

FILED

KERN COUNTY SUPERIOR COURT

3/23/2022

BY Dickey, Leslie
DEPUTY

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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

LEOPOLDO ORDAZ, as an individual and
on behalf of all others similarly situated,

Plaintiffs,

vs.

METLANG LLC, a Delaware limited
liability company; and DOES 1 through 50,
inclusive,

Defendants.

Case No.: BCV-20-102983

[Assigned for all purposes to the Hon. Thomas S.
Clark, Department 17]

**AMENDED ~~PROPOSED~~ ORDER
GRANTING MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: March 10, 2022

Time: 8:30 a.m.

Dept.: 17

1
2 Plaintiff Leopoldo Ordaz's ("Plaintiff") Motion for Preliminary Approval of Class Action
3 Settlement came on for hearing on March 10, 2022. Plaintiff and Defendant Metlang LLC, a
4 Delaware limited liability company ("Defendant") appeared through their respective attorneys of
5 record. The Court has considered the Joint Stipulation of Class Action Settlement and Release
6 ("Settlement Agreement"), the submissions of counsel, and all other papers filed in this action.
7 The matter having been submitted and good cause appearing thereof, the Court finds as follows:

8 1. All defined terms contained herein shall have the same meanings as set forth in
9 the Settlement Agreement;

10 2. The Plaintiff and Defendant through their counsel of record in the Action, have
11 reached an agreement to settle all claims in the Action;

12 3. The Court conditionally finds that, for the purposes of approving this settlement
13 only, the proposed Class meets the requirements for certification under section 382 of the
14 California Code of Civil Procedure: (a) the proposed Class is ascertainable and so numerous that
15 joinder of all members of the class is impracticable; (b) for purposes of effectuating this
16 settlement, there are questions of law or fact common to the proposed Class, and there is a well-
17 defined community of interest among members of the proposed Class with respect to the subject
18 matter of the Action; (c) the claims of the Plaintiff are typical of the claims of the members of
19 the proposed Class; (d) the Plaintiff has and will fairly and adequately protect the interests of the
20 Members of the Class; (e) for purposes of effectuating this settlement, a class action is superior
21 to other available methods for an efficient adjudication of this controversy; and (f) the counsel of
22 record for the Plaintiff is qualified to serve as counsel for the Plaintiff in his own capacity as well
23 as their representative capacities and for the Class;

24 4. The moving parties also have presented to the Court for review the Settlement
25 Agreement. The Settlement Agreement is within the range of reasonableness and meets the
26 requirements for preliminary approval; and

27 5. The moving parties have also presented to the Court for review a plan to provide
28 Class Notice to the proposed Class Members of the terms of the settlement and the options facing

1 the Class including, *inter alia*: to opt out of the class action, to be represented by counsel of their
2 choosing, to object to the settlement, to remain in the Settlement Class, and/or to submit a
3 request for exclusion. The notice will be mailed to all Class Members at their Last Known
4 Addresses with provisions for address verification. The notice plan proposed by the Parties is
5 the best practical under the circumstances.

6 Good cause appearing therefor,

7 IT IS HEREBY ORDERED that:

8 1. Pursuant to California Rule of Court 3.769(d), the Settlement Agreement is
9 preliminarily approved and the Class is provisionally certified;

10 2. The Court hereby certifies the following class for settlement purposes: all current
11 and former employees of Defendant in the State of California who were paid wages at any time
12 from June 27, 2019 through February 11, 2021;

13 3. Class Notice, and the rights of Class Members, including the right to object or opt
14 out of the settlement, shall be given by mailing of the Notice Packet by first class, postage
15 prepaid, to all Class Members pursuant to the applicable provisions in the Settlement Agreement.
16 Defendant shall provide the Settlement Administrator with the information necessary to conduct
17 this mailing as set forth in the Settlement Agreement;

18 4. A hearing shall be held before this Court on **August 5, 2022, at 8:30 a.m.** to
19 consider whether the settlement should be given final approval by the Court:

20 (a) Written objections by Class Members to the proposed settlement will be
21 considered if received by Class Counsel on or before the Objection Deadline;

22 (b) At the Settlement Hearing, Class Members may be heard orally in support of or in
23 opposition to the settlement;

24 (c) Class Counsel and counsel for Defendant should be prepared at the hearing to
25 respond to objections filed by Class Members, and to provide other information as appropriate,
26 bearing on whether or not the settlement should be approved; and

27 (d) At the Settlement Hearing, the Court shall consider any motions or applications
28 for attorney fees, costs and litigation expenses consistent with the Settlement Agreement.

1 IT IS SO ORDERED.

Signed: 3/21/2022 06:55 PM

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3 DATED: 03/21/2022



4 BCV-20-102983

Honorable Thomas S. Clark
Judge of the Superior Court

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PROOF OF SERVICE

(Code of Civil Procedure Sections 1013a, 2015.5)

STATE OF CALIFORNIA]
]ss.
COUNTY OF LOS ANGELES]

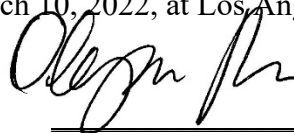
I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 515 S. Figueroa Street, Suite 1250, Los Angeles, California 90071.

On March 10, 2022, I served the following document(s) described as:
AMENDED [PROPOSED] ORDER GRANTING MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT on the interested parties in this action as follows:

Jeffrey S. Ranen Jeffrey.Ranen@lewisbrisbois.com Lewis Brisbois Bisgaard & Smith LLP 633 West 5 th Street, Suite 4000 Los Angeles, California 90071 <i>Attorneys for Defendant Metlang LLC</i>	Anthony C. Oceguela Anthony.Oceguela@lewisbrisbois.com Emily C. Gifford Emily.Gifford@lewisbrisbois.com Lewis Brisbois Bisgaard & Smith LLP 2020 W. El Camino Avenue, Suite 700 Sacramento, California 95833 <i>Attorneys for Defendant Metlang LLC</i>
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 X BY ELECTRONIC SERVICE: Based on a court order I caused the above-entitled document(s) to be served through the Odyssey eFileCA E-Filing System at the website www.california.tylerhost.net, addressed to all parties appearing on the electronic service list for the above-entitled case. The service transmission was reported as complete and a copy of the filing receipt/confirmation will be filed, deposited, or maintained with the original document(s) in this office.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on March 10, 2022, at Los Angeles, California.



Olympia Pena