

Joseph Lavi, Esq. (SBN 209776)
Vincent Granberry, Esq. (SBN 276483)
Malcolm E. Clayton, Esq. (SBN 340680)
Alexander J. Aroeste, Esq. (SBN 332653)
LAVI & EBRAHIMIAN, LLP
8889 W. Olympic Blvd., Suite 200
Beverly Hills, California 90211
Telephone: (310) 432-0000
Facsimile: (310) 432-0001
Emails: jlavi@lelawfirm.com
vgranberry@lelawfirm.com
mclayton@lelawfirm.com
aaroeste@lelawfirm.com

Attorneys for Plaintiff JESUS NAVARO,
on behalf of himself and others similarly situated

[Additional Counsel on following page]

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE**

JESUS NAVARRO and FRANCISCO
ARROYO, on behalf of themselves and others
similarly situated,

Plaintiffs,

vs.

GP MERGER SUB, INC.; NEW GLASPRO,
INC.; and DOES 1 to 100, inclusive,

Defendants.

Case No.: 20STCV04534

CLASS ACTION

*[Assigned for all purposes to the
Honorable William F. Highberger, Dept. 10]*

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

*[Filed Pursuant to December 16, 2024, Minute
Order]*

Hearing Information:

Date: December 16, 2024

Time: 11:30 a.m.

Dept.: 10

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Kevin Mahoney (SBN: 235367)
MAHONEY LAW GROUP, APC
249 E. Ocean Blvd. Ste. 814
Long Beach, CA 90802
Telephone: (562)-590-5550
Facsimile: (562) 590-8400
Email: kmahoney@mahoney-law.net

Attorney for Plaintiffs FRANCISCO ARROYO,
on behalf of himself and others similarly situated

1 The Motion for Preliminary Approval of a Settlement came before this Court on December
2 16, 2024 at 11:30 a.m. in the Los Angeles County Superior Court located at 312 N. Spring Street, Los
3 Angeles, CA, the Honorable William F. Highberger, Presiding. The Court, having considered the
4 proposed Amended Class Action and Paga Settlement Agreement and Notice, attached as **Exhibit 1**
5 to the Supplemental Briefing in Support of Plaintiffs’ Motion for Preliminary Approval of Class
6 Action Settlement, (the “Settlement”); having considered the Motion for Preliminary Approval of
7 Class Action Settlement; having considered the respective points and authorities and declarations
8 submitted by the parties in support thereof; and good cause appearing, HEREBY ORDERS THE
9 FOLLOWING:

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

17 any and all current and former hourly non-exempt employees of Defendants
18 in California during the time period from and including February 2016
through July 1, 2024.

19 1. For purposes of the settlement, the Court further designates named Plaintiff Jesus
20 Navarro and Plaintiff Francisco Arroyo as Class Representatives; and Joseph Lavi, Esq. and Vincent
21 C. Granberry, Esq. of Lavi & Ebrahimiian, LLP, and Kevin Mahoney, Esq. of Mahoney Law Group,
22 APC, as Class Counsel.

23 2. The Court confirms Phoenix Class Action Administration Services as the Settlement
24 Administrator.

25 3. A final fairness hearing on the question of whether the proposed settlement should be
26 finally approved as fair, reasonable and adequate as to the members of the Settlement Class is
27 scheduled in Department 10 of this Court, located at 312 N. Spring Street, Los Angeles, CA, on May
28 5, 2025, at 1:30 p.m.

1 4. At the final fairness hearing, the Court will consider: (a) whether the settlement should
2 be approved as fair, reasonable, and adequate for the class; (b) whether a judgment granting approval
3 of the settlement should be entered; and (c) whether Plaintiffs' application for an award of attorneys'
4 fees, reimbursement of litigation expenses, and service payments should be granted.

5 5. Counsel for the parties shall file memoranda, declarations, or other statements and
6 materials in support of their request for final approval by no later than 16 court days prior to the final
7 fairness hearing.

8 6. Class Counsel shall file a motion for an award of attorneys' fees, reimbursement of
9 litigation expenses and class representative enhancement by no later than 16 court days prior to the
10 final fairness hearing.

11 7. The Court approves, as to form and content, the Class Action and PAGA Settlement
12 Notice ("Notice") which is attached as Exhibit A to the Settlement.

13 8. Within fifteen (15) calendar days of the entry of this Order, Defendants will provide
14 the name, last known address, and Social Security number of each Settlement Class Member, along
15 their dates of employment and any other information needed to calculate Individual Settlement
16 Payments and Individual PAGA Payments ("Class Data").

