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

09/02/2025

David W. Slayton, Executive Officer / Clerk of Court

By:                     E. Martinez                     Deputy

Attorneys for Plaintiff Kayla Kurges, individually  
and on behalf of others similarly situated

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

KAYLA KURGES, individually, and on behalf  
of all others similarly situated,

Plaintiff,

v.

KHANNA ENTERPRISES, LTD. DBA  
SHERATON AGOURA HILLS, a California  
limited partnership; and DOES 1 through 10,  
inclusive,

Defendants.

Case No.: 24STCV01590

*Assigned for all purposes to:  
Hon. Timothy Patrick Dillon  
Dept. 15*

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

Date: December 3, 2025  
 Time: 10:00 a.m.  
 Dept.: 15

1 **PROPOSED** ORDER

2 Having reviewed Plaintiff Kayla Kurges (“Plaintiff”) Motion for Preliminary Approval  
3 of Class Action Settlement (“Motion”), the Declaration of Lisa B. Iturriaga, Plaintiff’s  
4 declaration, and the Class Action Settlement Agreement (“Settlement Agreement”), and good  
5 cause appearing, the Court finds and orders as follows:

6 1. The Court finds on a preliminary basis that the Settlement Agreement appears to  
7 be fair, adequate, and reasonable and therefore meets the requirements for preliminary approval.  
8 The Court grants preliminary approval of the Settlement and the Settlement Class based on the  
9 terms set forth in the Settlement Agreement between Plaintiff and Defendant Khanna  
10 Enterprises, LTD. dba Sheraton Agoura Hills (“Defendant”), attached to the Declaration of Lisa  
11 B. Iturriaga in Support of Plaintiff’s Motion for Preliminary Approval of Class Action  
12 Settlement as **Exhibit 1**.

13 2. The Settlement falls within the range of reasonableness of a settlement which  
14 could ultimately be given final approval by this Court, and appears to be presumptively valid,  
15 subject only to any objections that may be raised at the Final Approval Hearing and final  
16 approval by this Court. The Court notes that Defendant has agreed to create a common fund of  
17 \$200,000.00 to cover (a) settlement payments to Class Members who do not validly opt out; (b)  
18 Class Representative service payment of up to \$~~10,000.00~~<sup>7500</sup> to Plaintiff; (c) Class Counsel’s  
19 attorney’s fees, not to exceed one-third (1/3) of the Gross Settlement Amount (i.e., \$66,666.66),  
20 and up to \$25,000.00 in costs for actual litigation expenses incurred by Class Counsel; and (e)  
21 Settlement Administration Costs of up to \$6,490.00.

22 3. The Court preliminarily finds that the terms of the Settlement appear to be within  
23 the range of possible approval, pursuant to California Code of Civil Procedure § 382 and  
24 applicable law. The Court finds on a preliminary basis that: (1) the Settlement amount is fair  
25 and reasonable to the Class Members when balanced against the probable outcome of further  
26 litigation relating to class certification, liability and damages issues, and potential appeals; (2)  
27 significant informal discovery, investigation, research, and litigation have been conducted such  
28 that counsel for the Parties at this time are able to reasonably evaluate their respective positions;

1 (3) settlement at this time will avoid substantial costs, delay, and risks that would be presented  
2 by the further prosecution of the litigation; and (4) the proposed Settlement has been reached as  
3 the result of intensive, serious, and non-collusive negotiations between the Parties with the  
4 assistance of a well-respected class action mediator. Accordingly, the Court preliminarily finds  
5 that the Settlement Agreement was entered into in good faith.

6 4. A final fairness hearing on the question of whether the proposed Settlement,  
7 attorneys' fees and costs to Class Counsel, and the Class Representative's service payment  
8 should be finally approved as fair, reasonable and adequate as to the members of the Class is  
9 hereby set in accordance with the Implementation Schedule set forth below.

