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11 individually, and on behalf of all other
12 Aggrieved Employees

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **FOR THE COUNTY OF SAN DIEGO**

15 GUILLERMO VALENZUELA, individually,
16 and on behalf of all other Aggrieved Employees,

17 Plaintiffs,

18 vs.

19 NULINE TECHNOLOGIES, LLC, a California
20 corporation; and DOES 1 through 10, inclusive,

21 Defendants.

Case No.: 37-2020-00015352-CU-OE-CTL

*[Assigned for All Purposes to the Hon. Keri
Katz; Dept. C-74]*

**[PROPOSED] ORDER GRANTING
PRELIMINARY APPROVAL OF JOINT
STIPULATION OF CLASS ACTION
SETTLEMENT AND RELEASE OF
CLAIMS**

Date: June 11, 2021

Time: 8:30 a.m.

Dept: C-74

ELECTRONICALLY RECEIVED
Superior Court of California,
County of San Diego

05/19/2021 at 08:47:09 PM
Clerk of the Superior Court
By Jose Hernandez, Deputy Clerk

1 The Court has before it the unopposed Motion for Preliminary Approval (“Motion for
2 Preliminary Approval”) of Joint Stipulation of Class Action Settlement and Release of Claims of
3 Named Plaintiff Guillermo Valenzuela (“Named Plaintiff”). After reviewing the Motion for
4 Preliminary Approval and the Joint Stipulation of Class Action Settlement and Release of Claims
5 (the “Settlement Agreement”) filed with the Court, the Court hereby finds and orders as follows:

6 1. The Court finds, on a preliminary basis, that the settlement memorialized in the
7 Settlement Agreement appears to be fair, adequate and reasonable, falls within the range of
8 reasonableness, and therefore meets the requirements for preliminary approval.

9 2. The Court conditionally certifies for settlement purposes only the following class (the
10 “Class”): “‘Class’ shall mean all persons who, during the Class Period, have previously been
11 or currently are employed in California by Defendant, as an hourly-paid, non-exempt employee.”

12 3. The Court finds, for purposes of settlement only, that the Class meets the
13 requirements for certification under section 382 of the California Code of Civil Procedure in that:
14 (a) the Class is so numerous that joinder is impracticable; (b) there are questions of law and fact
15 that are common, or of general interest, to all members of the Class, which predominate over
16 individual issues; (c) the Named Plaintiff’s claims are typical of the claims of the Class; (d) the
17 Named Plaintiff’s counsel will fairly and adequately protect the interests of the Class; and (e) a
18 class action is superior to other available methods for the fair and efficient adjudication of the
19 controversy.

20 4. The Court appoints, for settlement purposes only, Named Plaintiff as class
21 representative for the Class.

22 5. The Court appoints, for settlement purposes only, Farzad Rastegar and Danielle
23 Sherrod of Rastegar Law Group, APC as counsel for the Class.

24 6. The Court appoints Phoenix Settlement Administrators as the Settlement
25 Administrator.

26 7. The parties are ordered to carry out the settlement according to the terms of the
27 Settlement Agreement.

28 8. The Court orders the following implementation schedule:

- 1 a. Deadline to mail notices to Settlement Class Members: Friday, July 2, 2021 (no
2 later than twenty-one (21) days after the date of Preliminary Approval).
- 3 b. Deadline for serving and filing motion for final approval: August 31, 2021 (no later
4 than sixteen (16) court days before the Final Approval Hearing).
- 5 c. Final Approval Hearing: _____ at 8:30 a.m. to be heard in
6 Department C-74 of this Court, located at Hall of Justice, 330 W. Broadway, San
7 Diego, California 92101.

8 9. The Court approves, as to the form and content: the Class Notice attached as
9 Exhibit A to the Settlement Agreement, which informs the members of the Class of the terms of
10 the proposed Settlement, the preliminary approval of the Settlement, and the scheduling of the
11 Final Approval Hearing. The Court finds that the dates selected for the mailing and distribution
12 of the Notice meet the requirements of due process, provide the best notice practicable under the
13 circumstances, and shall constitute due and sufficient notice to all persons entitled thereto.

14 10. The Notice is hereby found to be the best means practicable of providing notice
15 under the circumstances and, when completed, shall constitute due and sufficient notice of the class
16 action, proposed settlement, and the Final Approval Hearing to all persons affected by and/or
17 authorized to participate in the Settlement, in full compliance with due process and the notice
18 requirements of California Code of Civil Procedure section 877.6.

19
20 IT IS SO ORDERED.

21
22 Dated: _____

23 _____
24 THE HON. KERI KATZ JUDGE OF
25 THE SUPERIOR COURT
26
27
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