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Attorneys for Plaintiff
Giannina Francisco,
individually and on behalf of all others
similarly situated

[Additional counsel for the Plaintiffs listed on
following page]

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES**

Coordination Proceeding Special Title
(Cal Rules of Ct., Rule 3.550)

PETCO WAGE AND HOUR CASES

Included actions:

*Francisco v. Petco Animal Supplies Stores, Inc.,
et al.*

Kirkpatrick v. Petco Animal Supplies Stores, Inc.

JCCP No. 5152
LASC Case No: 20STCV23790

Honorable William F. Highberger

CLASS ACTION

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

DATE: December 2, 2021
TIME: 10:00 a.m.
DEPT: 10

*[Filed and served concurrently with
Declaration of Matthew J. Matern and
Declaration of Graham S.P. Hollis;
[Proposed] Order]*

Action Filed: June 22, 2020
Trial Date: None set

FILED
Superior Court of California
County of Los Angeles
12/02/2021

Sherri R. Carter, Executive Officer / Clerk of Court
By: A. Lim Deputy

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Additional counsel for the Plaintiffs:

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Attorneys for Plaintiff
Olivia Kirkpatrick,
individually and on behalf of all others
similarly situated

1 Plaintiffs Giannina Francisco and Olivia Kirkpatrick's Motion for Preliminary Approval
2 of Class Action Settlement ("Motion") came on regularly for hearing on December 2, 2021 at
3 10:00 a.m. before the Honorable William F. Highberger in Department SSC-10 of the above-
4 entitled court located at 312 North Spring Street, Los Angeles, California 90012.

5 Having reviewed the Motion, the Declarations of Matthew J. Matern and Graham S.P.
6 Hollis and exhibits thereto, including the Class Action Settlement Agreement and Release of
7 Claims ("Settlement Agreement") and proposed Notice of Class Action Settlement and Hearing
8 Date for Final Approval ("Class Notice"), and good cause appearing therefore, the Court hereby
9 finds and orders as follows:

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

13 2. The Court provisionally certifies for settlement purposes only the following class
14 ("Class"):

15 All non-exempt employees of Defendant in California during the
16 period June 22, 2016 through preliminary approval of the
17 settlement or September 30, 2021, whichever is earlier, except any
individual who has sued Defendant on any claim to be released are
precluded as part of this Agreement.

18 3. The Court finds, for settlement purposes only, that the Class meets the
19 requirements for certification under California Code of Civil Procedure § 382 in that: (1) the
20 Class is so numerous that joinder is impractical; (2) there are questions of law and fact that are
21 common to all Class Members which predominate over individualized issues; (3) Plaintiffs'
22 claims are typical of the claims of the Class; (4) Plaintiffs and Plaintiffs' counsel will fairly and
23 adequately protect the interests of the Class; and (5) a class action is superior to other available
24 methods for the fair and efficient adjudication of the controversy.

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1 4. The Court provisionally certifies for settlement purposes only the following
2 FLSA Settlement Subclass:

3 All non-exempt employees employed by Defendant in California
4 during the period June 22, 2017 through preliminary approval or
5 September 30, 2021, whichever is earlier, and who opt-into the
6 FLSA Settlement by timely cashing or otherwise negotiating their
7 FLSA Settlement Payment checks.

8 5. The Court finds, for settlement purposes only, that the FLSA Settlement Subclass
9 satisfied the requirements for certification under 29 U.S.C. § 216(b), in that: Plaintiffs are
10 similarly situated to the FLSA Settlement Subclass Members in that they share similar issues of
11 law and fact material to the disposition of the FLSA claims.

12 6. The Court appoints, for Settlement purposes only, Giannina Francisco and Olivia
13 Kirkpatrick as class representatives in their respective actions.

14 7. The Court appoints, for Settlement purposes only, the following attorneys as
15 Class Counsel:

16 a. Matthew J. Matern, Tagore O. Subramaniam, and Sydney A. Adams of
17 Matern Law Group, PC.

18 b. Graham S.P. Hollis, Vilmarie Cordero, and Monique R. Rodriguez of
19 GRAHAMHOLLIS, APC.

20 8. The Court appoints ILYM Group, Inc. as the Settlement Administrator.

21 9. The Parties are ordered to carry out the Settlement according to the terms of the
22 Settlement Agreement.

23 10. The Court approves, as to form and content: (1) the Notice of Class Action
24 Settlement and Hearing Date for Final Approval (“Class Notice”) attached as Exhibit A to the
25 Settlement Agreement. The Court finds that the Class Notice plan is the best means practicable
26 under the circumstances for providing notice to the Class Members, and when completed, shall
27 constitute due and sufficient notice of the class action, proposed settlement, and the final
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approval hearing to all persons entitled to such notice, in full compliance with due process and the notice requirements of Code of Civil Procedure § 877.6.

11. The Court orders the following implementation schedule:

Last day for Defendants to provide the Class Information to the Settlement Administrator	<u>1/4/22</u> , 2021 (30 calendar days after Preliminary Approval Order or Court Approval of the Class Notice)
Last day for the Settlement Administrator to mail Notice Packet to Class Members	<u>1/19/22</u> , 2021 (45 calendar days after Preliminary Approval Order or Court Approval of the Class Notice)
Exclusion/Objection Deadline	<u>3/21/22</u> , 2021 (60 calendar days after the Notice Packet is mailed or re-mailed)
Last day to file and serve the Motion for Final Approval of Class Action Settlement	<u>4/4/22</u> , 2021
Final Approval Hearing	<u>4/27/22</u> , 2021 at <u>11 a.</u> m. in Department 10-SSC

12. Pending the Final Approval hearing, all proceedings in this coordinated action, other than proceedings necessary to carry out or enforce the terms and conditions of the Settlement Agreement and this Order shall be stayed.

IT IS SO ORDERED.

DATED: 12/02/2021



A handwritten signature in black ink, appearing to read "W. F. Higginbotham".

HON. WILLIAM F. HIGGINBOTHAM
JUDGE OF THE SUPERIOR COURT