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FILED
Superior Court of California
County of Los Angeles

09/16/2021

Sherri R. Carter, Executive Officer / Clerk of Court

By: A. Garcia Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES
CENTRAL DISTRICT

KRYSTAL ALVARADO on behalf of herself
and all other current and former aggrieved
California-based hourly non-exempt
employees,

Plaintiff,

v.

PRESSED JUICERY, INC.; PRESSED
JUICERY INC. F/K/A PRESSED JUICERY
LLC; and DOES 1 to 100, inclusive,

Defendant.

CASE NO. 20STCV43455 – Lead Case
(Related to Case Nos. 21STCV15726 and
21STCV17365)

Assigned to the Honorable Kristin S. Escalante

**~~PROPOSED~~ ORDER GRANTING
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA REPRESENTATIVE
SETTLEMENT**

Date: September 16, 2021
Time: 8:30 a.m.
Dept. No: 24
RES ID: 614307627961

File Date: November 13, 2020
Trial Date: To be set

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ORDER

The Motion for Preliminary Approval of a Class Action Settlement came on for hearing before this Court, the Honorable Kristin S. Escalante presiding, on September 16, 2021 at 8:30 a.m. The Court, having considered the papers submitted in support of the motion and having heard oral argument of the parties, HEREBY ORDERS THE FOLLOWING:

1. The Court grants preliminary approval of the settlement based upon the terms set forth in the “Joint Stipulation of Settlement and Release” as attached as Exhibit 1 to the Declaration of Vincent C. Granberry (the “Joint Stipulation of Settlement”) and as set forth herein. Capitalized terms in this Order shall have the definitions set forth in the Joint Stipulation of Settlement.

2. The Court hereby preliminarily certifies a Settlement Class and a representative action on behalf of PAGA Employees as described in the Joint Stipulation of Settlement, pursuant to the terms and conditions of the Joint Stipulation of Settlement and solely for the purposes set forth therein. The “Settlement Class” is defined as:

All persons who worked in any hourly non-exempt retail California-based job positions with Defendant or its predecessor (a “Job Position”) any time during the time period from and including May 16, 2016 through and including July 30, 2021.

The “PAGA Employees” on whose behalf claims under the Private Attorneys General Act are resolved are defined as all persons who worked in a Job Position at any time from and including through April 6, 2019 July 30, 2021.

3. The Court hereby preliminarily determines that the Settlement set forth in the Joint Stipulation of Settlement falls within the range of reasonableness and appears to be presumptively valid, subject only to any objections that may be raised at the Final Approval Hearing. It appears to the Court that substantial investigation and research have been conducted such that counsel for the Parties at this time are reasonably able to evaluate their respective positions. It further appears to the Court that settlement will avoid substantial additional costs by all parties, as well as the delay and uncertainties that would be presented by further prosecution of the Action. It further

1 appears to the Court that the proposed settlement that has been reached is the result of intensive,
2 serious, non-collusive, arm's-length negotiations.

3 4. The Court approves, as to form and content, the Notice of Class Action and PAGA
4 Representative Settlement (the Class Notice") in the form attached to the Joint Stipulation of
5 Settlement as Exhibit A. The Court finds that this document fairly and adequately appries
6 Settlement Class Members and PAGA Employees of their rights under the Settlement.

7 5. The Court directs the distribution of the Notice of Class Action and PAGA
8 Representative Settlement in accordance with the schedule and procedures set forth in the Joint
9 Stipulation of Settlement.

10 6. The Court appoints CPT Group as the Settlement Administrator.

11 7. For purposes of settlement, the Court finds that Joseph Lavi, Vincent C. Granberry,
12 Melissa A. Huether, and Courtney M. Miller of Lavi & Ebrahimian, LLP have adequately
13 represented the Settlement Class and the PAGA Employees and are preliminarily appointed as
14 Class Counsel and counsel for the PAGA Employees subject to the Final Approval Hearing.

15 8. For settlement purposes only, the Court preliminarily (and subject to the Final
16 Approval Hearing) finds that Plaintiff Krystal Alvarado ("Plaintiff") is an adequate representative
17 of the Settlement Class and the PAGA Employees and appoints her as such.

18 9. A Final Approval Hearing is scheduled for _____ at ____:____ a.m.
19 in Department 24 of the Stanley Mosk Courthouse of the Los Angeles Superior Court. The
20 purpose of such hearing will be to: (a) determine whether the Joint Stipulation of Settlement
21 should finally be approved by the Court as fair, reasonable and adequate; (b) determine the
22 reasonableness of Class Counsel's request for attorneys' fees and costs; (c) determine the
23 reasonableness of the class representative enhancement fee; and (d) order entry of Judgment in the
24 Action.

25 10. Not later than 16 court days before the Final Approval Hearing, Class Counsel shall
26 file brief(s) requesting final approval of the settlement, an award of reasonable attorneys' fees and
27

costs, and an award of reasonable class representative enhancement fees to the representative of the Settlement Class. All other dates shall be as established by the Joint Stipulation of Settlement.

11. Within fifteen (15) business days after the entry of this Order, Defendant shall provide the Settlement Administrator the name, last known address, and Social Security number of each Settlement Class Member, along with the information needed to calculate Class Member Allocation Amounts and Individual PAGA Payments.

