 The Court grants preliminary approval of the settlement as set forth in the Settlement
13 Agreement and finds the terms to be within the range of reasonableness of a settlement that
14 ultimately could be granted approval by the Court at the final Fairness Hearing. For purposes of the
15 settlement, the Court finds that the proposed settlement class is ascertainable and that there is a
16 sufficiently well-defined community of interest among the Class in questions of law and fact.
17 Therefore, for settlement purposes only, the Court grants conditional certification of the following
18 "Settlement Class" defined as follows:

19 All non-exempt employees of Defendant who worked for Defendant in
20 California during the Class Period.

21 1. For purposes of the settlement, the Court further designates named Plaintiff
22 ANDREW SANCHEZ as Class Representative, and Joseph Lavi, Esq., Vincent C. Granberry, Esq.,
23 and Eve Howe, Esq. of Lavi & Ebrahimian, LLP as Class Counsel.

24 2. The Court appoints CPT Group. as the Settlement Administrator.

25 3. A final fairness hearing on the question of whether the proposed settlement should
26 be finally approved as fair, reasonable and adequate as to the members of the Settlement Class is
27 scheduled in Department 1 of this Court, on October 24, 2024, at 8:30 a.m., or another date and

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2 time which is convenient to the Court.

3 4. At the final fairness hearing, the Court will consider: (a) whether the settlement
5 should be approved as fair, reasonable, and adequate for the class; (b) whether a judgment granting
6 approval of the settlement should be entered; and (c) whether Plaintiff's application for an award of
7 attorneys' fees, reimbursement of litigation expenses, and class representative service payment
should be granted.

8 5. Counsel for the parties shall file memoranda, declarations, or other statements and
9 materials in support of their request for final approval by no later than 16 court days prior to the
10 final fairness hearing.

11 6. Class Counsel shall file a motion for an award of attorneys' fees, reimbursement of
12 litigation expenses and class representative enhancement by no later than 16 court days prior to
13 the final fairness hearing.

14 7. The Court approves, as to form and content, the Notice, Objection Form, and
15 Exclusion Form (collectively, the "Notice"), which are attached hereto as **Exhibit A**.

16 8. The Court directs Defendant to provide the Settlement Administrator a class
17 database based on Defendant's payroll and other business records containing the following
18 information for each Class Member: (1) name; (2) last known address; (3) last four digits of social
19 security number; and (4) number of Class Period Workweeks and PAGA Pay Periods worked at
20 Defendant's locations in California within fifteen (15) business days of the entry of this Order.

21 9. The Court directs the mailing of the Notice by first class mail to the members of
22 the Class on or before fourteen (14) calendar days of the Settlement Administrator's receipt of the
23 Class Members' information.

24 10. The proposed members of the Class shall have sixty (60) calendar days after initial
25 mailing of the Notice, Objection Form, and Exclusion Form ("Response Deadline"), or fourteen
26 (14) calendar days from remailing, to object or request exclusion from the settlement.

27 11. The Court finds that the forms of Notice to the Class regarding the pendency of the

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2 action and of this settlement, and the methods of giving notice to members of the Class constitute
3 the best notice practicable under the circumstances and constitute valid, due, and sufficient notice
4 to all members of the Class. They comply fully with the requirements of California Code of Civil
5 Procedure section 382, California Civil Code section 1781, California Rules of Court 3.766 and
6 3.769, the California and United States Constitutions, and other applicable law.