10 5. The Court provisionally certifies for settlement purposes only the following class  
11 (the "Class"): "all non-exempt, hourly individuals who worked for Defendant (i.e., in the  
12 Sheraton Agoura Hills location) in California during the Class Period who did not sign the most  
13 recent arbitration agreement that was initially rolled out in 2022."

14 6. "Class Period" means the period from July 25, 2019 through December 14, 2024.

15 7. The Court finds, for settlement purposes only, that the Settlement Class meets the  
16 requirements for certification under California Code of Civil Procedure § 382 in that: (1) the  
17 Settlement Class Members are so numerous that joinder is impractical; (2) there are questions  
18 of law and fact that are common, or of general interest, to all Settlement Class Members, which  
19 predominate over individual issues; (3) Plaintiff's claims are typical of the claims of the  
20 Settlement Class Members; (4) Plaintiff and Class Counsel will fairly and adequately protect  
21 the interests of the Settlement Class Members; and (5) a class action is superior to other  
22 available methods for the fair and efficient adjudication of the controversy.

23 8. The Court appoints as Class Representative, for settlement purposes only,  
24 Plaintiff. The Court further preliminarily approves Plaintiff's ability to request a service  
25 payment up to \$10,000.00.

26 9. The Court appoints, for settlement purposes only, John G. Yslas, Jeffrey C. Bills,  
27 Aram Boyadjian, Lisa B. Iturriaga, and Andrew Sandoval of Wilshire Law Firm, PLC as Class  
28 Counsel. The Court further preliminarily approves Class Counsel's ability to request attorney's

1 fees of up to one-third (1/3) of the Gross Settlement Amount (i.e., \$66,666.66), and costs not to  
2 exceed \$25,000.00.

3 10. The Court appoints APEX Class Action Administration as the Settlement  
4 Administrator with reasonable administration costs estimated not to exceed \$6,490.00.

5 11. The Court approves, as to form and content the Class Notice, attached to the  
6 Settlement Agreement. The Court finds on a preliminary basis that plan for distribution of the  
7 Notice to Settlement Class Members satisfies due process, provides the best notice practicable  
8 under the circumstances, and shall constitute due and sufficient notice to all persons entitled  
9 thereto.

10 12. The Parties are ordered to carry out the Settlement according to the terms of the  
11 Settlement Agreement.

12 13. Any Class Member who does not timely and validly request exclusion from the  
13 Settlement may object to the Settlement Agreement.

14 14. The Court orders the following Implementation Schedule:

EVENT:	DEADLINE:
Defendant to provide Class List to the Settlement Administrator	<del>December 17, 2025</del> - 14 days after the Court grants Preliminary Approval of the Settlement
Settlement Administrator to mail the Notice Packets	<del>December 31, 2025</del> - 14 days after receipt of Class Data
Class Member Response Deadline	<del>February 15, 2026</del> - 45 days after mailing Notice to Class
Class Member Deadline to Object	<del>February 15, 2026</del> - 45 days after mailing Notice to Class
Deadline for Administrator to Submit Declaration in Support of Motion for Final Approval	<del>February 23, 2026</del> - 14 days before the last day to file Plaintiff's Motion for Final Approval

EVENT:	DEADLINE:
Deadline to file Motion for Final Approval	<del>March 9, 2026</del> - 16 court days before the calendared Final Approval Hearing
Final Approval Hearing	<del>April 1, 2026 at 10:00 a.m.</del> [or 12/10/2025 at 10:00 a.m.]

15. The Court further ORDERS that, pending further order of this Court, all proceedings in this lawsuit, except those contemplated herein and in the settlement, are stayed.

**IT IS SO ORDERED.**

DATE: 09/02/2025



*Handwritten signature of Timothy Patrick Dillon*

Hon. Timothy Patrick Dillon  
Los Angeles County Superior Court  
Timothy Patrick Dillon / Judge

Escalator clause is not triggered.