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SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN BERNARDINO

ALICIA JUAREZ, on behalf of herself and all
others similarly situated, and on behalf of the
general public,

Plaintiffs,

v.

FLOREXPO, LLC; KENDAL FLORAL
SUPPLY, LLC; and DOES 1-100,

Defendants.

Case No. 37-2020-00015644-CU-OE-CTL

[Consolidated with Case No. 37-2020-
00016123-CU-OE-CTL]

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

Date: December 16, 2022
Time: 8:30 a.m.
Judge: Hon. Keri Katz
Dept.: C-74

1 TO ALL PARTIES AND THEIR RESPECTIVE COUNSEL OF RECORD:

2 The Motion for Preliminary Approval of Class Action Settlement came before this Court,
3 the Honorable Keri Katz presiding, on December 16, 2022. The Court having considered the
4 papers submitted in support of the Motion, HEREBY ORDERS THE FOLLOWING:

5 1. The following Class is conditionally certified for purposes of settlement only: All
6 current and former non-exempt, hourly employees of Defendants Florexpo, LLC and Kendal
7 Floral Supply, LLC (“Defendants”) who were employed in California at any time from May 26,
8 2016 through November 24, 2022.

9 2. The Court grants preliminary approval of the Settlement and the Class based upon
10 the terms set forth in the Settlement Agreement filed herewith. Capitalized terms shall have the
11 definitions set forth in the Settlement.

12 3. The Settlement appears to be fair, adequate and reasonable to the Class. The
13 Settlement falls within the range of reasonableness and appears to be presumptively valid,
14 subject only to any objections that may be raised at the final approval hearing and final approval
15 by this Court.

16 4. For purposes of this Settlement, the First Amended Complaint (“FAC”), attached
17 as Exhibit 2 to the Declaration of David Mara, is deemed filed and responded to via Defendant’s
18 Answer currently on file.

19 5. Plaintiffs Alicia Juarez and Karla Martinez Flores are conditionally approved as
20 the Class Representatives for the Class.

21 6. The proposed Class Representative Enhancement Payments of \$10,000 each
22 payable to the Plaintiffs for their services as the class representatives are conditionally approved.

23 7. David Mara and Matthew Crawford of Mara Law Firm, PC are conditionally
24 approved as Class Counsel for the Class.

25 8. The proposed awards of up to \$666,660 in attorneys’ fees and up to \$30,000 in
26 actual costs payable to Class Counsel are conditionally approved.

27 9. A final approval hearing on the question of whether the Settlement, attorneys’
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1 fees and costs to Class Counsel, and the Class Representative Enhancement Payments should be
2 finally approved as fair, reasonable and adequate as to Class Members is scheduled in
3 Department C-74 on the date and time set forth in Paragraph 16 below.

4 10. The Court confirms Phoenix Class Action Administration Solutions (“Phoenix”)
5 as the Settlement Administrator.

6 11. The proposed payment of no more than \$50,000 in costs to Phoenix for its
7 services as the Settlement Administrator is conditionally approved.

8 12. The Court hereby preliminarily approves the allocation of \$200,000 of the Gross
9 Settlement Fund to Plaintiffs’ PAGA claims. Of this amount, 75% will be paid to the Labor and
10 Workforce Development Agency (“LWDA”) and the remaining 25% will be distributed to the
11 Class Members who worked from March 9, 2019 through November 24, 2022 (the “Aggrieved
12 Employees”). At the Final Approval Hearing, the Court will determine the sufficiency of the
13 PAGA payment. If the Court decides to award less than the amounts set forth by the Parties, then
14 excess amount will become part of the available Net Settlement Amount.

15 13. The Court approves, as to form and content, the Notices in substantially the form
16 attached as Exhibit A to the Settlement. The Court approves the procedure for Class Members to
17 participate in, to opt out of, and to object to, the Settlement as set forth in the Notice of
18 Settlement.

19 14. The Court directs the mailing of the Notice by first class mail to Class Members
20 in accordance with the implementation schedule set forth in Paragraph 16 below. The Court
21 finds the dates selected for the mailing and distribution of the Notice, as set forth in the
22 Implementation Schedule, meet the requirements of due process and provide the best notice
23 practicable under the circumstances and shall constitute due and sufficient notice to all persons
24 entitled thereto.

25 15. To facilitate administration of the Settlement pending final approval, the Court
26 hereby enjoins Plaintiffs and all Class Members from filing or prosecuting any claims, suits or
27 administrative proceedings (including, but not limited to, filing claims with the Division of
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Labor Standards Enforcement of the California Department of Industrial Relations) regarding claims released by the Settlement unless and until such Class Members have filed valid Requests for Exclusion with the Settlement Administrator and the time for filing valid Requests for Exclusion with the Settlement Administrator has elapsed. This provision shall not apply to claims not alleged in the Action.

16. The Court orders the following **Implementation Schedule** for further proceedings:

a.	Deadline for Defendant to submit Class Data to Settlement Administrator:	[20 days after entry of the Preliminary Approval Order]
b.	Deadline for Settlement Administrator to Mail the Notice to Class Members	[14 days after receipt of the Class Data]
c.	Deadline for Class Members to Postmark Requests for Exclusion Forms	[60 days after mailing of Notice to Class Members]
d.	Deadline for Receipt by Court and Counsel of any Objections to the Settlement	[60 days after mailing of Notice to Class Members]
e.	Deadline for Class Counsel to file Motion for Final Approval of Settlement	[16 Court days before Final Approval Hearing]
f.	Deadline for Class Counsel to file Motion for Attorneys' Fees, Costs and Class Representative Payment	[16 Court days before Final Approval Hearing]
g.	Final Approval Hearing and Final Approval	_____, 2023 _____

IT IS SO ORDERED.

Dated: _____, 2022

BY _____
Honorable Keri Katz
San Diego Superior Court Judge