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

LUCIANO JIMENEZ, as an individual, and
on behalf of all others similarly situated,

Plaintiff,

vs.

ARCADIA CHAIR COMPANY, INC., a
California corporation; and DOES 1 through
100,

Defendants.

Case No. 30-2020-01175920-CU-OE-CXC

*[Assigned for all purposes to Hon. Lon
Hurwitz, Dept. CX-103]*

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

Date: February 16, 2024
Time: 1:30 p.m.
Dept.: CX-103

Complaint Filed: December 23, 2020
Trial Date: None set

1 The Motion of Plaintiff Luciano Jimenez (“Plaintiff”) for Preliminary Approval of Class
2 Action Settlement came on regularly for hearing before this Court on February 16, 2024 at 1:30
3 p.m. This Court, having considered the proposed Stipulation of Settlement (the “Settlement”)
4 attached as Exhibit A to the Declaration of Paul K. Haines filed concurrently herein; having
5 considered Plaintiff’s Motion for Preliminary Approval of Class Action Settlement,
6 Memorandum of Points and Authorities in support thereof, and supporting declarations filed
7 therewith; and good cause appearing, HEREBY ORDERS THE FOLLOWING:

8 1. The Court GRANTS preliminary approval of the class action settlement as set
9 forth in the Settlement and finds its terms to be within the range of reasonableness of a settlement
10 that ultimately could be granted approval by the Court at a Final Fairness Hearing. For purposes
11 of the Settlement, the Court finds that the proposed Settlement Class is ascertainable and that
12 there is a sufficiently well-defined community of interest among the members of the Settlement
13 Class in questions of law and fact. Therefore, for settlement purposes only, the Court grants
14 conditional certification of the following Settlement Class:

15 All current and former non-exempt employees of Defendant
16 Arcadia Chair Company, Inc. directly hired by Arcadia Chair
17 Company, Inc. who worked in California at any time between June
18 23, 2016 through November 30, 2023 (“Class Period”), and who
19 did not sign a severance agreement.

20 2. For purposes of the Settlement, the Court designates named Plaintiff Luciano
21 Jimenez as Class Representative, and designates Paul K. Haines and Sean M. Blakely of Haines
22 Law Group, APC as Class Counsel.

23 3. The Court designates Phoenix Settlement Administrators as the third-party
24 Settlement Administrator for mailing notices.

25 4. The Court approves, as to form and content, the Class Notice, Request for
26 Exclusion Form, and Notice of Estimated Settlement Award (collectively, the “Notice Packet”),
27 attached as Exhibits 1, 2, and 3, respectively, to the Settlement.

28 5. The Court finds that the form of notice to the Settlement Class regarding the
pendency of the action and of the 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 of the Settlement Class members. The form and method of

1 giving notice complies fully with the requirements of California Code of Civil Procedure section
2 382, California Civil Code section 1781, California Rules of Court 3.766 and 3.769, the California
3 and United States Constitutions, and other applicable law.

4 6. The Court further approves the procedures for the Settlement Class members to
5 opt out of or object to the Settlement, as set forth in the Class Notice.

6 7. The procedures and requirements for filing objections in connection with the Final
7 Fairness Hearing are intended to ensure the efficient administration of justice and the orderly
8 presentation of any Settlement Class member's objection to the Settlement in accordance with
9 the due process rights of all members of the Settlement Class.

10 8. The Court directs the Settlement Administrator to mail the Notice Packet to the
11 members of the Settlement Class in accordance with the terms of the Settlement.

12 9. The Class Notice shall provide at least sixty (60) calendar days' notice for
13 Settlement Class members to opt out of, or object to, the Settlement, or submit a dispute.

14 10. The Final Fairness Hearing on the question of whether the Settlement should be
15 finally approved as fair, reasonable, and adequate is scheduled in Department CX-103 of this
16 Court, located at 751 West Santa Ana Boulevard, Santa Ana, California 92701 on July 12, 2024
17 at 1:30 p.m.

18 11. At the Final Fairness Hearing, the Court will consider: (a) whether the Settlement
19 should be finally approved as fair, reasonable, and adequate for the Settlement Class; (b) whether
20 a judgment granting final approval of the Settlement should be entered; and (c) whether Plaintiff's
21 application for reasonable attorneys' fees, reimbursement of litigation expenses, enhancement
22 payment to Plaintiff, settlement administration costs, and payment to the Labor & Workforce
23 Development Agency ("LWDA") for penalties under the Labor Code Private Attorneys General
24 Act should be granted.

25 12. Counsel for the parties shall file memoranda, declarations, or other statements and
26 materials in support of their request for final approval of the Settlement, attorneys' fees, litigation
27 expenses, Plaintiff's enhancement payment, payment to the LWDA, and settlement
28 administration costs, prior to the Final Fairness Hearing according to the time limits set by the

Code of Civil Procedure and the California Rules of Court. At the Final Fairness Hearing, the Settlement Administrator shall provide a copy of its invoice attached to its declaration regarding settlement administration.

13. An implementation schedule is below:

Event	Date
Defendant to provide Class Data to the Settlement Administrator no later than [10 business days after preliminary approval]:	March 1, 2024
Settlement Administrator to mail the Notice Packet to Settlement Class members no later than [10 business days after receiving Class Data]:	March 15, 2024
Deadline for Settlement Class members to request exclusion from, submit dispute, or object to, the Settlement [60 calendar days after mailing]:	May 14, 2024
Deadline for Plaintiff to file his Motion for Final Approval of Class Action Settlement:	June 7, 2024
Final Fairness Hearing:	July 12, 2024 at 1:30 p.m.

14. Pending the Final Fairness Hearing, all proceedings in this action, other than proceedings necessary to carry out or enforce the terms and conditions of the Settlement and this Order, are stayed.

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

16. To the extent consistent with class action procedure, the Court shall retain continuing jurisdiction over this Action and the Settlement pursuant to California Code of Civil Procedure § 664.6 and California Rule of Court 3.769(h).

17. The Settlement Administrator shall give notice to Settlement Class members of final judgment by posting the final judgment to the Settlement Administrator's website.

IT IS SO ORDERED.

Dated: _____, 2024

Hon. Lon F. Hurwitz
Judge of the Superior Court