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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

DAMON COFFEY and BRANDIE LUKOFNAK, individually, and on behalf of other members of the public similarly situated,

Plaintiff

v.

SOUTHERN CALIFORNIA PERMANENTE MEDICAL GROUP, INC., a California Corporation and DOES 1-10, inclusive,

Defendants

CASE NO. 37-2020-00029409-CU-OE-CTL
CLASS ACTION & REPRESENTATIVE ACTION

AMENDED [PROPOSED] ORDER GRANTING PLAINTIFF'S UNOPPOSED MOTION FOR CONDITIONAL CERTIFICATION OF SETTLEMENT C L A S S A N D PRELIMINARY APPROVAL OF GOOD FAITH DETERMINATION OF CLASS ACTION SETTLEMENT

Date: January 26, 2024
Time: 8:30 a.m.
Judge: Hon. Keri G. Katz
Dept.: C-74

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 Plaintiffs DAMON COFFEY and BRANDIE LUKOFNAK's Unopposed Motion for
3 Conditional Certification of Settlement Class and Preliminary Approval of Good Faith Determination
4 of Class Action Settlement, in the above-captioned matter, came on for hearing before this Court on
5 January 26, 2024 at 8:30 a.m. Sullivan & Yaeckel Law Group, APC and and Blumenthal, Nordrehaug
6 Bhowmik De Blouw, LLP appeared on behalf of Plaintiffs and the Class; Seyfarth Shaw LLP,
7 appeared on behalf of Defendant.

8 On good cause shown, and pursuant to the authority of California statutory and case law, this
9 Court finds that the settlement between Plaintiff and Defendant was made in good faith pursuant to
10 California Rules of Court, rules 3.769 and 3.770. Accordingly, this Court rules as follows:

11 **IT IS HEREBY ORDERED THAT:**

- 12 1. This Order incorporates by reference the definitions in the Settlement Agreement, and all terms
13 defined therein shall have the same meaning as set forth in the Settlement Agreement.
- 14 2. Plaintiff's Unopposed Motion for Preliminary Approval of the Class Action Settlement is
15 hereby granted.
- 16 3. The class action settlement set forth in the Settlement Agreement, entered into among the
17 Parties and their counsel, is preliminarily approved as it appears to be proper, to fall within the
18 range of reasonableness, to be the product of arm's-length and informed negotiations, to treat
19 all Class Members fairly, and to be presumptively valid, subject only to any objections that
20 may be raised at the Final Approval Hearing.
- 21 4. The Court Conditionally certifies the following classes, which are subject to the Settlement,
22 for the purposes of settlement only:
 - 23 i. The "Class," which includes all non-exempt persons who were employed by Defendant
24 in the state of California at any time during the Class Period (defined as July 8, 2020,
25 through the earlier of preliminary approval or February 13, 2024.);
 - 26 ii. The "Subclass," which includes all non-exempt persons who were employed by
27 Defendant in the state of California at any time during the Sub-Class Period (defined
28 as August 21, 2016, through the earlier of preliminary approval or July 7, 2020);

- 1 iii. The “FLSA Subclass,” which includes all non-exempt persons who were employed by
2 SCPMG in the State of California at any time from August 21, 2017 through the date
3 of preliminary approval;
4 iv. The “PAGA Group,” which includes all non-exempt persons who were employed by
5 Defendant in the state of California at any time from July 8, 2020, through the earlier
6 of preliminary approval or February 13, 2024.
7 v. The “PAGA Subclass,” which includes all non-exempt persons who were employed
8 by Defendant in the state of California at any time from June 23, 2019, through July
9 7, 2020.
- 10 5. The Court appoints DAMON COFFEY and BRANDIE LUKOFNAK as Class
11 Representatives.
- 12 6. The Court appoints Sullivan & Yaeckel Law Group, APC, and Blumenthal, Nordrehaug
13 Bhowmik De Blouw, LLP as Class Counsel.
- 14 7. The Court approves, as to form and content, the proposed Notice of Class Action Settlement.
- 15 8. The Court appoints Rust Consulting (“Rust”) to act as the Settlement Administrator. Rust is
16 directed to issue—via first-class United States mail—the Notice of Proposed Class Action
17 Settlement to the proposed Class Members, as specified in the Settlement Agreement.
- 18 9. The Court will hold a hearing on Plaintiffs’ Request for: (1) Final Approval of the Settlement;
19 (2) Class Representative Enhancement Awards; and (3) Attorneys’ Fees and Costs, on
20 _____, 2024 at 9:00 a.m. in Dept. C-74.74.

21
22 **IT IS SO ORDERED.**

23 Dated: _____

HON. KERI G. KATZ
JUDGE OF THE SUPERIOR COURT