

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

10/10/2025

David W. Slayton, Executive Officer / Clerk of Court

By: E. Martinez Deputy

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

PHILLIP JR PLASENCIA individually and on  
behalf of himself and all others similarly  
situated,

Plaintiff,

v.

ONNI PROPERTIES LLC, an Arizona  
Limited Liability Company, ONNI  
MANAGEMENT CALIFORNIA, INC., a  
Delaware Corporation, Defendant ONNI  
LEVEL PROPERTIES (CALIFORNIA),  
LLC, a Delaware limited liability company,  
Defendant CAPILANO PROPERTIES, LLC,  
a Nevada limited liability company, Defendant  
ONNI 888 OLIVE STREET LIMITED  
PARTNERSHIP, a Nevada limited  
partnership, and ONNI CONTRACTING  
(CALIFORNIA), INC., a California  
corporation, and DOES 1-50, inclusive,

Defendants.

Case No. 24STCV04598

*Assigned for All Purposes To:*  
Hon. Timothy Patrick Dillon  
Dept.: 15

**ORDER GRANTING PRELIMINARY  
APPROVAL OF CLASS ACTION AND  
PAGA SETTLEMENT AGREEMENT,  
APPROVAL OF NOTICE TO CLASS  
MEMBERS, APPROVAL OF  
SETTLEMENT ADMINISTRATOR,  
AND SETTING HEARING FOR FINAL  
APPROVAL OF SETTLEMENT**

Complaint Filed: February 23, 2024  
FAC Filed: March 10, 2025  
Trial Date: None Set

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1 This matter, having come before the Honorable Timothy Patrick Dillon of the Superior Court  
2 of the State of California, in and for the County of Los Angeles, on September 15, 2025, at 11:00 A.M.,  
3 for the Motion by Plaintiff Phillip Jr Plasencia (“Plaintiff”) for Preliminary Approval of the Class  
4 Action and PAGA Settlement that resolves the claims alleged by Plaintiff and the Class against  
5 defendants ONNI PROPERTIES LLC, an Arizona Limited Liability Company; ONNI  
6 MANAGEMENT CALIFORNIA, INC., a Delaware Corporation; Defendant ONNI LEVEL  
7 PROPERTIES (CALIFORNIA), LLC, a Delaware limited liability company; Defendant CAPILANO  
8 PROPERTIES, LLC, a Nevada limited liability company; Defendant ONNI 888 OLIVE STREET  
9 LIMITED PARTNERSHIP, a Nevada limited partnership.; and ONNI CONTRACTING  
10 (CALIFORNIA), INC., a California corporation (collectively “Defendants” or “ONNI”) (collectively  
11 referred to herein as the “Parties”). The Court, having considered the briefs, argument of counsel and  
12 all matters presented to the Court, and good cause appearing, hereby GRANTS Plaintiff’s Motion for  
13 Preliminary Approval of Class Action and PAGA Settlement.

14 IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

15 1. The Court provisionally certifies the following Class for purposes of settlement: all  
16 persons who are or were employed by Defendants as hourly paid, non-exempt employees in the State  
17 of California at any time during the period from December 2, 2019 through February 2, 2025 (“Class  
18 Period”).

19 2. The Court preliminarily appoints Plaintiff as Class Representative for purposes of  
20 settlement only.

21 3. The Court appoints James Hawkins and Christina Lucio of James Hawkins, APLC as  
22 Class Counsel for purposes of settlement.

23 4. The Court preliminarily approves the class action portion of the Settlement as fair,  
24 adequate, and reasonable, and approves the PAGA portion of the settlement based upon the terms set  
25 forth in the Class Action and PAGA Settlement Agreement (the “Settlement”), including payment by  
26 Defendants of the non-reversionary Gross Settlement Amount of \$875,000.00.

27 5. The Court preliminarily approves payment of reasonable attorneys’ fees and costs from  
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1 the Gross Settlement Amount in an amount of up to <sup>33\*\*</sup>35% of the Gross Settlement Amount  
2 (\$306,250.00), plus actual litigation costs up to \$15,000.00.

3 6. The Court preliminarily approves the Class Representative Service Payment to Plaintiff  
4 in an amount of up to \$<sup>7500\*\*</sup>~~10,000.00~~ from the Gross Settlement Amount to compensate him for the burden,  
5 responsibility, time, effort, and risk involved in coming forward on behalf of the Class and for his  
6 general release of claims broader than the Class release;

7 7. The Court approves payment to the LWDA of 75% of the \$45,000.00 allocated to PAGA  
8 penalties (\$33,750.00) from the Gross Settlement Amount;

9 8. The Court preliminarily approves Apex Class Action, LLC as the Settlement  
10 Administrator and further approves distribution of up to \$9,000.00 from the Gross Settlement Amount  
11 to cover the Settlement Administrator's expenses in administering this Settlement;

12 9. The Court orders Defendants to direct the distribution to the Class of the Notice of Class  
13 Action and PAGA Settlement (the "Class Notice"), including notice of the opportunity to exclude  
14 oneself from, or object to, the Settlement (except for its PAGA component); and

15 10. The Final Fairness and Approval Hearing shall be held on 03/04/2026, ~~2025~~ at  
16 11:00 AM, before the Honorable Timothy Patrick Dillon, in Department 15 in the Superior Court of  
17 California, Los Angeles County, in the Spring Street Courthouse located at 312 N Spring St., Los  
18 Angeles, CA 90012. At that time, the Court shall determine, following dissemination of Notice to the  
19 Class, whether to grant final approval to the Settlement.

20 **IT IS SO ORDERED.**

21  
22 DATED: 10/10/2025, ~~2025~~



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24 HON. TIMOTHY PATRICK DILLON  
25 JUDGE OF THE SUPERIOR COURT

26 Timothy Patrick Dillon / Judge

27  
28 \*\* conform class notice