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8

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **FOR THE COUNTY OF BUTTE**
11

12 ROBERT LAWSON, on behalf of himself
and all "aggrieved employees" pursuant to
13 Labor Code § 2698 *et seq.*,

14 Plaintiff,

15 v.

16 GRAPHIC PACKAGING
INTERNATIONAL, LLC, a Delaware
17 limited liability company, and DOES 1
through 10, inclusive,

18 Defendants.
19

CASE NO: 20CV01921

*Assigned to the Honorable Robert A. Glusman,
Dept. 10*

**[PROPOSED] ORDER (1) GRANTING
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT AND (2)
GRANTING LEAVE TO FILE FIRST
AMENDED COMPLAINT**

DATE: March 23, 2022

TIME: 9:00 a.m.

DEPT.: 10

Action Filed: September 29, 2020

1 Plaintiff Robert Lawson's ("Plaintiff") Unopposed Motion for Preliminary Approval of
2 Class Action Settlement and for Leave to File First Amended Complaint came on for hearing before
3 this Court in Department 10, Judge Robert A. Glusman presiding, on March 23, 2022. The Court,
4 having considered the papers submitted in support of the motion and having heard oral argument
5 of the parties, **HEREBY ORDERS THE FOLLOWING:**

6 1. The Court grants preliminary approval of the settlement based upon the terms set
7 forth in the Stipulation of Resolution ("Stipulation") filed with the Court. The settlement appears
8 to be fair, adequate, and reasonable to the Class;

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

12 3. The Court approves, as to form and content, the Notice of Proposed Class Action
13 and Private Attorneys General Act Settlement ("Notice") and also approves the procedure for
14 members of the Class to opt out of or object to the settlement as set forth in the Stipulation and the
15 Notice;

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

21 5. It is ordered that the Settlement Class is preliminarily certified for settlement
22 purposes only. The Settlement Class is defined as follows: all persons who are or were employed
23 by Graphic Packaging International, LLC in the State of California as nonexempt employees who
24 were paid wages at any time during the Settlement Period [April 27, 2017 to October 25, 2021];

25 6. The Court approves and appoints Daniel F. Gaines, Esq., Alex P. Katofsky, Esq.,
26 and Miriam Schimmel, Esq. of Gaines & Gaines, APLC, Larry W. Lee, Esq. and Mai Tulyathan of
27 Diversity Law Group, P.C. and William L. Marder, Esq. of Polaris Law Group, LLP as Class
28 Counsel, and grants preliminary approval of an award of attorneys' fees of up to 35% of the

1 Settlement Amount (or \$437,000) and documented litigation costs of up to \$20,000 to Class
2 Counsel, subject to final approval by the Court following a further motion by Class Counsel;

3 7. The Court approves and appoints Plaintiffs Robert Lawson, Marty Linebarger, and
4 Marcos Castro as the Class Representatives and grants preliminary approval to proposed
5 enhancements in an amount not to exceed \$10,000 each;

6 8. The Court grants preliminary approval of the allocation of \$120,000 to penalties
7 under the Private Attorneys General Act (Labor Code §§ 2698 et seq.), of which 75% (\$90,000)
8 shall be paid to the LWDA and 25% (\$30,000) will be retained in the Net Settlement Fund for
9 distribution to Class Members employed during the PAGA period as penalties and apportioned
10 based on their Eligible Workweeks during the PAGA Period;

11 9. The Court hereby approves and appoints ILYM Group, Inc. as the Settlement
12 Administrator and grants preliminary approval of the payment of fees and other charges of the
13 Settlement Administrator in an amount not to exceed \$20,000;

14 10. The Court grants Plaintiff leave to file the First Amended Class and Representative
15 Action Complaint, within five (5) court days of the entry of this Order, and consents that Defendant
16 is not required to file a responsive pleading thereto;

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

<u>EVENT</u>	<u>TIMING</u>
Last day for Defendant to provide to the Settlement Administrator a list of all Class Members, including their (1) name; (2) last known home address; (3) number of Eligible Workweeks as a class member during the Settlement Period; and (4) social security number ("Class List")	30 calendar days after entry of Court's Order granting preliminary approval of Settlement
Last day for Settlement Administrator to mail Class Notice to Class Members	10 calendar days after Settlement Administrator's receipt of Class List
Last day for Class Members to submit a written request for exclusion to the Settlement Administrator	45 calendar days after the initial mailing of the Class Notice to Class Members
Last day for Class Members to submit an Objection to the Settlement Administrator	45 calendar days after the initial mailing of the Class Notice to Class Members

<u>EVENT</u>	<u>TIMING</u>
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 Settlement Administrator specifying the due diligence undertaken with regard to the mailing of the Notice	10 calendar days before the final settlement approval hearing date
Final settlement approval hearing	_____, 2022, at _____.m. (approximately 110 days after entry of this Order)

IT IS SO ORDERED.

Dated: _____

JUDGE OF THE SUPERIOR COURT