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and Proposed Class Counsel

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE

GLENN LAWRENCE GALLUCCIO, on
behalf of himself and all others similarly
situated,

Plaintiffs,

v.

PPG ARCHITECTURAL FINISHES, INC.
a Delaware Corporation, PPG
INDUSTRIES, INC. a Pennsylvania
Corporation, and DOES 1 through 50
inclusive,

Defendants.

BRYAN CIOFFI, on behalf of himself and
all “aggrieved employees” pursuant to
Labor Code § 2698 et seq.,

Plaintiffs,

v.

PPG ARCHITECTURAL FINISHES,
INC., a Delaware corporation, and DOES 1
through 10, inclusive.

Defendants.

Case No.: 20STCV36799
Related Case No. 20VECV01052

*Assigned for All Purposes to Hon. William F.
Highberger, Dept. SS-10*

CLASS ACTION

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

DATE: April 18, 2023

TIME: 1:30 p.m.

DEPT.: SS-10

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5 Attorneys for Plaintiff Glenn Lawrence Galluccio
and Proposed Class Counsel
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1 Plaintiffs Glenn Lawrence Galluccio and Bryan Cioffi's (collectively, "Plaintiffs") motion
2 for preliminary approval of class action settlement came on for hearing before this Court in
3 Department SS-10, Judge William F. Highberger presiding, on April 18, 2023. The Court, having
4 considered the papers submitted in support of the motion and having heard oral argument of the
5 parties, **HEREBY ORDERS THE FOLLOWING:**

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

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

11 3. The Court approves, as to form and content, the Court Approved Notice of Class
12 Action Settlement and Hearing Date for Final Court Approval ("Notice");

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

18 5. It is ordered that the settlement class is preliminarily certified for settlement
19 purposes only. The settlement class is defined as follows: all current and former non-exempt
20 employees who have worked in California for PPG Architectural Finishes, Inc. at any time during
21 the Class Period September 22, 2016 to November 15, 2022;

22 6. The Court confirms Jake D. Finkel, Esq. of the Finkel Firm and Daniel F. Gaines,
23 Esq., Alex P. Katofsky, Esq., and Evan S. Gaines, Esq. of Gaines & Gaines, APLC as Class
24 Counsel, and grants preliminary approval of an award of attorneys' fees of up to \$311,666.66 and
25 documented litigation costs of up to \$30,000 to Class Counsel, subject to final approval by the
26 Court following a further motion by Class Counsel;

1 7. The Court confirms Glenn Lawrence Galluccio and Bryan Cioffi as the Class
2 Representatives and grants preliminary approval to proposed service payments in an amount not to
3 exceed \$5,000 each (for a total of \$10,000);

4 8. The Court grants preliminary approval of the Private Attorneys General Act
5 payment of \$37,500 to the Labor and Workforce Development Agency;

6 9. The Court hereby approves CPT Group, Inc. as the Administrator and grants
7 preliminary approval of the payment of fees and other charges of the Administrator in an amount
8 not to exceed \$20,000;

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

<u>EVENT</u>	<u>TIMING</u>
Last day for Defendants to provide the Administrator with information with respect to each Settlement Class Member, including the Class Member's name, last-known mailing address, Social Security number, and number of Class Period Workweeks and PAGA Pay Periods ("Class Data")	15 calendar days after entry of Court's Order granting preliminary approval of Settlement
Last day for Administrator to mail Notice to Class Members	14 calendar days after Administrator's receipt of the Class List
Last day for Class Members to submit a written request for exclusion to the Administrator	45 calendar days after the initial mailing of the Class Notice to Class Members
Last day for Class Members to submit a written Objection to the Administrator	45 calendar days after the initial mailing of the Class Notice to Class Members
Last day for Class Counsel to file and serve moving papers in support of final settlement approval and request for attorneys' fees and costs	No later than 16 Court days before the final approval hearing
Last day for Class Counsel to file with the Court and serve declaration by Administrator specifying the due diligence undertaken with regard to the mailing of the Notice	No later than 16 Court days before the final approval hearing
Final settlement approval hearing	_____, at _____. The Parties suggest the final approval hearing be held approximately 120 days after this preliminary approval order is entered.

1 11. Pending the Final Fairness hearing, all proceedings in this action, other than
2 proceedings necessary to carry out or enforce the terms and conditions of the Settlement Agreement
3 and this Order, are stayed. To facilitate administration of the Settlement Agreement pending final
4 approval, the Court hereby enjoins Plaintiffs and all members of the Class from filing or prosecuting
5 any claims, or suits regarding claims released by the Settlement Agreement, unless and until such
6 Class Members have filed valid Requests for Exclusion with the Settlement Administrator.

7
8 Dated: _____

JUDGE OF THE SUPERIOR COURT

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