

**ZAKAY LAW GROUP, APLC**  
 Shani O. Zakay (State Bar #277924)  
 Jackland K. Hom (State Bar #327243)  
 Julieann Alvarado (State Bar #334727)  
 5440 Morehouse Drive, Suite 3600  
 San Diego, CA 92121  
 Telephone: (619)255-9047  
 Facsimile: (858) 404-9203  
[shani@zakaylaw.com](mailto:shani@zakaylaw.com)  
[jackland@zakaylaw.com](mailto:jackland@zakaylaw.com)  
[julieann@zakaylaw.com](mailto:julieann@zakaylaw.com)

**FILED**  
 Superior Court of California  
 County of Los Angeles

01/16/2024

David W. Slayton, Executive Officer / Clerk of Court

By: \_\_\_\_\_ A. He \_\_\_\_\_ Deputy

**JCL LAW FIRM, APC**  
 Jean-Claude Lapuyade (State Bar #248676)  
 5440 Morehouse Drive, Suite 3500  
 San Diego, CA 92121  
 Telephone: (619)599-8292  
 Facsimile: (619) 599-8291  
[jlapuyade@jcl-lawfirm.com](mailto:jlapuyade@jcl-lawfirm.com)

Attorneys for PLAINTIFF JAZMINE MIXON

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

JAZMINE MIXON, an individual, on behalf of herself, and on behalf of all persons similarly situated,

Plaintiff,

v.

CHRISTINA, JENNIFER & JESSICA ENTERPRISES, INC., a California corporation; MANGIONE, INC., a California corporation; and DOES 1 through 50, inclusive,

Defendants.

Case No.: 22STCV29924

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

Hearing Date: January 16, 2024  
 Hearing Time: 10:30 a.m.

Judge: Hon. Stuart M. Rice  
 Department: 1

Electronically Received 1/21/9/2023 04:12 PM

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 **TO ALL PARTIES AND THEIR RESPECTIVE COUNSEL OF RECORD:**

2 The Motion for Preliminary Approval of a Class Action and PAGA Settlement came before this  
3 Court, on January 16, 2024 in Department 1 before the Honorable Stuart M. Rice, presiding. The Court  
4 having considered the papers submitted in support of the application of the parties, HEREBY ORDERS  
5 THE FOLLOWING:

6 1. The Court grants preliminary approval of the Settlement and the Settlement Class based  
7 upon the terms set forth in the Class Action and PAGA Settlement Agreement (“Agreement”) filed  
8 herewith. All terms used herein shall have the same meaning as defined in the Agreement.

9 2. The Settlement set forth in the Agreement, for a Gross Settlement Amount of \$825,000,  
10 appears to be fair, adequate and reasonable to the Class. The Settlement falls within the range of  
11 reasonableness and appears to be presumptively valid, subject only to any objections that may be raised  
12 at the final fairness hearing and final approval by this Court. It further appears that investigation and  
13 research have been conducted such that counsel for the Parties are able to reasonably evaluate their  
14 respective positions. It further appears to the Court that settlement at this time will avoid substantial  
15 additional costs by all Parties, as well as avoid the delay and risks that would be presented by the further  
16 prosecution of the Action. It further appears that the Settlement has been reached as the result of  
17 intensive, serious and non-collusive, arms-length negotiations. The Parties are ordered to carry out the  
18 settlement according to the terms of the Agreement and in conformity with this Order. The Court has  
19 reviewed the monetary recovery that is being granted as part of the Settlement and preliminarily finds  
20 that the monetary settlement awards made available to Class Members is fair, adequate, and reasonable  
21 when balanced against the probable outcome of further litigation relating to certification, liability, and  
22 damages issues.

23 3. A final fairness hearing on the question of whether the proposed Settlement, attorneys’  
24 fees to Class Counsel, costs of administration and the incentive payment to Plaintiff should be finally  
25 approved as fair, reasonable and adequate as to the members of the Class is scheduled in Department 1  
26 on the date and time set forth in the implementation schedule in Paragraph 11 below.  
27  
28

1           4.       This Court approves, as to form and content, the Notice of Class Action Settlement and  
2 Hearing Date for Final Court Approval. The Court approves the procedure for Class Members to opt out  
3 of, or to object to, the Settlement as set forth in the Agreement and Notice.

4           5.       The Court directs the mailing of the Notice of Class Action Settlement and Hearing Date  
5 for Final Court Approval by first class mail to the Class Members in accordance with the Implementation  
6 Schedule set forth below. The Court finds the dates selected for the mailing and distribution of the  
7 Notice, as set forth in the Implementation Schedule, meet the requirements of due process and provide  
8 the best notice practicable under the circumstances and shall constitute due and sufficient notice to all  
9 persons entitled thereto.

