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Attorneys for Plaintiff CHRISTINE ROSE

SUPERIOR COURT FOR THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF ORANGE

CHRISTINE ROSE, an individual, on behalf of
herself and on behalf of all persons similarly
situated,

Plaintiffs,

v.

IMPACT GROUP, LLC, a Limited Liability
Company; and DOES 1-50, inclusive,

Defendants.

Case No: 30-2020-01141107-CU-OE-CXC

[Related Case No.: 30-2020-01166291-CU-
OE-CXC]

NOTICE OF RULING

Date: July 8, 2022

Time: 10:00 a.m.

Honorable Judge Randall J. Sherman
Department CX105

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1 **TO ALL PARTIES AND THEIR COUNSEL OF RECORD:**

2 PLEASE TAKE NOTICE, that on February 18, 2022, at 10:00 a.m., Plaintiff CHRISTINE
3 ROSE and Defendant IMPACT GROUP, through their counsel of record, appeared in front of Judge
4 Sherman on Plaintiff's Motion for Preliminary Approval:

5 The Court issued the following ruling and orders:

- 6 1. Plaintiff's Motion for Preliminary Approval of Settlement is granted;
7 2. Plaintiff's Motion for Final Approval is ordered to be filed on or before June 22, 2022;
8 3. Plaintiff's Motion for Final Approval of Settlement is scheduled for July 8, 2022.

9
10 Attached hereto as exhibit A is the conformed Order granting preliminary approval.

11
12 Dated: February 22, 2022

ZAKAY LAW GORUP, APLC



Shani O. Zakay, Esq.
Attorneys for Plaintiff

EXHIBIT A

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Attorneys for Plaintiffs

**IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
SUPERIOR COURT OF ORANGE**

CHRISTINE ROSE, an individual, on
behalf of herself and on behalf of all
persons similarly situated,

Plaintiffs,

v.

IMPACT GROUP, LLC, a Limited
Liability Company; and DOES 1-50,
inclusive,

Defendants.

Case No: 30-2020-01141107-CU-OE-CXC

[Related Case No.: 30-2020-01166291-CU-OE-CXC]

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS
AND PAGA ACTION SETTLEMENT**

Hearing Date:
Hearing Time:

Honorable Judge Randall J. Sherman
Department CX105

Trial Date: Not Set
Action Filed: May 27, 2020

Reservation Number: 73614353

1 On February 18, 2022 at 10:00 a.m. a hearing was held on Plaintiff CHRSTINE ROSE's
2 ("Plaintiff") Motion for Preliminary Approval of Class and PAGA Action Settlement. Zakay Law
3 Group, APLC appeared for Plaintiff. Littler Mendelson P.C. appeared for Defendant IMPACT
4 GROUP, LLC ("Defendant").

5 The Court having read and considered the papers on the motion, the arguments of counsel,
6 and the law, and good cause appearing therefor,

7 **IT IS ORDERED:**

8 1. This Order incorporates the defined terms in the Joint Stipulation of Class Action
9 and PAGA Settlement and Release (the "Agreement" or "Settlement"), as amended. Unless
10 otherwise specified, all capitalized terms in this Order shall have the same meaning given to those
11 terms in the Agreement.

12 2. The Class is defined as all persons who were employed by Defendant in California
13 in non-exempt, hourly-paid positions at any time during the Class Period, including current and
14 former employees, during the period of time from May 27, 2016 through June 13, 2021 (the
15 "Class Period"). "PAGA Members" is defined as all persons who were employed by Defendant
16 in California in non-exempt, hourly-paid positions at any time during the period of time from
17 April 15, 2019 through June 13, 2021 ("PAGA Period"). Pursuant to the Agreement, the Class is
18 conditionally certified for settlement purposes only.

19 3. The Parties' Agreement is granted preliminary approval as it meets the criteria for
20 preliminary settlement approval. The Settlement falls within the range of possible approval as
21 fair, adequate and reasonable, and appears to be the product of arm's-length and informed
22 negotiations and to treat all Class Members fairly. Continued litigation would have been
23 expensive for both sides. The Parties acknowledge that litigating and trying this action may have
24 resulted in delay of any recovery, involved significant risk as to liability and certification, and led
25 to possible appeals. Class Counsel received the relevant information for the Class. Plaintiff has
26 adequately demonstrated that the Settlement did not occur until Plaintiff and Class Counsel
27 possessed sufficient information to evaluate the case and make an informed decision about
28 settlement.

