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*Attorneys for Plaintiffs,*  
IMANI R. GOMEZ and  
JUAN GUARDADO

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES, SPRING STREET**

IMANI R. GOMEZ, individually and on  
behalf of others similarly situated, JUAN  
GUARDADO, individually and on behalf of  
others similarly situated,

Plaintiffs,

vs.

AMERICAN AIR BALANCE CO. INC., a  
California corporation; and DOES 1 through  
50, inclusive,

Defendants.

Case No.: 22STCV33002

*Assigned for All Purposes to: Hon. Stuart M.  
Rice, Department 1*

**CLASS ACTION**

**[PROPOSED] ORDER GRANTING  
MOTION FOR PRELIMINARY  
APPROVAL OF JOINT STIPULATION OF  
CLASS ACTION SETTLEMENT**

Hearing Date: April 28, 2025  
Hearing Time: 10:30 a.m.  
Department: 1

Complaint Filed: October 7, 2022  
Jury Trial Date: None Set

**~~PROPOSED~~ ORDER**

The Motion of Plaintiffs IMANI GOMEZ and JUAN GUARDADO (“Plaintiffs”) for Preliminary Approval of Joint Stipulation of Class Action Settlement (“Motion”) came regularly for hearing before this Court on April 28, 2025. The Court, having considered the proposed Joint Stipulation of Class Action Settlement Agreement (“Agreement” or “Settlement Agreement”) attached as Exhibit 1 to the Declaration of Heather Davis filed concurrently with the Motion; having considered Plaintiffs’ Motion for Preliminary Approval of Joint Stipulation of Class Action Settlement, the memorandum of points and authorities in support thereof, and supporting declarations filed therewith; and good cause appearing, **HEREBY ORDERS THE FOLLOWING:**

1. The Court GRANTS preliminary approval of the class action settlement as set forth in the Settlement Agreement and finds its terms to be within the range of reasonableness of a settlement that ultimately could be granted approval by the Court at a Final Fairness hearing. All terms used herein shall have the same meaning as defined in the Settlement Agreement. Specifically, the Court has reviewed and preliminary approves the following payments from the Settlement:

- The Gross Settlement Amount of \$305,000.00, exclusive of employer-side payroll taxes;
- Attorney’s fees not to exceed \$101,666.67 from the Gross Settlement Amount;
- Attorneys Costs not to exceed \$20,000.00 from the Gross Settlement Amount;
- Settlement Administration Costs not to exceed \$4,990.00 from the Gross Settlement Amount;
- Plaintiffs’ Incentive Payments of \$7,500 each to Plaintiffs Imani Gomez and Juan Guardado for a total of \$15,000.00;
- Payment of the remaining Net Settlement Amount of \$163,343.34 to the Class Members who choose to participate in the Settlement following administration of the Class Notice.

1           2.       For purposes of the Settlement Agreement only, the Court finds that the proposed  
2 Class is ascertainable and that there is a sufficiently well-defined community of interest among  
3 the members of the Class in questions of law and fact. Therefore, for settlement purposes only,  
4 the Court grants conditional certification of the following settlement Class:

5           All current and former non-exempt employees of Defendant American Air Balance  
6 Co. Inc. who were employed by Defendant American Air Balance Co. Inc. in the  
7 state of California, at any time during the Class Period. The Class Period means the  
8 period between October 7, 2018, and December 4, 2024.

9           3.       For purposes of the Settlement Agreement only, the Court designates Plaintiffs  
10 Imani Gomez and Juan Guardado as the Class Representatives and designates Protection Law  
11 Group, LLP as Class Counsel.

12           4.       The Court designates Apex Class Action, LLC as the third-party Settlement  
13 Administrator.

14           5.       The Parties are ordered to implement the Settlement Agreement according to the  
15 terms of the Settlement Agreement.

16           6.       The Court approves, as to form and content, the Court Approved Notice of  
17 Proposed Class Action Settlement (“Class Notice”) attached as Exhibit A to the Settlement  
18 Agreement.

