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14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
15 **FOR THE COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE**
16

17 DIAMOND WEATHERS, individually,
18 and as a representative of other aggrieved
employees,

19 Plaintiff,

20 v.

21 BG-IC, LLC, and DOES 1 through 250,
22 inclusive,

23 Defendants.

Case No. 21STCV07570
[Related to Case No. 21STCV08334]

*Assigned for all purposes to: Judge Carolyn B.
Kuhl, Dept. SSC-12*

CLASS ACTION

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

DATE: September 21, 2022
TIME: 10:30 a.m.
DEPT.: SSC-12

Action Filed: February 26, 2021

1 Plaintiffs Diamond Weathers' and Milad Razani's (collectively, "Plaintiffs") motion for
2 preliminary approval of class action settlement came on for hearing before this Court in
3 Department SSC-12, Judge Carolyn B. Kuhl presiding, on September 13, 2022. The Court,
4 having considered the papers submitted in support of the motion and having heard oral argument
5 of the parties, **HEREBY ORDERS THE FOLLOWING:**

6 1. The Court grants preliminary approval of the settlement based upon the terms set
7 forth in the Joint Stipulation of Settlement ("Settlement Agreement") filed with the Court. The
8 settlement appears to be fair, adequate, and reasonable to the class;

9 2. The settlement falls within the range of reasonableness and appears to be
10 presumptively valid, subject only to any objections that may be raised at the final hearing;

11 3. The Court approves, as to form and content, the Notice of Pendency of Proposed
12 Class Action Settlement and Final Hearing ("Notice");

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

18 5. It is ordered that the settlement class is preliminarily certified for settlement
19 purposes only. The settlement class is defined as follows: all current and former non-exempt
20 employees who are or were employed by Defendant in California at any time during the Class
21 Period [February 25, 2017 through February 28, 2022];

22 6. The Court confirms Brent S. Buchsbaum, Esq. and Laurel N. Haag, Esq. of Law
23 Offices of Buchsbaum & Haag, LLP and Daniel F. Gaines, Esq. and Alex P. Katofsky, Esq. of
24 Gaines & Gaines, APLC as Class Counsel;

25 7. The Court confirms Diamond Weathers and Milad Razani as the Class
26 Representatives;

27 8. The Court grants preliminary approval of the Private Attorneys General Act
28 payment of \$30,000 to the Labor and Workforce Development Agency;

1 9. The Court hereby approves Phoenix Settlement Administrations as the Settlement
2 Administrator and grants preliminary approval of the payment of fees and other charges of the
3 Settlement Administrator in an amount not to exceed \$7,500; and

4 10. The Court orders the following schedule of dates for the specified actions/further
5 proceedings:

<u>EVENT</u>	<u>TIMING</u>
Last day for Defendant to provide to the Settlement Administrator a "Class List" in electronic format based on its business records, identifying the names of the Class Members, their last known home addresses, Social Security numbers or, as applicable, other taxpayer identification number, their dates of employment and weeks worked during the Class Period (the "Class List")	10 business days after entry of Court's Order granting preliminary approval of Settlement
Last day for Settlement Administrator to mail Notice to Class Members	10 business days after receipt of the Class List
Last day for Class Members to submit a written Request for Exclusion to Settlement Administrator	45 calendar days after the initial mailing of the Class Notice to Class Members
Last day for Class Members to file an Objection with the Court	45 calendar days after the initial mailing of the Class Notice to Class Members
Last day for Class Counsel to file and serve moving papers in support of final settlement approval and request for attorneys' fees and costs	_____, 2022
Last day for Class Counsel to file with the Court and serve declaration by Settlement Administrator specifying the due diligence undertaken with regard to the mailing of the Notice	_____, 2022
Final settlement approval hearing	_____, 2023, at _____. The Parties suggest the final approval hearing be held approximately 100 days after this preliminary approval order is signed.

25 Dated: _____

26 JUDGE OF THE SUPERIOR COURT