

1 **KINGSLEY & KINGSLEY, APC**
2 ERIC B. KINGSLEY, Esq. (SBN-185123)
eric@kingsleykingsley.com
3 KELSEY M. SZAMET, Esq. (SBN-260264)
kelsey@kingsleykingsley.com
4 JUSTIN M. AUFDERHAR, Esq. (SBN 314023)
justin@kingsleykingsley.com
5 16133 Ventura Blvd., Suite 1200
Encino, CA 91436
Tel.: (818) 990-8300 | Fax: (818) 990-2903

6 Attorneys for Plaintiff and the Proposed Class

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

9 CRYSTAL MARTINEZ RAMIREZ, an
10 individual, on behalf of the State of
California, as a private attorney general,

11 Plaintiff,

12 v.

13 SP PLUS CORPORATION; and DOES 1
14 thru 50, inclusive,

15 Defendants.

CASE NO. BC614253

[Case Assigned for All Purposes to Hon.
Howard L. Halm, Dept. 53]

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

Date: September 6, 2018

Time: 8:30 a.m.

Dept.: 53

Complaint Filed: March 18, 2016

1 The Motion for Preliminary Approval of the Class Settlement came before this Court, the
2 Honorable Howard L. Halm, presiding. The Court, having considered the papers submitted in
3 support of the motion of the parties, **HEREBY ORDERS THE FOLLOWING:**

4 1. The Court grants preliminary approval of the Settlement and the Settlement Class
5 based upon the terms set forth in the Joint Stipulation of Class Action Settlement (“Settlement
6 Agreement” or “Settlement”), a true and correct copy of which is attached to the concurrently-
7 submitted Declaration of Kelsey M. Szamet as Exhibit “A”.

8 2. The Court finds that the Settlement appears to be fair, adequate, and reasonable to
9 the Class.

10 3. For purposes of this Order, the Class is defined as follows: “all current and former
11 employees who work/worked for Defendant in the State of California during the Class Period.”
12 (“Settlement Class Members” or “Settlement Class”).

13 4. The “Class Period” shall collectively refer to: (1) Labor Code § 226(a) violations
14 for the period of January 1, 2016 to the date the Court grants preliminary approval of the Settlement
15 Agreement; (2) Labor Code § 2802 violations for the period of March 3, 2015 to the date the Court
16 grants preliminary approval of the Settlement Agreement; (3) PAGA violations arising from Labor
17 Code § 226(a) for the period of January 1, 2016 to the date the Court grants preliminary approval
18 of the Settlement Agreement; and (4) PAGA violations arising from Labor Code § 2802 violations
19 for the period of March 3, 2015 to the date the Court grants preliminary approval of the Settlement
20 Agreement.

21 5. The Settlement Class is preliminarily certified for settlement purposes only.

22 6. The Settlement falls within the range of reasonableness and appears to be
23 presumptively valid, subject only to any objections that may be raised at the final fairness hearing
24 and final approval by this Court.

25 7. The Court approves, as to form and content, the Notice to Class Members in
26 substantially the form attached to the Settlement Agreement as Exhibit “1”.

27 8. The Court approves, as to form and content, the Opt-Out Form in substantially the
28 form attached to the Settlement Agreement as Exhibit “2”. The Court approves the procedure for

Class Members to opt out and object to the Settlement as set forth in the Notice to Class Members.

9. The Court directs the mailing of the Notice and the Opt-Out Form and related documents to Class Members by first class mail to the Class Members in accordance with the Settlement Agreement and 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 following 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.

10. The Court confirms Kingsley & Kingsley, APC as Class Counsel.

11. The Court confirms Crystal Martinez Ramirez as the class representative.

12. The Court approves CPT Group, Inc. as the Settlement Administrator.

13. The Court orders the Parties to carry out their duties as set forth in the Settlement Agreement.

14. A final fairness hearing on the questions of whether the proposed Settlement, requested attorneys' fees and costs to Class Counsel, requested enhancement to Plaintiff, and the claims administration costs should be finally approved as fair, adequate, and reasonable as to the members of the Class is scheduled for _____ at _____ (Pacific Time), in Department 53.

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

a.	Preliminary Approval	September 6, 2018
b.	Deadline for Defendant to Provide Names and Addresses of Class Members to Claims Administrator	21 calendar days from Entry of Preliminary Approval
c.	Claims Administrator Shall Mail Notice to Class Members	14 calendar days from receipt of the Class List from Defendant
d.	Deadline for Postmark of Any Request for Exclusion	60 Days from Mailing of Notices
e.	Deadline for Postmark of Any Objection	60 Days from Mailing of Notices

f.	Deadline for Class Counsel to file Motion for Final Approval of Class Settlement	To be determined by the Court
g.	Deadline for Class Counsel to file Motion for Attorneys' Fees	To be determined by the Court
h.	Final Approval Hearing	

16. 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.

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.

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 August 13, 2018, 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:

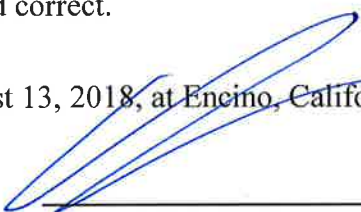
Spencer C. Skeen
Tim L. Johnson
Jesse C. Ferrantella
Nikolas T. Djordjevski
OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.
4370 La Jolla Village Drive, Suite 990
San Diego, CA 92122
Attorneys for Defendants SP Plus Corporation,
Standard Parking Corporation IL, SP Plus Property Management, Inc.,
SP Plus Security Services, Inc.

PROOF OF SERVICE LIST CONTINUED ON NEXT PAGE

[XX] (BY MAIL) I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage fully prepaid at Encino, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

[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 August 13, 2018, at Encino, California. ,



Michelle A. Tanzer

1 **PROOF OF SERVICE LIST CONTINUED**
2 **Related Case No. BC660410**
3 **Re Martinez v. Standard Parking – Case No. BC614253**
4

5 Matthew J. Matern
6 Matthew W. Gordon
7 Braunson C. Virjee
8 **MATERN LAW GROUP, PC**
9 1230 Rosecrans Avenue, Suite 200
10 Manhattan Beach, CA 90266
11 Attorneys for Plaintiff Evelyn Escalante and Briana McFashion
12

13 Sam Kim
14 Yoonis Han
15 **VERUM LAW GROUP, APC**
16 841 Apollo Street, Suite 340
17 El Segundo, CA 90245
18 Attorneys for Plaintiffs Yuliana Chavez,
19 Gloria A. Cerritos and Frankcelia Payes
20

21 Raymond A. Gallenberg
22 Rosa Vigil-Gallenberg
23 **GALLENBERG PC**
24 800 S. Victory Blvd., Suite 203
25 Burbank, CA 91502
26 Attorneys for Plaintiff Sarah Huda
27
28

Your COURTESY COPY
was delivered to
Department 53

DATE: 8-13-18

ORDER: 82586