10           6.       Specifically, the Notice Packet fairly, plainly, accurately, and reasonably informs Class  
11 Members of: (1) the nature of the Action, the definition of the Class, the identity of Class Counsel, and  
12 the essential terms of the Settlement, including the plan of allocation; (2) Plaintiff's and Class Counsel's  
13 applications for the incentive payment to Plaintiff, and Class Counsel's request for attorneys' fees and  
14 litigation costs; (3) a formula used to determine the Class Members' estimated Individual Class  
15 Payment; (4) how to claim a share of the proceeds under the Settlement, and Class Members' right to  
16 appear through counsel if they desire; (5) how to object to the Settlement or to opt-out if a Class Member  
17 wishes to do so; and (6) how to obtain additional information regarding the Action and the Settlement.  
18 (California Rule of Court 3.766.) The Court finds that the notice requirements of California Rule of  
19 Court 3.769(e) and (f) are satisfied, and that the Notice that will be provided adequately advises Class  
20 Members of their rights under the settlement. Counsel for the Parties are authorized to correct any  
21 typographical errors in the Notice Packet and make clarifications, to the extent the same are found or  
22 needed, so long as such corrections do not materially alter the substance of the documents. The Court  
23 further finds that the distribution of the Class Notice is substantially in the manner and form set forth in  
24 the Agreement and this Order meets the requirements of due process, is the best notice practicable under  
25 the circumstances, and shall constitute due and sufficient notice to all persons entitled thereto. The Court  
26 orders the mailing of the Class Notice by first class mail, pursuant to the terms set forth in the Agreement.  
27  
28

1           7.       It is ordered that the Settlement Class is preliminarily certified for settlement purposes  
2 only. For Settlement purposes only, the Court conditionally certifies the Class, consisting of “all  
3 individuals who worked for Christina, Jennifer & Jessica, Enterprises, Inc. as hourly and/or non-exempt  
4 employees in California at any time between September 14, 2018, and June 19, 2023. The Class Period  
5 is the period from September 14, 2018 to June 19, 2023.

6           8.       The Court concludes that, for settlement purposes only, the Class meets the requirements  
7 for certification under Section 382 of the California Code of Civil Procedure in that: (a) the Class is  
8 ascertainable and so numerous that joinder of all Class Members is impracticable; (b) common questions  
9 of law and fact predominate, and there is a well-defined community of interest amongst the Class  
10 Members with respect to the subject matter of the litigation; (c) the claims of the named Plaintiff are  
11 typical of the claims of the Class Members; (d) the Class Representative will fairly and adequately  
12 protect the interests of the Class Members; (e) a class action is superior to other available methods for  
13 the efficient adjudication of this controversy; and (f) counsel for the Class is qualified to act as counsel  
14 for the Class.  
15

16           9.       The Court confirms Plaintiff Jazmine Mixon as Class Representative, and Shani O.  
17 Zakay of Zakay Law Group, APLC and Jean-Claude Lapuyade of JCL Law Firm, APC as Class  
18 Counsel.

19           10.      The Court confirms the appointment of Apex Class Action, LLC as the Settlement  
20 Administrator.

21           11.      The Court orders the following Implementation Schedule for further proceedings:

22           a.	Deadline for Defendants to Submit Class Data to Settlement Administrator	20 calendar days after Order granting Preliminary Approval
23           b.	Deadline for Settlement Administrator to Mail Class Notice to Class Members	3 business days after receiving Class Data from Defendants
24           c.	Deadline for Class Members to Postmark Requests for Exclusion	45 calendar days after mailing of the Notice
25           d.	Deadline for Receipt by Court, Settlement Administrator, and Counsel of any Objections to Settlement	45 calendar days after mailing of the Notice

e.	Deadline for Class Counsel to file Motion for Final Approval of Settlement, including Request for Attorneys' Fees, Costs, and Incentive Payment	16 Court days before Final Approval Hearing
f.	Deadline for Settlement Administrator to file Declaration of Due Diligence and Proof of Mailing	14 calendar days before Class Counsel's deadline to file Motion for Final Approval of Settlement
g.	Final Fairness Hearing and Final Approval	<del>R } ^ A G I E C C I E F E K H A C E</del>
h.	Deadline for Defendants to fund Settlement	30 calendar days after Effective Date
i.	Deadline for Settlement Administrator to mail the Individual Payments and the Incentive Payment, and to wire transfer the Attorneys' Fees and Costs (if Settlement is Effective)	14 calendar days after Funding Date
j.	Deadline for Class Members to cash Individual Payment checks (if Settlement is Effective)	180 calendar days after Settlement Administrator mails the Individual Payments and the Incentive Payment

12. The Court reserves the right to adjourn or continue the date of the final approval hearing and all dates provided for in the Agreement without further notice to Class Members, and retains jurisdiction to consider all further applications arising out of or connected with the proposed Settlement.

13. As of the date this Order is signed, all dates and deadlines associated with the Action shall be stayed, other than those contemplated herein and in the Settlement Agreement, and pertaining to the administration of the settlement of the Action.

IT IS SO ORDERED.



*Stuart M. Rice*

Stuart M. Rice / Judge

Dated: ~~Re} æ ^ A I E C C I~~

HON. STUART M. RICE  
JUDGE OF THE SUPERIOR COURT