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FILED

Superior Court of California
County of Los Angeles

04/29/2025

David W. Slybia, Executive Officer / Clerk of Court

By: I. Yin Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

ELIA PAREDES ACOSTA, as an individual
and on behalf of all others similarly situated,

Plaintiff,

vs.

SMG/LONG BEACH CONVENTION AND
ENTERTAINMENT CENTER, a business
entity form unknown; ASM GLOBAL
FRESNO, LLC, a Delaware limited liability
company; and DOES 1 through 100,

Defendants.

CASE NO. 21STCV27103

*[Assigned for all purposes to the Hon. Stuart
M. Rice]*

**~~PROPOSED~~ ORDER GRANTING
PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: April 23, 2025
Time: 10:30 a.m.
Dept.: SSC-1

Action Filed: July 23, 2021
Trial Date: None Set

1 The Motion of Plaintiff Elia Paredes Acosta (“Plaintiff”) for Preliminary Approval of
2 Class Action Settlement came on regularly for hearing before this Court on April 23, 2025 at
3 10:30 a.m. This Court, having considered the proposed Class Action and PAGA Settlement
4 Agreement and Class Notice (the “Settlement”) attached to the Declaration of Andrew J.
5 Rowbotham filed concurrently herein; having considered Plaintiff’s Motion for Preliminary
6 Approval of Class Action Settlement, Memorandum of Points and Authorities in support thereof,
7 and supporting declarations filed therewith; and good cause appearing, HEREBY ORDERS THE
8 FOLLOWING:

9 1. The Court GRANTS preliminary approval of the class action settlement as set
10 forth in the Settlement and finds its terms to be within the range of reasonableness of a settlement
11 that ultimately could be granted approval by the Court at a Final Fairness Hearing. For purposes
12 of the Settlement, the Court finds that the proposed Settlement Class is ascertainable and that
13 there is a sufficiently well-defined community of interest among the members of the Settlement
14 Class in questions of law and fact. Therefore, for settlement purposes only, the Court grants
15 conditional certification of the following Settlement Class:

16 All current and former non-exempt employees of Defendant SMG
17 (“Defendant”) in California who worked at any time between
18 January 26, 2017 and June 30, 2024, at the Long Beach Convention
and Entertainment Center.

19 2. For purposes of the Settlement, the Court designates Elia Paredes Acosta as Class
20 Representative, and designates Paul K. Haines, Fletcher W. Schmidt, Andrew J. Rowbotham, and
21 Susan J. Perez of Haines Law Group, APC as Class Counsel.

22 3. The Court designates Apex Class Action Administration as the third-party
23 Settlement Administrator for mailing notices.

24 4. The Court approves, as to form and content, the Court Approved Notice of Class
25 Action and PAGA Settlement and Hearing Date for Final Court Approval (the “Notice Packet”),
26 attached as part of Exhibit A to the Rowbotham Declaration filed concurrently herein.

27 5. The Court finds that the form of notice to the Settlement Class regarding the
28 pendency of the action and of the Settlement, and the methods of giving notice to members of the

Settlement Class, constitute the best notice practicable under the circumstances, and constitute valid, due, and sufficient notice to all of the Settlement Class members. The form and method of giving notice complies fully with the requirements of California Code of Civil Procedure § 382, California Civil Code § 1781, California Rules of Court 3.766 and 3.769, the California and United States Constitutions, and other applicable law.

6. The Court further approves the procedures for the Settlement Class members to opt out of or object to the Settlement, as set forth in the Class Notice.

7. 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 Settlement Class member's objection to the Settlement in accordance with the due process rights of all members of the Settlement Class.

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

9. The Class Notice shall provide at least sixty (60) calendar days' notice for Settlement Class members to opt out of, or object to, the Settlement.

10. The Final Fairness Hearing on the question of whether the Settlement should be finally approved as fair, reasonable, and adequate is scheduled in Department SSC-1 of this Court, located at 312 North Spring Street, Los Angeles, California 90012 on U&A 2/11/25, 2025 at 10:00 a.m. / ~~p.m.~~

11. At the Final Fairness Hearing, the Court will consider: (a) whether the Settlement should be finally approved as fair, reasonable, and adequate for the Settlement Class; (b) whether a judgment granting final approval of the Settlement should be entered; and (c) whether Plaintiff's application for reasonable attorneys' fees, reimbursement of litigation expenses, service payment, settlement administration costs should be granted, and payment to the Labor & Workforce Development Agency for penalties under the Labor Code Private Attorneys General Act should be granted.

12. Counsel for the parties shall file memoranda, declarations, or other statements and materials in support of their request for final approval of the Settlement, attorneys' fees, litigation

expenses, Plaintiff's service payment, and settlement administration costs, prior to the Final Fairness Hearing according to the time limits set by the Code of Civil Procedure and the California Rules of Court.

13. The Court preliminarily approves the Gross Settlement Amount of \$215,000.00 and preliminarily approves the requested attorneys' fees of \$71,666.67, litigation costs in an amount not to exceed \$40,000.00, Class Representative Service Payment of \$7,500.00 to Plaintiff, settlement administration costs not to exceed \$8,900.00, and the amount set aside as PAGA civil penalties of \$15,000.00. Based on these requested amounts, the Net Settlement Amount available for distribution to participating Settlement Class members is currently estimated to be \$71,933.33.

14. An implementation schedule is provided below (assuming approval is granted on April 30, 2025):

Event	Date
Defendant to provide Class Data to the Settlement Administrator no later than [10 business days after preliminary approval]:	May 14, 2025
Settlement Administrator to mail the Notice Packet to Settlement Class members no later than [10 business days after receiving Class Data]:	May 29, 2025
Deadline for Settlement Class members to submit a dispute, request exclusion from, or object to, the Settlement [60 calendar days after mailing]:	July 28, 2025
Deadline for Plaintiff to file Motion for Final Approval of Class Action Settlement:	At least 16 court days in advance of Final Fairness Hearing
Final Fairness Hearing:	<input type="checkbox"/> September 17, 2025 at 10:30 a.m. <input checked="" type="checkbox"/> SEP 17 2025 at 10:30 a.m. / p.m.

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 and this Order, are stayed.

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

4 **IT IS SO ORDERED.**



A handwritten signature in black ink, appearing to read "Stuart M. Rice".

5
6 Dated: 07/13/25, 2025

Stuart M. Rice / Judge

Hon. Stuart M. Rice
Judge of the Superior Court