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14 RITA GONZALEZ and DASIA SEABROOKS

15 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
16 **COUNTY OF SAN JOAQUIN**

17 RITA GONZALEZ, individually, and on
18 behalf of other members of the general
19 public similarly situated;

20 Plaintiff,

21 vs.

22 CHILDREN'S HOME OF STOCKTON, a
23 California corporation; and DOES 1 through
24 100, inclusive,

25 Defendants.

Case No.: STK-CV-UOE-2022-6373 (Lead
Case) Consolidated with Case No.: STK-
CV-UOE-2023-5841

*Assigned for All Purposes to: Hon. George
J. Abdallah, Jr., Department 10A*

**[PROPOSED] ORDER GRANTING
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT**

Complaint Filed: July 25, 2022
Jury Trial Date: None Set

DEC 07 2023

BY FAX

1 [PROPOSED] ORDER

2 The Motion of Plaintiffs Rita Gonzalez and Dasia Seabrooks (“Plaintiffs”) for Preliminary
3 Approval of Class Action and PAGA Settlement (“Motion”) came regularly for hearing before this
4 Court. The Court, having fully reviewed Plaintiffs’ Motion, the Points and Authorities and
5 Declarations filed in support thereof, the Parties’ Joint Stipulation of Class Action and PAGA
6 Settlement (“Settlement” or “Settlement Agreement”) attached as Exhibit 1 to the Declaration of
7 Heather Davis filed concurrently with the Motion, and the proposed Notice of Settlement
8 (“Notice”), and in recognition of the Court’s duty to make a preliminary determination as to the
9 reasonableness of any proposed Class Actions settlement, and if preliminarily determined to be
10 reasonable, to ensure proper notice is provided to Class Members in accordance with due process
11 requirements; and to conduct a Final Approval hearing as to the good faith, fairness, adequacy and
12 reasonableness of any proposed settlement, THE COURT HEREBY MAKES THE FOLLOWING
13 DETERMINATIONS AND ORDERS:

14 1. The Court GRANTS preliminary approval of the class action settlement as set
15 forth in the Settlement Agreement and finds its terms to be within the range of reasonableness of
16 a settlement that ultimately could be granted approval by the Court at a Final Fairness hearing.
17 All terms used herein shall have the same meaning as defined in the Settlement Agreement. For
18 purposes of the Settlement only, the Court finds that the proposed Class is ascertainable and that
19 there is a sufficiently well-defined community of interest among the members of the Class in
20 questions of law and fact. Therefore, for settlement purposes only, the Court grants conditional
21 certification of the following settlement Class:

22 All current and former hourly-paid, non-exempt employees of Children’s Home of
23 Stockton who were employed by Children’s Home of Stockton in the State of
24 California at any time between July 25, 2018, and December 8, 2023.

25 2. For purposes of the Settlement only, the Court designates Plaintiffs Rita Gonzalez
26 and Dasia Seabrooks as the Class Representatives and designates Protection Law Group, LLP and
27 *Lawyers for Justice, PC* as Class Counsel.

28 3. The Court designates Apex Class Action, LLC as the third-party Settlement

1 Administrator.

2 4. The Parties are ordered to implement the Settlement according to the terms of the
3 Settlement Agreement.

4 5. The Court approves, as to form and content, the Court Approved Notice of Class
5 and PAGA Action Settlement ("Class Notice") attached as **Exhibit A** to the Settlement
6 Agreement.

7 6. The Court finds that the form of notice to the Class regarding the pendency of the
8 Action and of the Settlement, the dates selected for mailing and distribution, and the methods of
9 giving notice to members of the Class, satisfy the requirements of due process, constitute the best
10 notice practicable under the circumstances, and constitute valid, due, and sufficient notice to all
11 members of the Class. The form and method of giving notice complies fully with the requirements
12 of California Code of Civil Procedure § 382, California Civil Code § 1781, California Rules of
13 Court §§ 3.766 and 3.769, the California and United States Constitutions, and other applicable
14 law.

15 7. The Court further approves the procedures for Class Members to opt-out of or
16 object to the Settlement, as set forth in the Class Notice and the Settlement Agreement. The
17 procedures and requirements for filing objections in connection with the final fairness hearing are
18 intended to ensure the efficient administration of justice and the orderly presentation of any Class
19 Member's objection to the Settlement, in accordance with the due process rights of all Class
20 Members.

21 8. Within fourteen (14) calendar days of the issuance of this Order, Defendant shall
22 provide the Settlement Administrator with the Class Member information specified in the
23 Stipulation of Settlement.

24 9. Within seven (7) calendar days after receipt of the Class Member information from
25 Defendant, the Settlement Administrator shall mail the Class Notice to the members of the Class
26 in accordance with the terms of the Settlement.

27 10. The hearing on Plaintiffs' Motion for Final Approval of Settlement on the question
28 of whether the Settlement should be finally approved as fair, reasonable, and adequate is

1 scheduled in Department 10A of this Court, located at 180 E. Weber Ave., Stockton, California
2 95202, on 5/24, at 9 a.m. p.m.

3 11. At the Final Approval Hearing, the Court will consider: (a) whether the Settlement
4 should be approved as fair, reasonable, and adequate for the Class; (b) whether a judgment
5 granting final approval of the Settlement should be entered; and (c) whether Plaintiffs' application
6 for an enhancement payment, settlement administration costs, and Class Counsel's attorneys' fees
7 and costs, should be granted.

8 12. Counsel for the Parties shall file memoranda, declarations, or other statements and
9 materials in support of their request for final approval of Plaintiff's application for service
10 payments, settlement administration costs, Class Counsel's attorneys' fees and costs, prior to the
11 hearing on Plaintiff's Motion for Final Approval of Settlement according to the time limits set by
12 the Code of Civil Procedure and the California Rules of Court.

13 13. An implementation schedule is below:

Event	Date
Defendants to provide class contact information and tax rate information to the Settlement Administrator no later than:	_____ [14 calendar days following preliminary approval]
Settlement Administrator to mail the Class Notice to the Class Members no later than:	_____ [7 calendar days following provision of contact information]
Deadline for Class Members to submit disputes, request exclusion from, or object to the Settlement:	_____ [60 calendar days after mailing of the Class Notice]
Deadline for Plaintiffs to file Motion for Final Approval of Class Action and PAGA Settlement:	_____ [16 court days before the Final Approval Hearing]

Hearing on Motion for Final Approval of Settlement:

May 24, 2024
at 9:00am

14. Pending the Final Approval hearing, all proceedings in this Action, other than proceedings necessary to carry out or enforce the terms and conditions of the Settlement and this Order, are stayed. To facilitate administration of the Settlement pending final approval, the Court hereby enjoins Plaintiff and all members of the Class from filing or prosecuting any claims, or suits regarding claims released by the Settlement, unless and until such Class Members have filed valid Requests for Exclusion with the Settlement Administrator.

15. Counsel for the Parties are hereby authorized to utilize all reasonable procedures in connection with the administration of the Settlement which are not materially inconsistent with either this Order or the terms of the Settlement.

IT IS SO ORDERED.

Date: January 24, 2024

Linda L. Loftus

~~HON. GEORGE J. ABDALLAH~~ LINDA LOFTUS
JUDGE OF THE SUPERIOR COURT