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Attorneys for Plaintiff and the Proposed Class

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

HELEN SANTOS an individual, on behalf of  
herself and others similarly situated

PLAINTIFF,

v.

AIR CULINAIRE WORLDWIDE, LLC; and  
DOES 1 thru 50, inclusive,

DEFENDANTS.

CASE NO. 20STCV40648

[Case Assigned for All Purposes to Hon.  
William F. Highberger in Dept. 10]

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

Date: June 7, 2022

Time: 1:30 p.m.

Dept.: 10

Complaint Filed: October 23, 2020

Trial Date: None Set

1 The Motion for Preliminary Approval of the Joint Stipulation of Class Action Settlement  
2 and Release of Claims (“Settlement” or “Settlement Agreement”), a copy of which is attached as  
3 to Plaintiff’s Motion for Preliminary Approval of Class Action Settlement as Exhibit “1”, came  
4 before this Court on June 7, 2022. The Court, having considered the papers submitted in support  
5 of the motion of the parties, **HEREBY ORDERS THE FOLLOWING:**

6 1. The Court grants preliminary approval of the Settlement Agreement and the  
7 Settlement Class based upon the terms set forth in the Settlement Agreement filed herewith. The  
8 Settlement is fair, adequate, and reasonable to the Class. The Court finds that: (a) the Agreement  
9 resulted from extensive arm’s length negotiations; and (b) the Agreement is sufficient to warrant  
10 notice of the Settlement to persons in the Settlement Class and a full hearing on the final approval  
11 of the Settlement.

12 2. Settlement “Class Member(s)” means all persons who are employed or have been  
13 employed as an hourly employee by Defendant in the State of California during the Covered  
14 Period.

15 3. The Settlement falls within the range of reasonableness and appears to be  
16 presumptively valid, subject only to any objections that may be raised at the final fairness hearing  
17 and final approval by this Court.

18 4. The Court makes the following preliminary findings for settlement purposes  
19 only:

- 20 A. The Settlement Class, which consists of approximately 194 persons, is so  
numerous that joinder of all members is impracticable;
- 21 B. There appear to be questions of law or fact common to the Settlement  
22 Class for purposes of determining whether this Settlement should be  
approved;
- 23 C. Plaintiff’s claims appear to be typical of the claims being resolved through  
24 the proposed settlement;
- 25 D. Plaintiff appears to be capable of fairly and adequately protecting the  
26 interests of the Settlement Class Members in connection with the proposed  
settlement;
- 27 E. Common questions of law and fact appear to predominate over questions  
28 affecting only individual persons in the Settlement Class. Accordingly,  
the Settlement Class appears to be sufficiently cohesive to warrant  
settlement by representation; and

F. Certification of the Settlement Class appears to be superior to other available methods for the fair and efficient resolution of the claims of the Settlement Class.

5. The Court approves, as to form and content, the Notice to Class Members in substantially the form attached to the Settlement Agreement as Exhibit 1 (Class Notice).

6. The Court approves the procedure for Class Members to object to the Settlement as set forth in the Class Notice to Class Members.

7. The Court approves the procedure for Class Members to become Participating Settlement Class Members as set forth in the Class Notice to Class Members.

8. The Court directs the mailing of the Notice to Class Members by first class mail to the Class Members in accordance with the Implementation Schedule set forth below. The Court finds that the dates selected for the mailing and distribution of the 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.

9. The Court confirms Eric B. Kingsley and Kelsey M. Szamet of Kingsley & Kingsley, APC as Class Counsel.

10. The Court confirms Helen Santos as the Class Representative.

11. The Court approves ILYM Group, Inc. as the Settlement Administrator.

12. The Court orders that pursuant to the California Private Attorneys General Act, Labor Code §§ 2698, et seq. (“PAGA”), statutory notice of this Settlement has been and will continue to be given to the Labor & Workforce Development Agency.

13. The Court orders the following Implementation Schedule for further proceedings:

|    |                                                                          |                                                                        |
|----|--------------------------------------------------------------------------|------------------------------------------------------------------------|
| a. | Preliminary Approval                                                     | June 7, 2022                                                           |
| b. | Deadline for Defendant to Provide Class Data to Settlement Administrator | 10 business days from Preliminary Approval                             |
| c. | Mail Notice to Class Members                                             | 15 calendar days from Settlement Administrator’s receipt of Class Data |

|    |                                                                                  |                                                                          |
|----|----------------------------------------------------------------------------------|--------------------------------------------------------------------------|
| d. | Deadline for Class Members to Postmark Any Exclusion                             | 60 calendar days from mailing of Notice Packet (judged by postmark date) |
| e. | Deadline for Class Members to Postmark Any Objection                             | 60 calendar days from mailing of Notice Packet (judged by postmark date) |
| f. | Deadline for Class Counsel to file Motion for Final Approval of Class Settlement | To be determined by the Court<br>_____                                   |
| g. | Deadline for Class Counsel to file Motion for Class Counsel Award                | To be determined by the Court<br>_____                                   |
| h. | Final Approval Hearing                                                           | To be determined by the Court<br>_____                                   |

15. IT IS FURTHER ORDERED that if the Court does not execute and file an Order of Final Approval and Judgment, or if the Effective Date of Settlement, as defined in the Settlement Agreement, does not occur for any reason, the Settlement Agreement and the proposed Settlement that is the subject of this Order shall become null, void, unenforceable and inadmissible in any judicial, administrative or arbitral proceeding for any purpose, and all evidence, court orders and proceedings had in connection therewith, shall be without prejudice to the status quo ante rights of the Parties to the litigation, as more specifically set forth in the Settlement Agreement.

16. IT IS FURTHER ORDERED that, pending further Order of this Court, all proceedings in this matter except those contemplated herein and in the Settlement Agreement are hereby stayed.

17. The Court expressly reserves the right to adjourn or continue the Final Fairness Hearing from time to time without further notice to members of the Settlement Class.

**DATED:** \_\_\_\_\_

\_\_\_\_\_  
**JUDGE OF THE SUPERIOR COURT**

(PROOF OF SERVICE)  
[CCP 1013(a)(3)]

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is 16133 Ventura Boulevard, Suite 1200, Encino, California 91436.

On April 15, 2022, I served all interested parties in this action the following documents described as: **[PROPOSED] ORDER GRANTING PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT** by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

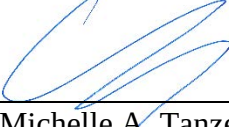
Clint D. Robison  
Samantha L. Squillante  
[crobison@ohaganmeyer.com](mailto:crobison@ohaganmeyer.com)  
[ssquillante@ohaganmeyer.com](mailto:ssquillante@ohaganmeyer.com)  
**O'Hagan Meyer**  
21550 Oxnard Street, Suite 1050  
Woodland Hills, CA, 91367

**[XX] BY ELECTRONIC SERVICE:** I caused a true and correct copy thereof to be electronically filed using the Labor and Workforce Development Agency Electronic Filing ("EF") System (<https://dir.tfaforms.net/315>) and service was completed by electronic means by transmittal of the documents referenced herein on the EF System.

**[XX] BY ELECTRONIC MAIL THROUGH CASE ANYWHERE:** On interested parties set forth on the attached service list.

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

Executed on April 15, 2022, at Woodland Hills, California.

  
Michelle A. Tanzer