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Attorneys for Plaintiff and the Putative Class

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

RUDY GARCIA, an individual, on behalf of
the State of California, as a private attorney
general, and on behalf of all others similarly
situated,

Plaintiff,

v.

CONSTRUCTION INNOVATIONS GROUP,
LLC, REX MOORE GROUP, INC., REX
SIGNATURE SERVICES, LLC; REX
MOORE ELECTRICAL CONTRACTORS &
ENGINEERING INC., and DOES 1-50,
inclusive.

Defendants.

CASE NO. 34-2020-00285239

Assigned to Hon. David De Alba

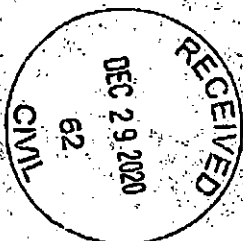
CLASS ACTION

**[PROPOSED] ORDER ON PLAINTIFF'S
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

HEARING DATE

Date: January 21, 2021
Time: 1:30 p.m.
Dept.: 53

Reservation ID: 2541466



BY FAX

1 This matter having come for hearing at the above date, time, and location regarding
2 Plaintiff's unopposed Motion for Preliminary Approval of a Class Action Settlement (the "Motion")
3 on the terms set forth in the Stipulated Settlement Agreement and Release of Claims (the
4 "Settlement"). Having considered the Settlement, all papers and proceedings held herein, and having
5 reviewed the entire record in this action, the Court hereby finds and orders:

6 1. The Court grants preliminary approval of the Settlement and the Settlement Class
7 based upon the terms set forth in the Settlement, attached as **Exhibit "1"** to the Declaration of
8 Jonathan Melmed in support of Plaintiff's Motion. All terms used herein shall have the same meaning
9 as defined in the Settlement. The Settlement appears to be fair, adequate, and reasonable to the Class.

10 2. The Settlement falls within the range of reasonableness and is presumptively valid,
11 subject only to any objections that may be raised at the final fairness hearing and final approval by
12 this Court.

13 3. A final fairness hearing on the question of whether the proposed Settlement,
14 attorneys' fees and costs to Class Counsel, and the Class Representative's Enhancement Award
15 should be finally approved as fair, reasonable, and adequate as to the members of the Class is
16 scheduled in Department 41 of this Courthouse on the date and time set forth in the implementation
17 schedule in Paragraph 10 below.

18 4. This Court approves, as to form and content, the Notice of Proposed Class Action
19 Settlement and Hearing Date for Court Approval ("Class Notice") in substantially the form attached
20 as **Exhibit "2"** to the Declaration of Jonathan Melmed in support of Plaintiff's Motion. The Court
21 approves the procedure for Class Members to participate in, to opt out of, and to object to, the
22 settlement as set forth in the Settlement.

23 5. The Court directs the mailing of the Class Notice by first class mail to the Class
24 Members in accordance with the Implementation Schedule set forth below. The Court finds the dates
25 selected for the mailing and distribution of the Notice, as set forth in the Implementation Schedule,
26 meet the requirements of due process and constitute the best notice practicable under the
27 circumstances and due and sufficient notice to all persons entitled thereto.

28 6. The Court preliminarily certifies the Settlement Class for settlement purposes.

1 7. The Court hereby preliminarily approves the definition and disposition of the
2 Maximum Settlement Amount of \$1,850,000.00, which is inclusive of payment of attorneys' fees not
3 to exceed on third of the Maximum Settlement Amount, costs not to exceed \$15,000.00, incentive
4 award not to exceed \$10,000.00 to the named Plaintiff, PAGA penalties of \$50,000.00 (of which
5 75% or \$37,500.00 will be paid to the LWDA and 25% or \$12,500.00 will be paid to participating
6 class members) and cost of administration not to exceed \$20,000.00. Defendants shall pay the
7 employer's share of payroll taxes on the portion of the Maximum Settlement Amount payable to
8 Participating Class Members as wages, in addition to the Maximum Settlement Amount.

9 8. The Court confirms Plaintiff Rudy Garcia as the Class Representative. The Court
10 further confirms Jonathan Melmed of Melmed Law Group P.C. and Mehrdad Bokhour of Bokhour
11 Law Group, P.C. as Class Counsel.

12 9. The Court appoints ILYM Group as the Settlement Administrator and approves the
13 distribution of up to \$20,000 from the Gross Settlement Amount to cover the Settlement
14 Administrator's expenses in administering the Settlement.

15 10. To facilitate administration of the Settlement pending final approval, the Court
16 hereby enjoins Plaintiff and all Class Members from filing or prosecuting any claims, suits or
17 administrative proceedings (including filing claims with the Division of Labor Standards
18 Enforcement of the California Department of Industrial Relations) regarding claims released by the
19 Settlement, unless and until such Class Members have filed valid Requests for Exclusion with the
20 Settlement Administrator and the time for filing claims with the Settlement Administrator has
21 elapsed.

22 11. The Court orders the following **Implementation Schedule** for further proceedings:

23

24 a.	Deadline for Defendants to Submit Class List to the Settlement Administrator	[Within seven (7) calendar days of Preliminary Approval]
26 b.	Deadline for Settlement Administrator to Mail Notice Packets to all Class Members	[Within seven (7) calendar days of Receipt of the Class List]

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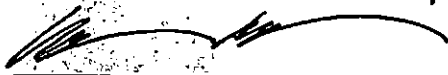
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d.	Deadline for Class Members to Postmark Requests for Exclusion	[Within forty-five (45) days after mailing of the Class Notice.]
e.	Deadline for Class Members to submit any Objections to Settlement	[Within forty-five (45) days after mailing of the Class Notice.]
f.	Deadline for Settlement Administrator to Provide Class Counsel with Declaration of Due Diligence	[No later than 25 days prior to the deadline for Class Counsel to file its Motion in support of Final Approval]
g.	Deadline for Class Counsel to file Motion for Final Approval of Settlement, including Request for Attorneys' Fees, Costs, and Enhancement Award	[No later than 16 court days prior to Final Approval and Fairness Hearing]
h.	Final Approval and Fairness Hearing	<u>May, 25</u> , 2021 at <u>1:30</u> <u>a.m./p.m.</u>

11. If any of the dates in this Implementation Schedule fall on a weekend, bank or court holiday, the time to act shall be extended to the next business day.

IT IS SO ORDERED.

DATED: JAN 21 2021


HONORABLE

SHAMA H. MESIWALA