19           7.       The Court finds that the form of notice to the Class regarding the pendency of the  
20 Action and of the Settlement Agreement, the dates selected for mailing and distribution, and the  
21 methods of giving notice to members of the Class, satisfy the requirements of due process,  
22 constitute the best notice practicable under the circumstances, and constitute valid, due, and  
23 sufficient notice to all members of the Class. The form and method of giving notice complies  
24 fully with the requirements of California Code of Civil Procedure § 382, California Civil Code §  
25 1781, California Rules of Court §§ 3.766 and 3.769, the California and United States  
26 Constitutions, and other applicable law.

27           8.       The Court further approves the procedures for Class Members to opt-out of or  
28 object to the Settlement Agreement, as set forth in the Class Notice and the Settlement Agreement.  
The procedures and requirements for filing objections in connection with the final fairness hearing

are intended to ensure the efficient administration of justice and the orderly presentation of any Class Member's objection to the Settlement Agreement, in accordance with the due process rights of all Class Members.

9. The Court directs the Settlement Administrator to mail the Class Notice to the members of the Class in accordance with the terms of the Settlement Agreement.

10. The Class Notice shall provide Sixty (60) calendar days' notice (plus an additional Fifteen (15) calendar days for Class Members whose Class Notice is re-mailed) for Class Members to submit disputes, opt-out of, or object to the Settlement Agreement.

11. The hearing on Plaintiff's Motion for Final Approval of Settlement Agreement on the question of whether the Settlement Agreement should be finally approved as fair, reasonable, and adequate is scheduled in Department 1 of this Court, located at 312 N. Spring Street, Los Angeles, California 90012, on U& à^/AGG, 2025, at F&E a.m. /~~p.m.~~

12. At the Final Fairness hearing, the Court will consider: (a) whether the Settlement Agreement should be approved as fair, reasonable, and adequate for the Class; (b) whether a judgment granting final approval of the Settlement Agreement should be entered; and (c) whether Plaintiffs' application for class representative incentive awards, the settlement administration costs, and Class Counsel's attorney's fees and costs, should be granted.

13. Counsel for the Parties shall file memoranda, declarations, or other statements and materials in support of their request for final approval of Plaintiffs application for Class Representative Incentive Awards, Settlement Administration Costs, Class Counsel's Attorneys' Fees and Costs, prior to the hearing on Plaintiffs' Motion for Final Approval of Class Action Settlement according to the time limits set by the Code of Civil Procedure and the California Rules of Court.

14. An implementation schedule is below:

Event	Date
Defendant to provide class contact information to the Settlement Administrator no later than:	<del>May 19, 2025</del> R } ^ F F Z G G [20 calendar days following preliminary approval]

Settlement Administrator to mail the Class Notice to the Class Members no later than:	<del>May 26, 2025</del> <sup>RE</sup> <del>FILE</del> <sup>FILE</sup> [7 calendar days following provision of contact information]
Deadline for Class Members to submit disputes, request exclusion from, or object to the Settlement Agreement:	<del>July 25, 2025</del> <sup>CE</sup> <del>FILE</del> <sup>FILE</sup> [60 days after mailing of the Class Notice]
Deadline for Plaintiff to file Motion for Final Approval of Joint Stipulation of Class Action Settlement:	September <del>23</del> <sup>HE</sup> , 2025 [16 court days before Motion for Final Approval Hearing Date]
Hearing on Motion for Final Approval of Joint Stipulation of Class Action Settlement:	<sup>GG</sup> October <del>16</del> , 2025 at 10:30 a.m. in Department 1

15. Pending the Final Fairness hearing, all proceedings in this Action, other than proceedings necessary to carry out or enforce the terms and conditions of the Settlement Agreement and this Order, are stayed. To facilitate administration of the Settlement Agreement 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 Agreement, unless and until such Class Members have filed valid Requests for Exclusion with the Settlement Administrator.

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

**IT IS SO ORDERED.**



*Stuart M. Rice*

DATED: 05/13/2025

By: Stuart M. Rice / Judge  
HON. STUART M. RICE  
JUDGE OF THE SUPERIOR COURT