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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN MATEO**

DAMONT RICHARDSON, an individual,
and RAOOF ABDUL SAYAD, an individual,
on behalf of themselves and others similarly
situated,

PLAINTIFFS,

v.

PEGASUS AVIATION SERVICES, LLC;
and DOES 1 thru 50, inclusive,

DEFENDANTS.

CASE NO. 21-CIV-00292

[Case Assigned for All Purposes to Hon.
Danny Y. Chou in Dept. 22]

**[PROPOSED] ORDER GRANTING
PRELIMINARY APPROVAL**

Date: May 12, 2022

Time: 9:00 a.m.

Dept.: 22

Complaint Filed: January 21, 2021

FAC Filed: March 29, 2021

Trial Date: None Set

1 Plaintiffs’ motion for an order preliminarily approving a class action and PAGA settlement and
2 setting a settlement hearing, came on regularly for hearing on May 12, 2022 at 9:00 a.m. Defendant
3 Pegasus Aviation Services (herein “Pegasus” or “Defendant”) has submitted its non-opposition to
4 the motion. The Court has considered the Stipulation of Settlement of Class and Representative
5 Action (and its exhibits), the submissions of counsel, and all other papers filed in this action. The
6 matter having been submitted and good cause appearing therefore, the Court finds as follows:

7 All defined terms contained herein shall have the same meanings as set forth in the
8 Stipulation of Settlement of Class and Representative Action executed by the Settling Parties and
9 filed with this Court (the “Settlement Agreement”);

10 The Named Plaintiffs and class representatives, through their counsel of record in the
11 Litigation and per the terms of the Settlement Agreement, have reached an agreement to resolve the
12 Litigation and settle all Released Claims;

13 The Class consists of all hourly, non-exempt employees of Defendant Pegasus Aviation
14 Services, LLC who worked for Defendant in California at any time between January 21, 2017 and
15 January 31, 2022.

16 The Court conditionally finds that, for the purposes of approving this settlement only and
17 for no other purpose and with no other effect, the proposed Class meets the requirements for
18 certification under California Code of Civil Procedure, section 382: (a) the proposed Class is
19 ascertainable and so numerous that joinder of all members of the class is impracticable; (b) there is
20 a well-defined community of interest in the questions of law and fact common to the proposed Class;
21 (c) the claims of the Class Representatives are typical of the claims of the members of the proposed
22 Class; (d) the Class Representatives will fairly and adequately protect the interests of the proposed
23 Class Members; (e) a class action is superior to other available methods for an efficient adjudication
24 of this controversy, especially given the settlement context here; and (f) the counsel of record for the
25 Class Representatives are qualified to serve as counsel for the Class Representatives in their own
26 capacity as well as their representative capacity and for the Class;

27 The moving party has presented to the Court for review a Stipulation of Settlement of Class
28

1 and Representative Action. The Stipulation is within the range of reasonableness and meets the
2 requirements for preliminary approval;

3 The moving party has also presented to the Court for review a plan to provide notice to the
4 Members of the proposed Class which sets out the terms of the settlement and the Class Members'
5 options including, inter alia, their options (i) to opt out of the Class, (ii) to be represented by counsel
6 of their choosing, and (iii) to object to the terms of the settlement. The Notices will be mailed to all
7 Class Members at their Last Known Addresses. The plan regarding Notices proposed by the Settling
8 Parties is the best practical under the circumstances and satisfies pertinent due process requirements
9 and the requirements of the California Code of Civil Procedure.

10 Good cause appearing therefore, IT IS HEREBY ORDERED that:

11 1. Pursuant to California Code of Civil Procedure, section 382 and California
12 Rules of Court, rule 3.764, the Class is provisionally certified, and the Stipulation of Settlement
13 and Release of Class and Representative Action is preliminarily approved;

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

19 3. The Court hereby appoints, for settlement purposes only, Plaintiffs Damont
20 Richardson and Raoof Sayad, as Class Representatives;

21 4. The Court hereby appoints as Class Counsel, for settlement purposes only,
22 the following: Kelsey M. Szamet of Kinglsey & Kingsley, Davtyan Law Firm, and John Briscoe of
23 Mayall Hurley P.C.;