12. Within fifteen (15) business days after receipt of the class data, the Settlement Administrator shall mail the Class Notice to all Settlement Class Members via first-class U.S. mail.

13. Settlement Class Members shall have forty-five (45) calendar days from the date of the postmark on the Class Notice to return to the Settlement Administrator Requests for Exclusion, dispute to workweeks, or Objections (“Response Deadline”).

14. The Court finds that the form of Class Notice to the Settlement Class regarding the pendency of the action and of this Settlement, and the methods of giving notice to members of the Settlement Class constitute the best notice practicable under the circumstances and constitute valid, due, and sufficient notice to all members of the Settlement Class. They comply fully with the requirements of California Code of Civil Procedure section 382, California Civil Code section 1781, California Rules of Court 3.766 and 3.769, the California and United States Constitutions, and other applicable law.

15. Class Counsel shall provide a copy of the Judgment of Final Approval of Class Action Settlement to the Labor and Workforce Development Agency within 10 days after entry of that Judgment.

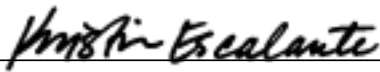
16. The Court further approves the procedures for Class Members to participate in, opt out of, or object to the Settlement, as set forth in the Joint Stipulation of Settlement Agreement and Class Notice.

1 17. Counsel for the parties are hereby authorized to utilize all reasonable procedures in
2 connection with the administration of the Settlement which are not materially inconsistent with
3 either this Order or the terms of the Joint Stipulation of Settlement.

4 18. Pending final determination as to whether the Settlement set forth in the Joint
5 Stipulation of Settlement should be approved, the Plaintiff, Settlement Class Members, and the
6 PAGA Employees whether directly, representatively, or in any other capacity, whether or not such
7 persons have appeared in this action, shall not institute or prosecute any claims or actions against
8 the Released Parties (as defined in the Joint Stipulation of Settlement) which in any manner
9 concern the Released Claims (as defined in the Joint Stipulation of Settlement).

10
11 Dated: 09/16/2021




The Honorable Kristin S. Escalante
Judge of the Superior Court
Kristin S. Escalante, Judge

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*Attorneys for Plaintiff Krystal Alvarado, on behalf of
herself and others similarly situated*

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

KRYSTAL ALVARADO on behalf of herself
and all other current and former aggrieved
California-based hourly non-exempt
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PRESSED JUICERY, INC.; PRESSED
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Defendant.

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21STCV17365)

[Assigned to the Honorable Kristin S.
Escalante in Department 24]

PROOF OF SERVICE

RES ID: 614307627961

Hearing Information:

Date: September 16, 2021

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Dept.: 24

File Date: November 13, 2020

Trial Date: To be set

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am an employee in the County of Los Angeles, State of California. I am over the age of 18 and not a party to this action; my business address is 8889 West Olympic Boulevard, Suite 200, Beverly Hills, California 90211.

On September 2, 2021, I served the foregoing document described as

- **PLAINTIFF'S NOTICE OF MOTION AND MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT; MEMORANDUM OF POINTS AND AUTHORITIES;**
- **DECLARATION OF VINCENT C. GRANBERRY IN SUPPORT OF PLAINTIFF'S NOTICE OF MOTION AND MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**
- **[PROPOSED] ORDER GRANTING PRELIMINARY APPROVAL OF CLASS ACTION AND PAGA REPRESENTATIVE SETTLEMENT**

on all interested parties in this action by placing a true copy thereof in a sealed envelope, addressed as follows:

Kevin E. Gaut, Esq. (KEG@msk.com)
Aaron Wais, Esq. (amw@msk.com)
Thea E. Rogers, Esq. (txr@msk.com)
MITCHELL SILBERBERG & KNUPP LLP
2049 Century Park East, 18th Floor
Los Angeles, CA 90067

Counsel for Defendants

☒ **(BY ELECTRONIC MAIL)** As follows: I caused such documents to be emailed to the attorneys listed above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☐ **(BY OVERNIGHT DELIVERY)** I caused such envelope to be delivered by overnight delivery to the office(s) of the addressee(s).

☒ **(STATE)** I declare, under penalty of perjury under the laws of the State of California, that the above is true and correct.

Executed on September 2, 2021, at Beverly Hills, California.


Melissa A. Huether



Court Reservation Receipt

Reservation

Reservation ID: 614307627961	Status: RESERVED
Reservation Type: Motion re: (Motion for Preliminary Approval of Class Action Settlement)	Number of Motions: 1
Case Number: 20STCV43455	Case Title: KRYSTAL ALVARADO vs PRESSED JUICERY, INC., et al.
Filing Party: Krystal Alvarado (Plaintiff)	Location: Stanley Mosk Courthouse - Department 24
Date/Time: September 16th 2021, 8:30AM	Confirmation Code: CR-XWAKTKSKLHDBS9CVQ

Fees

Description	Fee	Qty	Amount
Reschedule Fee	20.00	1	20.00
Credit Card Percentage Fee (2.75%)	0.55	1	0.55
TOTAL			\$20.55

Payment

Amount: \$20.55	Type: Visa
Account Number: XXXX4877	Authorization: 02825G

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