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Attorneys for Plaintiff, DARREN MULLER
on behalf of himself and all others similarly situated,

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SOLANO**

DARREN MULLER on behalf of himself and
all others similarly situated,

Plaintiff,

v.

PARK MANAGEMENT CORP. dba SIX
FLAGS DISCOVERY KINGDOM a California
corporation; and DOES 1 through 50, inclusive,,
Defendants

Case No. FCS054401
Hon. Wendy Getty
Dept. 8

**[PROPOSED] ORDER GRANTING
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

1 WHEREAS, this action is pending before this Court as a putative class action (the
2 “Action”); and

3 WHEREAS, Plaintiff, through an unopposed motion for preliminary approval, has
4 applied to this Court for an order preliminarily approving the settlement of the Action in
5 accordance with the Stipulation and Settlement of Class and Representative Action (hereinafter
6 “Settlement Agreement”), and any exhibit annexed thereto, which sets forth the terms and
7 conditions for a proposed settlement and final resolution of the Action upon the terms and
8 conditions set forth therein; and the Court having read and considered the Settlement Agreement
9 and the exhibit annexed thereto;

10 NOW, THEREFORE, IT IS HEREBY ORDERED:

11 1. This Order incorporates by reference the definitions in the final version of the
12 Settlement Agreement which has been filed with the Court and all terms defined therein shall
13 have the same meaning in this Order as set forth in the Settlement Agreement;

14 2. The Court hereby conditionally certifies the Class for settlement purposes only.
15 For the purposes of this settlement, the Class is defined as: all persons who applied to work for
16 Defendant and/or all persons who are or were employed by Defendant in the state of California
17 during the Class Period and were subjected to Defendants' employment-related background
18 check and/or credit procedures including, but not limited to, executing employment-related
19 background check and/or credit documents. The Class Period is from February 21, 2015, through
20 October 1, 2021. Should for whatever reason the Settlement not become final, the fact that the
21 Parties were willing to stipulate to class certification as part of the Settlement shall have no
22 bearing on, nor be admissible in connection with, the issue of whether a class should be certified
23 in a non-settlement context;

24 3. The Court hereby authorizes the retention of ILYM, Inc. as Settlement
25 Administrator for the purpose of this Settlement;

26 4. The Court hereby conditionally finds that James R. Hawkins and Isandra
27 Fernandez of the law firm of James Hawkins, APLC may act as counsel for the Class. The Court
28

1 further conditionally finds that Plaintiff Darren Muller may act as the class representative for the
2 Class;

3 5. The Court hereby preliminarily APPROVES the proposed Notice of Class Action
4 Settlement (attached as Exhibit 1 to the Settlement Agreement). The Court further finds that the
5 Class Notice appears to fully and accurately inform the Class Members of all material elements
6 of the proposed Settlement Agreement, of the Class Members' right to be excluded from the
7 Class, and of each Class Member's right and opportunity to object to the Settlement. The Class
8 Notice shall be mailed to the Class Members as set forth in the Settlement Agreement;

9 6. The Court finds on a preliminary basis that the Settlement Agreement appears to
10 be within the range of reasonableness of a settlement that could ultimately be given final
11 approval by this Court. It appears to the Court on a preliminary basis that the settlement amount
12 is fair, adequate and reasonable as to all potential Class Members when balanced against the
13 probable outcome of further litigation relating to liability and damages issues. It further appears
14 that investigation and research have been conducted such that counsel for the Parties, at this time,
15 are able to reasonably evaluate their respective positions. It further appears to the Court that
16 settlement at this time will avoid substantial additional costs by all Parties, as well as avoid the
17 delay and risks that would be presented by the further prosecution of the Action. It further
18 appears that the Settlement has been reached as the result of serious and non-collusive, arms-
19 length negotiations;

20 7. The Court orders the following implementation schedule for further proceedings:
21

22 Preliminary approval order.	
23 Deadline for Defendants to provide the 24 Class List to the Settlement Administrator.	_____ (within fourteen (21) 25 calendar days after Court Grants 26 Preliminary Approval). 27 28

Mail notices to Settlement Class Members.	_____ (within fourteen (14) calendar days after Settlement Administrator Receives Class List from Defendant).
Deadline for postmark by registered mail of any Request for Exclusion.	_____ (forty-five (45) days after Settlement Administrator first mails Notice of Class Settlement to Settlement Class Members).
Deadline for receipt by the Settlement Administrator of any objections to the Settlement.	_____ (forty-five (45) days after Settlement Administrator first mails Notice of Class Settlement to Settlement Class Members).
Deadline for Class Counsel to file Motion for Final Approval of Settlement.	_____ 2022
Final Fairness and Final Approval Hearing.	_____ 2022 at

IT IS SO ORDERED.

Dated: _____

Hon. Wendy Getty
Judge of the Solano County Superior Court