17 9. The Court directs the mailing of the Class Notice by first class mail to the members
18 of the Settlement Class within fourteen (14) calendar days of receipt of the Class Data.

19 10. The proposed members of the Settlement Class shall have sixty (60) calendar days
20 after the initial mailing of the Notice to submit an objection or a written request to be excluded
21 ("Response Deadline"). In the event that a Notice is re-mailed to a corrected address, the Settlement
22 Class Members will have until the Response Deadline or fourteen (14) calendar days after the
23 postmark on the re-mailed Class Notice, whichever is later, to return an objection or Request for
24 Exclusion.

25 11. The Court finds that the form of Notice to the Settlement Class regarding the
26 pendency of the action and of this settlement, and the methods of giving notice to members of the
27 Settlement Class constitute the best notice practicable under the circumstances and constitute valid,
28 due, and sufficient notice to all members of the Settlement Class. They comply fully with the

1 requirements of California Code of Civil Procedure section 382, California Civil Code section
2 1781, California Rules of Court 3.766 and 3.769, the California and United States Constitutions,
3 and other applicable law.

4 12. The Court further approves the procedures for Settlement Class Members to
5 participate in, opt out of, or object to the Settlement, as set forth in the Settlement Agreement and
6 Notice.

7 13. Any Participating Class Member who wishes to object to the Settlement in writing
8 must submit to the Settlement Administrator a signed writing which shall: (1) contain the name,
9 address, and the last four digits of the Social Security number of the person objecting; (2) be signed
10 by the Participating Class Member; (3) state the grounds on which the Participating Class Member is
11 objecting as well as any documents or evidence supporting his or her objection(s); and (4) be
12 postmarked or fax stamped by the Response Deadline and returned to the Settlement Administrator
13 at the specified address or fax telephone number stated in the Class Notice. Participating Class
14 Members may also appear at the Final Approval hearing and present their objections orally for the
15 Court.

16 14. Settlement Class Members who wish to exclude themselves (opt-out of) the Class
17 Settlement must send the Administrator, by fax, email, or mail, a signed written Request for
18 Exclusion not later than 60 days after the Administrator mails the Class Notice (plus an additional
19 fourteen (14) days for Class Members whose Class Notice is re-mailed). A Request for Exclusion
20 shall: (1) reasonably communicate that the Class Member elects to be excluded from the Settlement;
21 (2) include the Class Member's name, address and email address or telephone number; (3) be signed
22 by the Class Member. To be valid, a Request for Exclusion must be timely faxed, emailed, or
23 postmarked by the Response Deadline. Any Settlement Class Member who returns a timely, valid,
24 and signed request to exclude themselves from the Settlement will not participate in or be bound
25 by the Settlement and subsequent judgment and will not receive an Individual Settlement Payment.
26 Settlement Class Members who exclude themselves from the Settlement will still receive their
27 Individual PAGA Payment if they are a PAGA Employee.

1 15. Pending the Fairness Hearing, all proceedings in this action, other than proceedings
2 necessary to carry out or enforce the terms and conditions of the Settlement Agreement and this
3 Order, are stayed.

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

7 17. The Court orders the following Implementation Schedule for further proceedings:

Event	Timing
Data: last day for Defendant to provide the Class Data to the Settlement Administrator.	15 calendar days after entry of this Order
Notice Date: last day for Settlement Administrator to mail Class Notice to Class Members.	14 calendar days after receipt Class Data
Response Deadline: (i) last day for class members to submit exclusion requests; and (ii) last day for Participating Class Members to submit objections.	60 calendar days after the postmark on the Class Notice or 14 days after the re-mailing, whichever is later
Last day for class counsel to file motion for award of attorneys' fees, reimbursement of litigation expenses and class representative enhancement.	16 court days prior to the final fairness hearing
Last day for parties to file motion and supporting documents for final approval of class action settlement.	16 court days prior to the final fairness hearing
Hearing on final approval of class action settlement.	May 5, 2025

18 18. The Fairness Hearing and related prior deadlines set forth above may, from time to
19 time and without further notice to the Settlement Class (except those who have filed timely and valid
20 objections), be continued or adjourned by Order of the Court.

21
22 **IT IS SO ORDERED.**

23
24 Dated: 01/23/2025



A handwritten signature in black ink, reading "W. F. Highberger", is written over the judge's name.

25 William F. Highberger / Judge
26 Hon. William F. Highberger
27 Judge of the Superior Court
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