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Attorneys for Plaintiff  
MARIA PADILLA, on behalf  
of all others similarly situated, and also  
on behalf of all aggrieved employees

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

MARIA PADILLA, an individual, on  
behalf of all others similarly situated, and  
also on behalf of all aggrieved employees

Plaintiffs,

vs.

SCHENKER, INC., a New York  
corporation; and DOES 1 through 20,  
inclusive,

Defendants.

Case No. 24STCV02778

**CLASS ACTION**

*Assigned to the Honorable Lawrence P. Riff,  
Dept. 7*

**[PROPOSED] ORDER GRANTING  
PRELIMINARY APPROVAL OF CLASS  
ACTION SETTLEMENT AND SETTING A  
SETTLEMENT FAIRNESS HEARING**

Date: October 22, 2024

Time: 10:00 a.m.

Dept: 7

Complaint Filed: February 1, 2024

**[PROPOSED] ORDER**

TO ALL PARTIES AND THEIR RESPECTIVE COUNSEL OF RECORD:

The Motion for Preliminary Approval of Class Action Settlement came before this Court, on October 22, 2024. The Court having considered the papers submitted in support of the Motion, HEREBY ORDERS THE FOLLOWING:

1. The following Class is conditionally certified for purposes of settlement only: all current and former non-exempt employees of Schenker, Inc. (“Defendant”) who work or worked for Defendant in California at any time during the Class Period of October 8, 2019 through September 8, 2023
2. The Court grants preliminary approval of the Class based upon the terms set forth in the Settlement agreement filed herewith.
3. The Settlement appears to be fair, adequate, and reasonable to the Class. The 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 and final approval by this Court.
4. Plaintiff Maria Padilla is conditionally approved as the Class Representative for the Class Members.
5. The Proposed Class Representative Service Payment of \$7,500 payable to the Class Representative for her services is conditionally approved.
6. Samantha L. Ortiz, Esq. and the Law Offices of Ramin R. Younessi are conditionally approved as Class Counsel.
7. The proposed awards of up to two hundred twenty-five thousand dollars (\$225,000.00) for the Class Counsel Award and up to fifteen thousand (\$15,000.00) for Class Counsel Litigation Expenses are conditionally approved.
8. A final approval hearing on the question of whether the Settlement, the Class Counsel Award, the Class Counsel Litigation Expenses, and the Class Representative Service Payment should be finally approved as fair, reasonable, and adequate as to Settlement

Class Members is scheduled in Department 7 on the date and time set forth in Paragraph 15 below.

9. The Court confirms Phoenix Administration as the Administrator.

10. The proposed payment of no more than eleven thousand dollars (\$11,000) for Administrator Expenses is conditionally approved.

11. The Court also hereby conditionally approves the PAGA Penalties Payment of forty thousand (\$40,000), of which 75 % (\$30,000.00) will be paid to the Labor Workforce Development Agency ("LWDA PAGA Payment") and the remainder of \$10,000.00 will be distributed to Settlement Class Members.

12. The Court approves, as to form and content, the Class Notice in substantially the forms attached as Exhibit A to the Settlement Agreement [Exhibit 2 to the Declaration of Samantha Ortiz.] The Court approves the procedure for Settlement Class Members to participate in, to opt out of, and to object to, the Settlement as set forth in the Class Notice.

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

14. To facilitate administration of the Settlement pending final approval, the Court hereby enjoins Class Representative and all Settlement Class Members from filing or prosecuting any claims, suits, or administrative proceedings (including, but not limited to, filing claims with the Division of Labor Standards Enforcement of the California Department of Industrial Relations) regarding claims released by the Settlement unless and until such Settlement Class Members have filed valid Requests for Exclusion with the Administrator and the time for filing valid Requests for Exclusion with the

Administrator has elapsed. This provision shall not apply to claims not alleged in the Action.

15. The Court orders the following **Schedule of Settlement Proceedings**:

| Date                                                | Event                                                                                                                                                                                                                                                              |
|-----------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| October 22, 2024                                    | Preliminary Approval hearing (all dates that follow assume Preliminary Approval is granted on this date)                                                                                                                                                           |
| November 12, 2024                                   | Defendant to provide to Administrator with a spreadsheet containing Class Data (21 days after Preliminary Approval)                                                                                                                                                |
| November 26, 2024                                   | Administrator to mail Class Notices to all Class Members (14 days after receiving Class Data from Defendant)                                                                                                                                                       |
| January 27, 2025<br>(extended to February 10, 2025) | Last day for Class Members to mail valid objections regarding Settlement (60 days after Administrator mails Class Notices to all Class Members). This deadline is extended 15 days in the event that Class Notice must be re-mailed to the Class Member.           |
| January 27, 2025<br>(extended to February 10, 2025) | Last day for Class Members to mail valid Request for Exclusion from the Settlement (60 days after Administrator mails Class Notices to all Class Members). This deadline is extended 15 days in the event that Class Notice must be re-mailed to the Class Member. |
| February 17, 2025                                   | Date by which Administrator will provide all Counsel with a list of all Class Members who submitted timely and valid Requests for Exclusion and/or objections to the Settlement (5 days after the deadline for submission of Requests for Exclusion)               |
| February 28, 2025                                   | Date by which Class Counsel will submit its Motion for Final approval of settlement, class representative fees and class counsel's attorneys' fees and expenses                                                                                                    |
| March 27, 2025                                      | Proposed Final Approval and Fairness Hearing                                                                                                                                                                                                                       |

**IT IS SO ORDERED.**

DATED: \_\_\_\_\_, 2024

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Hon. Lawrence P. Riff  
Los Angeles Superior Court Judge