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Attorneys for Plaintiff Ophelia Ou
and Proposed Class Counsel

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

OPHELIA OU, on behalf of herself and all
similarly situated employees, and on behalf
of all “aggrieved employees” pursuant to
Labor Code § 2698 et seq,

Plaintiffs,

v.

GEMALTO COGENT, INC., a Delaware
corporation, and DOES 1 through 10,
inclusive,

Defendants.

CASE NO: ECU001834

*Assigned to the Hon. L. Brooks Anderholt,
Department 9*

CLASS ACTION

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

Date: May 20, 2021

Time: 8:30 a.m.

Dept.: 9

Complaint Filed: March 30, 2021

1 Plaintiff's motion for preliminary approval of class action settlement came on for hearing
2 before this Court in Department 9, Judge L. Brooks Anderholt presiding, on May 20, 2021. The
3 Court, having considered the papers submitted in support of the motion and having heard oral
4 argument of the parties, **HEREBY ORDERS THE FOLLOWING:**

5 1. The Court grants preliminary approval of the settlement based upon the terms set
6 forth in the Settlement Agreement and Release of Claims (the "Settlement Agreement") filed with
7 the Court. The settlement appears to be fair, adequate, and reasonable to the class;

8 2. The settlement falls within the range of reasonableness and appears to be
9 presumptively valid, subject only to any objections that may be raised at the final hearing;

10 3. The Court approves, as to form and content, the Notice of Pendency of Class Action
11 Settlement and Final Hearing ("Notice"), attached as Exhibit 1 to the Settlement Agreement, and
12 the Request for Exclusion ("Exclusion Form"), attached to the Settlement Agreement as Exhibit 2;

13 4. The Court directs the mailing of the Notice and Exclusion Form by first class mail
14 to Class Members in accordance with the schedule set forth below. The Court finds that the dates
15 selected for the mailing and distribution of the Notice and Exclusion Form, as set forth herein, meet
16 the requirements of due process and provide the best notice practicable under the circumstances
17 and shall constitute due and sufficient notice to all persons entitled thereto;

18 5. It is ordered that the Class is preliminarily certified for settlement purposes. The
19 Class is defined as follows: all current and former non-exempt California employees of Defendant
20 employed from June 23, 2016 through the earlier of May 26, 2021 or the date the Court this order
21 granting preliminary approval of this Settlement;

22 6. The Court confirms Gaines & Gaines, APLC Class Counsel, and grants preliminary
23 approval of an award of attorneys' fees of not more than \$100,000 and documented litigation costs
24 of up to \$10,000 to Class Counsel, subject to final approval by the Court following a further motion
25 by Class Counsel;

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7. The Court confirms Ophelia Ou as the Class Representative and grants preliminary approval to Class Representative Enhancement Payment in the amount of \$7,500 for her service in the Action;

8. The Court grants preliminary approval of the Private Attorneys General Act payment of \$15,000 to the Labor and Workforce Development Agency;

9. The Court hereby approves ILYM Group, Inc. as the Claims Administrator and grants preliminary approval of the payment of fees and other charges of the Claims Administrator in an amount not to exceed \$5,000;

10. The Court orders the following schedule of dates for the specified actions/further proceedings:

<u>EVENT</u>	<u>TIMING</u>
Last day for Defendant to provide the Claims Administrator a list of all Class Members, including their last known addresses, telephone numbers, social security numbers, and their dates of employment in a non-exempt position in California during the Class Period (“Settlement Class Information”)	14 calendar days after entry of Court’s Order granting preliminary approval of the Settlement Agreement
Last day for Claims Administrator to mail Notice and Exclusion Form to Class Members	14 calendar days after receipt of the Settlement Class Information from Defendant
Last day for Exclusion Forms by Class Members to be postmarked to Claims Administrator	45 calendar days after mailing of Class Notice
Last day for written objections to the settlement by Class Members to be postmarked to Claims Administrator	45 calendar days after mailing of Class Notice
Last day for Class Counsel to file and serve moving papers in support of final settlement approval and request for attorneys’ fees and costs	10 calendar days before the final settlement approval hearing date
Last day for Class Counsel to file with the Court and serve declaration by Claims Administrator specifying the due diligence undertaken with regard to the mailing of the Notice	10 calendar days prior to the final settlement approval hearing date

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<u>EVENT</u>	<u>TIMING</u>
Final settlement approval hearing	_____, 2021, at _____. [approximately 95 calendar days after entry of this Order]

Dated: _____, 2021

JUDGE OF THE SUPERIOR COURT