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**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF ORANGE

SEP 22 2025

DAVID H. YAMASAKI, Clerk of the Court

BY: \_\_\_\_\_, DEPUTY

9 Attorneys for Plaintiff KENYA CALDERON

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
11 **FOR THE COUNTY OF ORANGE**

12 KENYA CALDERON, individually, and on  
13 behalf of all others similarly situated,

14 Plaintiff,

15 vs.

16 B-PER ELECTRONIC, INC., a California  
17 corporation; and DOES 1 through 10,  
18 inclusive,

19 Defendants.

Case No.: 30-2024-01409795-CU-OE-CXC

[Hon. William D. Claster, Dept. CX-101]

**CLASS ACTION**

**[PROPOSED] ORDER GRANTING  
PLAINTIFF'S MOTION FOR  
PRELIMINARY APPROVAL OF CLASS  
ACTION AND PAGA SETTLEMENT,  
CONDITIONAL CERTIFICATION,  
APPROVAL OF CLASS NOTICE,  
SETTING OF FINAL APPROVAL  
HEARING DATE**

Hearing Date: September 12, 2025  
Hearing Time: 9:00 a.m.  
Hearing Place: Department CX-101

Complaint Filed: June 26, 2024  
FAC Filed: October 14, 2024  
Trial Date: None Set

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 A preliminary approval hearing was held before this Court on September 12, 2025, at 9:00  
3 a.m., for the purpose of determining, among other things, whether the Settlement was within the  
4 range of possible approval and whether notice to the Class Members of its terms and conditions, and  
5 the scheduling of a Final Approval Hearing, will be worthwhile. Appearing at the hearing was Snell  
6 & Wilmer L.L.P. on behalf of Defendant B-Per Electronic, Inc. (“Defendant”), Moon Law Group,  
7 PC on behalf of Plaintiff Kenya Calderon (“Plaintiff”) and the Class.

8 Having reviewed the papers and documents presented, heard the statements of counsel,  
9 considered the matter, and made findings and rulings at the hearing,

10 **IT IS HEREBY ORDERED:**

11 1. The following Class is conditionally certified for purposes of settlement only: any  
12 person who worked for Defendant B-Per Electronic, Inc. (“Defendant”) in California as an hourly,  
13 non-exempt employee at any time during the time period from June 26, 2020, to June 20, 2025 (the  
14 “Class”).

15 2. The Court grants preliminary approval of the settlement based upon the terms set  
16 forth in the Class Action and PAGA Settlement Agreement (“Settlement Agreement,” “Settlement,”  
17 or “Agreement”). Capitalized terms shall have the definitions set forth in the Settlement Agreement.

18 3. The Settlement appears to be fair, adequate and reasonable to the Class. The  
19 Settlement falls within the range of reasonableness and appears to be presumptively valid, subject  
20 only to any objections that may be raised at the final approval hearing and final approval by this  
21 Court.

22 4. Plaintiff Kenya Calderon (“Plaintiff”) is conditionally approved as the Class  
23 Representative for the Class.

24 ~~5. The proposed Class Representative Service Payment of \$7,500.00 to Plaintiff for her~~  
25 ~~service as Class Representative is conditionally approved.~~

26 6. Moon Law Group, PC is conditionally approved as Class Counsel for the Class.

27 ~~7. The proposed payment of Class Counsel Fees Payment in an amount not to exceed~~  
28 ~~\$90,833.33 and Class Counsel Litigation Expenses Payment for actual litigation costs to Class~~

NDC

~~Counsel in the amount not to exceed \$20,000.00 are conditionally approved.~~

8. A Final Approval hearing on the question of whether the Settlement Agreement, the Class Counsel Fees Payment, Class Counsel Litigation Expenses Payment, and the Class Representative Service Payment should be finally approved as fair, reasonable and adequate as to all Class Members who do not submit a valid and timely request to exclude themselves from the class action Settlement (“Participating Class Members”) is scheduled on the date and time set forth in Paragraph 15 below.