1 4. The Parties' notice plan is legally sound because individual notices will be mailed to
2 all Class Members whose identities are known to the Parties, and such notice is the best notice
3 practicable. The Parties' proposed Notice of Class Action Settlement ("Class Notice") attached to
4 the Agreement as Exhibit 1, sufficiently informs Class Members of the terms of the Settlement,
5 their rights under the Settlement, their rights to object to the Settlement, their right to receive an
6 Individual Settlement Award or elect not to participate in the Settlement, the processes for doing
7 so, and the date and location of the Final Approval Hearing. The Class Notice also provides
8 notice that PAGA Members will receive payment from the net PAGA Payment and will be bound
9 by and release all PAGA Released claims, irrespective of whether they opt out of the Settlement.
10 Thus, the Court approves the Class Notice because it provides adequate notice to Class Members.

11 5. Any Class Member who does not submit a valid request for exclusion will receive an
12 Individual Settlement Award based upon the allocation formula in the Agreement. Class
13 Members who wish to exclude themselves from the Settlement must mail a signed Request for
14 Exclusion to the Settlement Administrator not later than 45 days after the Settlement
15 Administrator mails the Notice of Class Action Settlement to them. PAGA Members will receive
16 payment from the net PAGA Payment and will be bound by and release all PAGA Released
17 claims, irrespective of whether they opt out of the Settlement.

18 6. Any Class Member who elects not to participate in the Settlement has 45 days after
19 the mailing of the Class Notice to request exclusion from the Settlement pursuant to the
20 procedures set forth in the Class Notice. Any Class Member who wishes to object to the
21 Settlement, the proposed Class Counsel Award, and/or Class Representative Service Award will
22 have the opportunity to do so at the Final Approval Hearing.

23 7. Class Counsel must file their application for Class Counsel Award concurrently with
24 their motion for Final Approval of the Settlement.

25 8. Simpluris is appointed to act as the Settlement Administrator, pursuant to the terms
26 set forth in the Settlement.

27 9. Blumenthal Nordrehaug Bhowmik De Blouw LLP; Zakay Law Group, APLC; and
28

1 Aegis Law Firm, PC are approved as Class Counsel.

2 10. Plaintiff is approved as the representative of the Class.

3 11. Defendant is directed to provide the Settlement Administrator with the Class List as
4 specified by the Agreement no later than 14 days after the date of entry of this Order. Pursuant to
5 the terms set forth in the Agreement, the Class List, its contents and any files containing the Class
6 List shall remain strictly confidential for the Settlement Administrator's eyes only, not to be
7 disclosed to Plaintiff or to Class Counsel or to any Class Member.

8 12. The Class Notice attached as Exhibit 1 to the Agreement, as amended, is approved.
9 The Settlement Administrator is directed to mail the approved Class Notice by first-class mail to
10 the Class Members at their last known address no later than 15 days after receipt of the Class List.

11 13. A Final Approval Hearing will be held on July 8, 2022 at 10:00 a.m. in Department
12 CX105, to determine whether the Settlement should be granted final approval as fair, reasonable,
13 and whether there was adequate notice to the Class Members. The Court will hear all evidence
14 and argument necessary to evaluate the Settlement, and will consider the request for approval of
15 Class Counsel Award, Class Representative Service Award, and Settlement Administration Costs.
16 Class Members and their counsel may support or oppose the Settlement and the motion for an
17 award of attorneys' fees and costs and the Class Representative Service Award, if they so desire,
18 as set forth in the Class Notice.

19 14. Any Class Member may appear at the Final Approval Hearing in person or by his or
20 her own attorney and show cause why the Court should not approve the Settlement, or object to
21 the motion for an award of attorneys' fees and costs and the Class Representative Service Award.

22 15. The Court reserves the right to continue the date of the Final Approval Hearing
23 without further notice to Class Members. The Court retains jurisdiction to consider all further
24 applications arising out of or in connection with the Settlement.

25
26 DATED: **February 18, 2022**



HON. RANDALL J. SHERMAN
ORANGE COUNTY SUPERIOR COURT