24 5. The Court hereby appoints ILYM Group, Inc. as the Claims Administrator;

25 6. Defendant has agreed to pay Class Counsel their reasonable attorneys' fees in
26 this matter in the maximum total gross amount not to exceed one-third of the Gross Settlement
27 Amount (currently estimated to be \$126,666.66) as well as certain allowable costs in this matter up
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1 to the maximum gross amount of \$27,000, and Defendant has agreed to pay enhancement awards
2 totaling \$8,000 and consisting of \$5,000 to Damont Richardson and \$3,000 to Raoof Sayad, both as
3 Class Representatives, to reimburse them for their unique services and execution of general releases.

4 The Court preliminarily finds that these agreements are fair and reasonable;

5 A hearing shall be held before this Court on September 29, 2022 at 9:00 a.m. to
6 consider whether the settlement should be given final approval by the Court:

7 (a) Written objections by Class Members to the proposed settlement or to Class
8 Counsel's request for attorneys' fees, costs, or the enhancement award will be considered if received
9 by the Claims Administrator on or before the Notice Response Deadline;

10 (b) At the Settlement Hearing, Class Members who have filed timely written
11 objections may be heard orally in support of, or in opposition to, the settlement or the award of
12 attorneys' fees, costs, or the enhancement award;

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

16 (d) In the event that the Effective Date occurs, all Settlement Class Members will
17 be deemed to have forever released and discharged the Released Claims. In the event that the
18 Effective Date does not occur for any reason whatsoever, the Settlement Agreement shall be deemed
19 null and void and shall have no effect whatsoever;

20 (e) Prior to the Settlement Hearing, Plaintiffs shall file a motion for final approval
21 of the settlement, and Class Counsel shall file a motion for an award of attorneys' fees, costs, and
22 the enhancement award; and

23 (f) The Court orders the following implementation schedule for further
24 proceedings:

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Event	Timing
(a) Deadline for Defendant to send class data to settlement administrator	_____, 2022 (7 days after Preliminary Approval Date)
(b) Notice Mailing Deadline (i.e., deadline for settlement administrator to mail class action notices to class members)	_____, 2022 (30 days after settlement administrator receives class data)
(c) Deadline for Class Counsel to file motion for attorneys' fees, costs, and Class Representative enhancement award	Per Code
(d) Notice Response Deadline (i.e., deadline to opt out, object, or for former employees to file claims)	_____ 2022 (60 days after Class Notices are mailed)
(e) Deadline for Class Counsel to file motion for final approval of settlement	_____ 2022 (16 court days before Final Approval Hearing)
(f) Deadline for Claims Administrator to file declaration of due diligence.	_____ 2022 (21 days before Final Fairness Hearing)
(g) Final Fairness Hearing	September 29, 2022 at 9:00 a.m. (140 days after Preliminary Approval Date)

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1 PURSUANT TO STIPULATION, IT IS SO ORDERED.

3 DATED: May____, 2022

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6 Hon. Danny Chou
7 Judge, San Mateo 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 April 20, 2022, I served all interested parties in this action the following documents described as: **[PROPOSED] ORDER GRANTING PRELIMINARY APPROVAL** by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

Heather Hearne hdh@kullmanlaw.com The Kullman Firm, PLC 4605 Bluebonnet Blvd., Suite A Baton Rouge, LA 70809	Emil Davtyan emil@davtyanlaw.com Davtyan Law Firm, Inc. 880 E. Broadway Glendale, CA 91205 John P. Briscoe jbriscoe@mayalllaw.com Mayall Hurley P.C. 2453 Grand Canal Boulevard Stockton, California 95207-8253
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[XX] BY ELECTRONIC SERVICE: I caused a true and correct copy thereof to be electronically filed using the Labor and Workforce Development Agency Electronic Filing ("EF") System (<https://dir.tfaforms.net/315>) and service was completed by electronic means by transmittal of the documents referenced herein on the EF System.

[XX] BY ELECTRONIC MAIL TRANSMISSION: I caused the document to be send to the persons at the e-mail address(es) listed on the attached service list. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful. A pdf copy of which was sent via email to the above email address(es).

[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 April 20, 2022, at Woodland Hills, California.


Michelle A. Tanzer