

MAKAREM & ASSOCIATES, APLC
Ronald W. Makarem, Esq. (SBN 180442)
makarem@law-rm.com
Daniel J. Bass, Esq. (SBN 287466)
bass@law-rm.com
11601 Wilshire Blvd., Suite 2440
Los Angeles, CA 90025-2440
Tel.: (310) 312-0299
Fax: (310) 312-0296

Attorneys for Plaintiff VERONICA SANCHEZ,
individually, and on behalf of all others similarly
situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF YUBA

VERONICA SANCHEZ, individually, and
on behalf of all others similarly situated,

Plaintiff,

vs.

LAKEVIEW CENTER, a California
Corporation, RHONDA HOWE, an
individual; and DOES 1-20, inclusive;

Defendants.

CASE NO. CVCV20-00425

**PROPOSED ORDER GRANTING
PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

*[Filed Concurrently With Motion For
Preliminary Approval and Supporting
Declaration]*

Date: June 10, 2024

Time: 10:00 a.m.

Department: 4

Complaint Filed: May 20, 2020

1 This matter came on for hearing on June 10, 2024, in the above-entitled court, on the
2 Motion for Preliminary Approval of Class Action Settlement. Having fully reviewed and
3 considered the moving papers, and having analyzed the Joint Stipulation of Settlement and
4 Release of Class Action (“Settlement Agreement”) between Plaintiff Veronica Sanchez
5 (“Plaintiff”) and Defendants Defendants Lakeview Center, Inc. and Rhonda Howe
6 (“Defendants”) (collectively “Parties”), attached to the Declaration of Daniel J. Bass as Exhibit
7 “A” and incorporated by reference in full and made a part of this Order, the Court **GRANTS**
8 Plaintiff’s Motion for Preliminary Approval of Class Action Settlement.

9 **THIS COURT HEREBY MAKES THE FOLLOWING ORDERS:**

10 1. This Court hereby preliminarily finds the proposed settlement as set forth in the
11 Settlement Agreement appears fair, reasonable, and adequate, and accordingly, the Court
12 preliminarily approves and incorporates the Settlement Agreement.

13 2. All defined terms contained herein shall have the same meanings as those set forth
14 in the Settlement Agreement.

15 3. The Class Notice and Request for Exclusion Form (“Notice Packet”), attached as
16 Exhibits “1-2” to Exhibit “A” of the Declaration of Daniel J. Bass, is hereby approved.

17 4. The Court finds that the distribution of the Notice Packet in the manner set forth in
18 the Settlement Agreement substantially meets the requirements of California law and due process,
19 is the best notice practicable under the circumstances, and shall constitute due and sufficient notice
20 to all persons entitled thereto.

21 5. Solely for the purposes of the proposed settlement, the following Settlement Class
22 is hereby provisionally certified pursuant to the Settlement Agreement’s terms and conditions and
23 pursuant to California Code of Civil Procedure section 382 as follows:

24 [A]ll current and former non-exempt hourly employees employed by
25 Defendant Lakeview Center, Inc. in California at any time from May
26 20, 2015 to October 2, 2022.

26 6. Solely for the purposes of the proposed settlement, the Court does hereby
27 preliminarily approve Ronald W. Makarem and Daniel J. Bass of Makarem & Associates, APLC
28 (“Plaintiff’s Counsel or Class Counsel”) as Class Counsel.

1 7. Solely for the purposes of the proposed settlement, the Court does hereby
2 preliminarily approve Plaintiff as Class Representative.

3 8. Solely for the purposes of the proposed settlement, the Court does hereby
4 preliminarily approve of and appoint CPT Group, Inc. (“CPT”), as the Parties' Settlement
5 Administrator, and approves of settlement administration costs of up to \$10,000.00.

6 9. The Court finds that the section of the Settlement Agreement regarding the
7 disposition of uncashed checks complies with California Code of Civil Procedure Section 384 by
8 providing that for any Class Member whose Individual Class Payment check or Individual PAGA
9 Payment check is uncashed and cancelled after the void date, the Administrator shall transmit the
10 funds represented by such checks to the cy pres recipient “Hands of Hope” subject to the
11 requirements of California Code of Civil Procedure Section 384.

12 10. A final fairness hearing (the "Final Approval Hearing") shall be set on
13 _____, 2024, in Department 4 of this Court, to review the notice process and
14 objections, if any, and to determine whether the proposed settlement on the terms and conditions
15 set forth in the Settlement Agreement are fair, reasonable, and adequate, and should be approved
16 by the Court; whether the Judgment as provided in the Settlement Agreement should be entered
17 into; and to determine the amount of attorneys' fees and costs that should be awarded to Class
18 Counsel and the amount of the Class Representative Incentive Award that should be awarded to
19 the Plaintiff.

20 11. The Settlement Administrator shall supervise and administer the notice procedure
21 pursuant to the terms of the Settlement Agreement.

22 a. Within ten (10) calendar days of entry of Preliminary Approval
23 Defendants shall provide the Settlement Administrator with the Settlement
24 Class Information for purposes of mailing the Notice to Settlement Class
25 Members.

26 b. Within fifteen (15) calendar days of entry of Preliminary Approval Settlement
27 Administrator will mail copies of the Notice to all Settlement Class Members
28 via regular First Class U.S. Mail.

1 c. Forty-five (45) days calendar days after the Settlement Administrator mails the
2 Notice to Settlement Class Members is the last date on which Settlement Class
3 Members may postmark written requests for exclusion or a Notice of Objection
4 to the Settlement.

5 d. No later than ten (10) calendar days after the Response Deadline the Settlement
6 Administrator shall provide counsel with a complete list of all Settlement Class
7 Members who have timely submitted written requests for exclusion.

8 12. In order to elect not to participate in the Settlement, a Class Member must sign a
9 Request for Exclusion Form and mail the form to the Settlement Administrator no later than forty-
10 five (45) calendar days after the initial mailing of the Class Notice and Request for Exclusion Form
11 to Class Members. The timeliness of submitted Request for Exclusion Forms will be determined
12 by valid postmark.

13 13. Any Settlement Class Member who wishes to object to the Class Settlement must
14 mail a written objection to the Settlement Administrator no later than forty-five (45) calendar days
15 after the mailing of the Class Notice and Request for Exclusion Form to Class Members, and must
16 file with the Court and serve on all parties a written statement of objection. Only Settlement Class
17 Members who do not opt out of the Settlement may object to the Settlement. The objection must
18 include the case name and number and must set forth, in clear and concise terms, a statement of
19 the reasons why the objector believes that the Court should find that the proposed Class Settlement
20 is not in the best interest of the Settlement Class and the reasons why the Class Settlement should
21 not be approved, including the legal and factual arguments supporting the objection. If an objector
22 also wishes to appear at the Final Approval and Fairness Hearing, in person or through an attorney,
23 he or she must also file a notice of intention to appear at least fourteen (14) days prior to the Final
24 Approval and Fairness Hearing date, either with the Settlement Administrator or directly with the
25 court. The Settlement Administrator will promptly serve copies of any objection or notice of
26 intention to appear on Class Counsel and Defense Counsel.

1 14. The Court's preliminary approval of the Settlement Agreement is not to be deemed
2 an admission of liability or fault by Defendant, or a finding as to the validity of any claims or
3 defenses asserted in the action.

4 15. The Court reserves the right to adjourn the date of the Final Approval Hearing
5 without further notice to the Class Members, and it will retain jurisdiction to consider all further
6 applications arising out of or connected with the proposed Settlement.

7 **IT IS SO ORDERED.**

8
9 Dated: _____, 2024

Judge of the Superior Court