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Attorneys for Plaintiffs Fatima Goodarzi and Marianita Yadao

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

FATIMA GOODARZI, individually, and on
behalf of other members of the general public
similarly situated, and as an aggrieved employee
pursuant to the Private Attorneys General Act
("PAGA"),

Plaintiff,

vs.

BELMONT VILLAGE, L.P., a Delaware
limited partnership; BELMONT VILLAGE
ALISO VIEJO CA LP, a Delaware limited
partnership; BELMONT VILLAGE
BERKELEY, LLC, a Delaware limited liability
company; BELMONT VILLAGE
THOUSAND OAKS CA LP, a Delaware
limited partnership; and DOES 1 through 10,
inclusive,

Defendants.

Case No.: 20STCV15572

Assigned to the Hon. Stuart M. Rice

**[PROPOSED] ORDER GRANTING MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Date: July 20, 2022

Time: 10:30 a.m.

Place: Department 1

Complaint Filed: April 22, 2020

1 **ORDER**

2 On July 20, 2022, this Court conducted a hearing on Plaintiffs' Motion for Preliminary Approval
3 of the Class Action Settlement (the "Motion"). Having considered the Motion and the points and
4 authorities submitted in support of the Motion, including the Joint Stipulation of Class Action Settlement
5 and Release ("Settlement Agreement" or "Settlement"), and **GOOD CAUSE** appearing, **IT IS**
6 **HEREBY ORDERED** that the Motion is **GRANTED**, subject to the following findings and orders:

7 1. This Order incorporates by reference the Settlement Agreement, and unless indicated
8 otherwise, all capitalized terms used herein will have the same meaning as set forth in the Settlement
9 Agreement.

10 2. The Settlement Class shall be conditionally certified for settlement purposes only and
11 shall consist of all current and former non-exempt, hourly employees employed by Defendant in the
12 State of California at any time between April 22, 2016 and May 24, 2022.

13 3. The class action settlement set forth in the Settlement Agreement, entered into among
14 the Parties and their counsel, is preliminarily approved as it appears to be proper, to fall within the range
15 of reasonableness, to be the product of arm's-length and informed negotiations, to treat all Class
16 Members fairly, and to be presumptively valid, subject only to any objections that may be raised at or
17 before the final approval hearing.

18 4. The Court further finds that Plaintiffs conducted extensive investigation and research,
19 and that they were able to reasonably evaluate their positions and the strengths and weaknesses of their
20 claims and their ability to certify them. Plaintiffs have provided the Court with enough information about
21 the nature and magnitude of the claims being settled, as well as the impediments to recovery, to make an
22 independent assessment of the reasonableness of the terms to which the Parties have agreed.

23 5. The Court also finds that settlement now will avoid additional and potentially substantial
24 litigation costs, as well as delay and risks if the Parties were to continue to litigate the Action.

25 6. The Court preliminarily approves the Settlement Agreement, including all the terms and
26 conditions set forth therein and the Class Settlement Amount and allocation of payments.

27 7. The rights of any potential dissenters to the proposed Settlement are adequately
28 protected in that they may exclude themselves from the Settlement and proceed with any alleged claims

they may have against Defendant, or they may object to the Settlement and appear before this Court. However, to do so they must follow the procedures outlined in the Settlement Agreement and Notice of Class Action Settlement.

8. The Court approves, as to form and content, the proposed Notice of Class Action Settlement (“Notice Packet”).

9. The Court directs the mailing, by First-Class U.S. mail, of the Notice Packets to Class Members in accordance with the schedule set forth below and the other procedures described in the Settlement Agreement. The Court finds that the method selected for communicating the preliminary approval of the Settlement Agreement to Class Members is the best notice practicable under the circumstances, constitutes due and sufficient notice to all persons entitled to notice, and thereby satisfies due process.

10. The Court appoints Plaintiffs Fatima Goodarzi and Marianita Yadao as the representatives for the Settlement Class conditionally certified by this Order.

