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FILED
KERN COUNTY
NOV 22 2019

BY _____ DEPUTY

ENDORSED

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SUPERIOR COURT FOR THE STATE OF CALIFORNIA
COUNTY OF KERN – NORTH KERN DISTRICT

DANIEL VARGAS, an individual, on his own
behalf and on behalf of all others similarly
situated,

Plaintiff,

vs.

PARAMOUNT CITRUS II LLC;
WONDERFUL CITRUS II LLC; and DOES
1-100, inclusive,

Defendants.

CASE NO. BCV-16-101117
Complaint Filed: May 17, 2016
(Assigned to Hon. Thomas S. Clark
Dept. 17)

CLASS ACTION

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

DATE: November 22, 2019
TIME: 8:30 a.m.
DEPT: 17

1 The Motion for Preliminary Approval of a Class Action Settlement came before this
2 Court, on November 22, 2019, Hon. Thomas S. Clark presiding. The Court having considered
3 the papers submitted in support of the application of the Parties, **HEREBY ORDERS THE**
4 **FOLLOWING:**

5 1. The Court grants preliminary approval of the Settlement and the Settlement Class
6 based upon the terms set forth in the Joint Stipulation for Class and PAGA Action Settlement
7 and Release (“Settlement Agreement”), a true and correct copy of which is attached to the
8 Declaration of Marcus J. Bradley as Exhibit “1” dated October 28, 2019. All terms used herein
9 shall have the same meaning as defined in the Settlement. The Settlement appears to be fair,
10 adequate and reasonable to the Class.

11 2. The Settlement falls within the range of reasonableness and appears to be
12 presumptively valid, subject only to any objections that may be raised at the final fairness
13 hearing and final approval by this Court.

14 3. A final fairness hearing on the question of whether the proposed Settlement,
15 attorneys’ fees and costs to Class Counsel, and the Class Representative’s Service Award
16 should be finally approved as fair, reasonable and adequate as to the members of the Class is
17 scheduled in Department 17 on the date and time set forth in the implementation schedule in
18 Paragraph 9 below.

19 4. This Court approves, as to form and content, the Notice of Pendency of Class Action
20 Settlement (“Notice”), Hearing Date for Court Approval, and Claims Procedures in
21 substantially the form attached to the Settlement as Exhibit “1” and also approves the procedure
22 for Class Members to participate in, opt out of, and object to, the Settlement as Set forth in the
23 Settlement Agreement and Notice.

24 5. The Court directs the mailing of the Notice, in accordance with the Settlement, and
25 finds the dates selected for the mailing and distribution of the mailing of the Notice Packet as
26 set forth in the Notice meet the requirements of due process and provide the best notice
27 practicable under the circumstances and shall constitute due and sufficient notice to all persons
28 entitled thereto.

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6. It is ordered that the Settlement Class is preliminarily certified for settlement purposes only.

7. The Court preliminarily confirms Plaintiff Daniel Vargas as Class Representative, and Bradley/Grombacher LLP as Class Counsel.

8. The Court confirms CPT Group, Inc. as the Settlement Administrator.

9. The Court sets a Final Approval hearing for 4-24-20, at 8³⁰ am in Department 17 above the above-identified courthouse.

Dated: 11-22-19


Hon. Thomas S. Clark

THOMAS S. CLARK