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on behalf of herself and all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SACRAMENTO

AMBER PALMA on behalf of herself and all
others similarly situated

Plaintiff,

vs.

VOLUNTEERS OF AMERICA NORTHERN
CALIFORNIA AND NORTHERN NEVADA,
INC., a California Company, and DOES 1
through 50, inclusive,

Defendants.

Case No. 34-2020-00282148 (consolidated
with Case No. 34-2021-00301329-CU-OE-
GDS)

Assigned for All Purposes To:
Hon. Lauri A. Damrell
Dept. 22

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

1 WHEREAS, this consolidated action is pending before this Court as a putative class and
2 PAGA action (the “Action”); and

3 WHEREAS, Plaintiff, through an unopposed motion for preliminary approval, has
4 applied to this Court for an order preliminarily approving the settlement of the Action in
5 accordance with the Class, PAGA and FCRA Settlement Agreement (“Settlement Agreement”)
6 and any exhibit annexed thereto, which sets forth the terms and conditions for a proposed
7 settlement and final resolution of the Action upon the terms and conditions set forth therein; and
8 the Court having read and considered the Settlement Agreement and the exhibit annexed thereto;

9 NOW, THEREFORE, IT IS HEREBY ORDERED:

10 1. This Order incorporates by reference the definitions in the final version of the
11 Settlement Agreement which has been filed with the Court and all terms defined therein shall
12 have the same meaning in this Order as set forth in the Settlement Agreement;

13 2. The Court hereby conditionally certifies the following Classes for settlement
14 purposes only. For the purposes of this settlement, the Classes are comprised of:

15 a. “Wage and Hour Class” which means all non-exempt employees employed by
16 Defendant in California at any time from July 23, 2016, to June 3, 2024.

17 b. “Background Check Class” which means all persons who executed Defendant’s
18 disclosure form to obtain consumer reports for employment purposes in the state of California
19 during May 5, 2016, to June 3, 2024.

20 3. Should for whatever reason the Settlement not become final, the fact that the
21 Parties were willing to stipulate to class certification as part of the Settlement shall have no
22 bearing on, nor be admissible in connection with, the issue of whether a class should be certified
23 in a non-settlement context;

24 4. The Court hereby authorizes the retention of ILYM Group, Inc. as Settlement
25 Administrator for the purpose of this Settlement;

26 5. The Court hereby conditionally finds that James Hawkins, Isandra Fernandez and
27 Anthony Draper, of James Hawkins APLC, may act as counsel for the Class. The Court further
28 conditionally finds that Plaintiff Amber Palma may act as the Class Representative for the Class;

1 6. The Court hereby preliminarily APPROVES the proposed Notice of Class and
2 PAGA Action Settlement (“Class Notice”) The Court further finds that the Class Notice
3 appears to fully and accurately inform the Class Members of all material elements of the
4 proposed Settlement Agreement, of the Class Members’ right to be excluded from the Class,
5 and of each Class Member’s right and opportunity to object to the Settlement. The Class Notice
6 shall be mailed to the Class Members as set forth in the Settlement Agreement;

7 7. The Court finds on a preliminary basis that the Settlement Agreement appears to
8 be within the range of reasonableness of a settlement that could ultimately be given final
9 approval by this Court. It appears to the Court on a preliminary basis that the settlement amount
10 is fair, adequate and reasonable as to all potential Class Members when balanced against the
11 probable outcome of further litigation relating to liability and damages issues. It further appears
12 that investigation and research have been conducted such that counsel for the Parties, at this
13 time, are able to reasonably evaluate their respective positions. It further appears to the Court
14 that settlement at this time will avoid substantial additional costs by all Parties, as well as avoid
15 the delay and risks that would be presented by the further prosecution of the Action. It further
16 appears that the Settlement has been reached as the result of serious and non-collusive, arms-
17 length negotiations;

18 8. The Court orders the following implementation schedule for further proceedings:
19

20 Preliminary approval order.	_____, 2025
21 Deadline for Defendants to provide the 22 Class Data to the Settlement Administrator.	_____, 2025 (within fifteen (15) calendar days after Court Grants 23 Preliminary Approval).
24 Mail notices to Settlement Class Members.	_____, 2025 (within fourteen (14) 25 calendar days after Settlement 26 Administrator Receives Class Data from 27 Defendant).

Response Deadline for postmark by mail, fax or email of any Request for Exclusion.	, _____, 2025 (forty five (45) days after Settlement Administrator first mails Notice of Class Settlement to Settlement Class Members).
Deadline for receipt by the Settlement Administrator of any objections to the Settlement.	_____ 2025 (forty five (45) days after Settlement Administrator first mails Notice of Class Settlement to Settlement Class Members).
Response Deadline extension for re-mailed notices	_____ 2025 (14 calendar days after Response Deadline expires)
Deadline for Class Counsel to file Motion for Final Approval of Settlement.	_____ 2025
Final Approval Hearing.	_____, 2025, at

IT IS SO ORDERED.

Dated: _____

Hon Lauri A. Damrell
Judge of the Sacramento County Superior Court