11. The Court appoints Capstone Law APC and Diversity Law Group, PC as Class Counsel. The Court finds that counsel have demonstrable experience litigating, certifying, and settling class actions, and will serve as adequate counsel for the Class conditionally certified by this Order.

12. The Court approves and appoints CPT Group, Inc. as the Settlement Administrator.

13. The following dates shall govern for purposes of this Settlement:

Date	Event
August 17, 2022 (or not later than 20 business days after the Court grants preliminary approval of the Settlement Agreement, if later)	Last day for Defendant to produce the confidential Class List to the Settlement Administrator.
August 31, 2022 (or not later than 10 business days after Defendant produces the Class List, if later)	Last day for the Settlement Administrator to mail Notice Packets to all Class Members.
October 17, 2022 (or not later than 45 calendar days after the Settlement Administrator mails the Notice Packets, if later)	Last day for Class Members to submit Requests for Exclusion or Objections to the Settlement.
November 4, 2022	Last day for Plaintiffs to file the Motion for Final Approval of Class Action Settlement and Motion for Attorneys’ Fees, Costs, and Class Representative Enhancement Payments.
December 1, 2022 at 10:30 a.m.	Hearing on Motion for Final Approval of Class Action Settlement and Motion for Attorneys’ Fees, Costs, and Class Representative Enhancement Payments.

1 14. The Court expressly reserves the right to continue or adjourn the final approval hearing
2 without further notice to the Class Members.

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4 **IT IS SO ORDERED.**

5 Dated: _____

6 Hon. Stuart M. Rice
7 Los Angeles County Superior Court Judge
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PROOF OF SERVICE

I am employed in the State of California, County of Los Angeles. I am over the age of 18 and not a party to the within suit; my business address is 1875 Century Park East, Suite 1000, Los Angeles, California 90067.

On **June 24, 2022**, I served the document(s) described as: **[PROPOSED] ORDER GRANTING MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT** on the interested parties in this action by sending ☐ the original ☒ a true copy thereof ☒ to interested parties as follows [or] ☐ as stated on the attached service list:

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Marianita Yadao

☐ **BY MAIL (ENCLOSED IN A SEALED ENVELOPE):** I deposited the envelope(s) for mailing in the ordinary course of business at Los Angeles, California. I am "readily familiar" with this firm's practice of collection and processing correspondence for mailing. Under that practice, sealed envelopes are deposited with the U.S. Postal Service that same day in the ordinary course of business with postage thereon fully prepaid at Los Angeles, California.

☐ **BY E-MAIL:** I hereby certify that this document was served from Los Angeles, California, by e-mail delivery on the parties listed herein at their most recent known e-mail address or e-mail of record in this action.

☒ **BY ELECTRONIC SERVICE:** I caused the document(s) to be transmitted electronically via One Legal eService to the individuals listed above, as they exist on that database. This will constitute service of the document(s).

☐ **BY FAX:** I hereby certify that this document was served from Los Angeles, California, by facsimile delivery on the parties listed herein at their most recent fax number of record in this action.

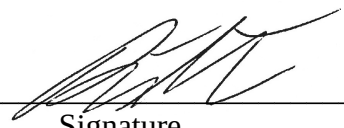
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[] **BY PERSONAL SERVICE:** I caused delivery of the document(s), enclosed in a sealed envelope, by hand via ProLegal Network to the offices of the addressee(s) named herein.

[] **BY OVERNIGHT DELIVERY:** I am “readily familiar” with this firm’s practice of collection and processing correspondence for overnight delivery. Under that practice, overnight packages are enclosed in a sealed envelope with a packing slip attached thereto fully prepaid. The packages are picked up by the carrier at our offices or delivered by our office to a designated collection site.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on **June 24, 2022**, at Los Angeles, California.

Riley McIntire
Type or Print Name


Signature