9. The Court confirms Apex Class Action Administration (“Apex”) as the Administrator.

NDC

~~10. The proposed payment of Administration Expenses Payment, not to exceed \$5,990.00, to Apex for its services is conditionally approved.~~

NDC

~~11. The Court also hereby conditionally approves and orders payment from the Gross Settlement Amount the Private Attorneys General Act of 2004 (“PAGA”) Penalties of \$20,000. Sixty-five percent (65%) (i.e., \$13,000.00) of the PAGA Penalties will be paid to the California Labor and Workforce Development Agency (“LWDA”) (i.e., the “LWDA PAGA Payment”) and the remaining thirty-five percent (35%) (i.e., \$7,000.00) of the PAGA Penalties shall be distributed to the Aggrieved Employees eligible to recover their Individual PAGA Payments. The Aggrieved Employees consist of any person who worked for Defendant in California as an hourly, non-exempt employee at any time during the period from June 22, 2023, to June 20, 2025. The Administrator will calculate each Individual PAGA Payment by (a) dividing the amount of the Aggrieved Employees’ 35% share of PAGA Penalties (i.e., \$7,000.00) by the total number of PAGA Period Pay Periods worked by all Aggrieved Employees during the PAGA Period and (b) multiplying the result by each individual Aggrieved Employee’s PAGA Period Pay Periods. Aggrieved Employees assume full responsibility and liability for any taxes owed on their Individual PAGA Payment.~~

12. The Court approves, as to form and content, the Notice of Class Action Settlement and Hearing Date for Final Court Approval (“Class Notice”) as attached as **Exhibit A** to the Settlement Agreement. The Court also approves the procedure for Class Members to participate in, to opt out of, and to object to the Settlement as set forth in the Class Notice.

1 13. The Court directs the mailing of the Class Notice via first-class United States Postal  
2 Service mail to Class Members in accordance with the implementation schedule set forth in  
3 Paragraph 15 below. The Court finds the dates selected for the mailing and distribution of the Class  
4 Notice, as set forth in the Implementation Schedule, meet the requirements of due process and  
5 provide the best notice practicable under the circumstances and shall constitute due and sufficient  
6 notice to all persons entitled thereto.

7 ~~14. To facilitate administration of the Settlement Agreement pending final approval, the  
8 Court hereby enjoins Plaintiff and all Participating Class Members from filing or prosecuting any  
9 claims, suits or administrative proceedings (including, but not limited to, filing claims with the  
10 Division of Labor Standards Enforcement of the California Department of Industrial Relations)  
11 released by the Settlement Agreement (i.e., the Released Class Claims) unless and until such  
12 Participating Class Members have filed valid requests for exclusion with the Administrator and the  
13 time for filing valid requests for exclusion with the Administrator has not elapsed.~~

14 15. The Court orders the following **Implementation Schedule** for further proceedings:

15 a.	Deadline for Defendant to submit Class Data to Administrator	Within fifteen (15) calendar days after entry of the Preliminary Approval Order
16 b.	Deadline for Administrator to mail the Class Notice to Class Members	Within fourteen (14) calendar days after Defendant's deadline to provide the Class Data to the Administrator
17 c.	Deadline for Class Members to Requests for Exclusion from Settlement or postmark objections to Settlement to the Administrator	Sixty (60) calendar days after initial mailing of the Class Notice (plus an additional 14 days for re-mailed notices)
18 e.	Deadline for Class Counsel to file Motion for Final Approval of Settlement	Sixteen (16) Court days before Final Approval Hearing in conformity with Code of Civil Procedure § 1005
19 f.	Deadline for Class Counsel to file Motion for Class Counsel Fees Payment, Class Counsel Litigation Expenses Payment, and Class Representative Service Payment	Sixteen (16) Court days before Final Approval Hearing in conformity with Code of Civil Procedure § 1005
20 g.	Final Approval Hearing and Final Approval	February 20, 2026, at 9:00 a.m. in Department CX-101

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1 **IT IS SO ORDERED.**

2 Dated: 9/22/25

3 By: William D. Claster  
4 HONORABLE WILLIAM D. CLASTER  
5 JUDGE OF THE SUPERIOR COURT  
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