7 12. The Court further approves the procedures for Class Members to participate in, opt
8 out of, or object to the Settlement, as set forth in the Settlement Agreement and Notice, Objection
9 Form, and Exclusion Form. Class Members who wish to object to the approval of this Settlement
10 shall inform the Court and Settlement Administrator in writing, or by submitting a completed
11 Objection Form, of his or her intent to object. To object to the Settlement Agreement, a Class
12 Member must either (1) appear at the final approval hearing to be conducted by the Court, remotely
13 or in person, to explain any objection; (2) have an attorney object for the Settlement Class Member;
14 (3) submit a simple written brief or statement of objection; or (4) complete and submit the
15 Objection Form attached to the notice. A statement of objection must contain sufficient information
16 to confirm the identity of the objector and the basis of the objection, including: (a) the full name of
17 the Settlement Class Member; (b) the signature of the Settlement Class Member; (c) the grounds for
18 the objection; and (d) be postmarked within the Response Deadline to permit adequate time for
19 processing and review by the Parties of the written statement or objection. The written statement or
20 completed Objection Form must be postmarked to the Settlement Administrator on or before the
21 Response Deadline. The postmark date will be deemed the exclusive means for determining that
22 the written Objection or Objection Form is timely. The Administrator shall file a declaration
23 concurrently with the filing of any motion for final approval, authenticating a copy of every
24 objection form received by the Administrator. Class Counsel or the Administrator shall give notice
25 to any objecting party of any continuance of the hearing of the motion for final approval.

26 13. Class Members wishing to opt-out from the Settlement Agreement must either, (1)
27 by themselves or by his/her representative, send the Administrator, by fax, email, or mail, a signed

written Request for Exclusion that reasonably communicates the Class Member's election to be excluded from the Settlement and includes the Class Member's name, address and email address or telephone number; or (2) complete and submit the Request for Exclusion Form attached to the Notice advising Class Members of the requirements. Any Class Member who timely requests exclusion in compliance with these requirements shall not have any rights under the Settlement Agreement other than a right to receive a pro-rata share of the PAGA Settlement Payment if the Class Member is also a PAGA Employee. To be valid, a Request for Exclusion must be timely faxed, emailed, or postmarked by the Response Deadline. The Administrator may not reject a Request for Exclusion as invalid because it fails to contain all the information specified in the Class Notice. The Administrator shall accept any Request for Exclusion as valid if the Administrator can reasonably ascertain the identity of the person as a Class Member and the Class Member's desire to be excluded. The Administrator shall file a declaration concurrently with the filing of any motion for final approval, authenticating a copy of every exclusion form received by the Administrator.

14. The procedures and requirements for submitting objections in connection with the
15 Fairness Hearing are intended to ensure the efficient administration of justice and the orderly
16 presentation of any Class Member's objection to the Settlement Agreement, in accordance with
17 the due process rights of all Class Members.
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19 15. Pending the Fairness Hearing, all proceedings in this action, other than proceedings
20 necessary to carry out or enforce the terms and conditions of the Settlement Agreement and this
21 Order, are stayed.

22 16. Counsel for the parties are hereby authorized to utilize all reasonable procedures in
23 connection with the administration of the settlement which are not materially inconsistent with
24 either this Order or the terms of the Settlement.

25 17. The Court orders the following Implementation Schedule for further proceedings:

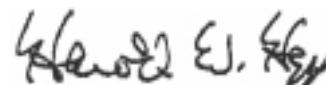
Event	Timing
Data Date: last day for Defendant to provide the Class Members' data to the Settlement	15 business days after the entry of this Order

1	Administrator	
2	Notice Date: last day for Settlement Administrator to mail Notice, Objection Form, and Exclusion Form to Class Members.	14 calendar days after the Settlement Administrator's receipt of the class data
3	Response Deadline: (i) last day for class members to submit opt-outs; and (ii) last day for class members to submit objections.	60 calendar days after the date of mailing of the Notice, Objection Form, and Exclusion Form (plus an additional fourteen (14) days for Class Members whose Class Notice is re-mailed)
4	Last day for class counsel to file motion for award of attorneys' fees, reimbursement of litigation expenses, and class representative enhancement.	16 court days prior to the final fairness hearing
5	Last day for parties to file motion and supporting documents for final approval of class action settlement.	16 court days prior to the final fairness hearing
6	Last day for the Parties to respond to Objections	16 court days prior to the final fairness hearing
7	Hearing on final approval of class action settlement.	October 24, 2024 at 8:30 a.m.

14. The Fairness Hearing and related prior deadlines set forth above may, from time to time and without further notice to the Class (except those who have filed timely and valid objections), be continued or adjourned by Order of the Court.

17 **IT IS SO ORDERED.**

18 Dated: 05/29/2024

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Judge of the Superior Court
20 Honorable Harold W. Hopp