

FARZAD RASTEGAR, State Bar No. 155555
farzad@rastegarlawgroup.com
DANIELLE SHERROD, State Bar No. 225352
danielle@rastegarlawgroup.com
AJA M. TAORMINA, State Bar No. 293507
aja@rastegarlawgroup.com
RASTEGAR LAW GROUP, APC
22760 Hawthorne Boulevard, Suite 200
Torrance, California 90505
Tel.: (310) 961-9600
Fax: (310) 961-9094

Attorneys for Plaintiff Silvia Garcia,
individually, and on behalf of all other
similarly situated employees of Defendants

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

SILVIA GARCIA, individually, and on behalf)
of all other similarly situated current and)
former employees of Defendants,)

Plaintiff,)

vs.)

BHA HOSPITALITY, LLC, a Delaware)
limited liability company; and DOES 1)
through 100, inclusive,)

Defendants.)

CASE NO.: 21STCV10883

[Assigned for all purposes to the Honorable
Elihu M. Berle, Department 6]

**[PROPOSED] ORDER ON MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT AND
ATTORNEY FEES**

*[Filed concurrently with Notice of Motion
and Motion for Preliminary Approval of
Class Action Settlement and Attorney Fees
and Memorandum of Points and Authorities
in Support Thereof; and Declaration of
Farzad Rastegar, Esq. and Declaration of
Silvia Garcia in support thereof]*

Date: January 25, 2022

Time: 11:00 a.m.

Dept.: 6

1 On January 25, 2022, at 11:00 a.m. in Department 6 of the above-entitled Court, Plaintiff's
2 Motion for Preliminary Approval of the Class Action Settlement and Attorneys' Fees came on
3 duly for hearing.

4 After reviewing the Memorandum of Points and Authorities in support of the motion, the
5 Declarations filed in support thereof, and having heard the argument of counsel for the respective
6 parties, **THE COURT ORDERS AS FOLLOWS:**

7 1. The settlement memorialized in the parties' Settlement Agreement, attached as
8 **Exhibit 1** to the Declaration of Farzad Rastegar, appears to be fundamentally fair, adequate, and
9 reasonable, and falls within the range of possible approval;

10 2. The dates selected for the mailing and distribution of the Notice to the Settlement
11 Class meet the requirements of due process, provide the best notice practicable under the
12 circumstances, and shall constitute due and sufficient notice to all persons entitled thereto in full
13 compliance with due process and the notice requirements pursuant to California Code of Civil
14 Procedure section 877.6.

15 3. The Court finds, for settlement purposes only, that the proposed class meets the
16 requirements for certification pursuant to California Code of Civil Procedure section 382 et seq.
17 because (a) the class is so numerous that joinder is impracticable; (2) there are questions of law
18 and fact that are common, or of general interest, to all members of the class, which predominate
19 over individual issues; (3) Plaintiff's claims are typical of the claims of the class; (4) Plaintiff's
20 counsel, Rastegar Law Group, APC, will fairly and adequately protect the interests of the class;
21 and (5) a class action is superior to other available methods for the fair and efficient adjudication
22 of the controversy.

23 4. The following class is conditionally certified for settlement purposes only: "All
24 current and former nonexempt individuals who worked for or provided services to Defendant in
25 California at any time between March 1, 2018 and October 1, 2021."

26 5. Plaintiff SILVIA GARCIA is appointed as Class Representative for the class.

27 6. Farzad Rastegar and Rastegar Law Group, APC, is appointed counsel for the class.
28

- 1 7. Phoenix Settlement Administrators is appointed as the settlement administrator.
- 2 8. The parties shall carry out the terms and provisions of the Settlement Agreement.
- 3 9. Implementation schedule:
- 4 a. Deadline to mail Notices to Settlement Class: _____
- 5 (not later than thirty (30) days after the date of preliminary approval of the
- 6 Agreement);
- 7 b. Deadline for filing and service of the motion for final approval of the
- 8 Settlement Agreement: _____ (not later than sixteen
- 9 (16) court days before the Final Approval Hearing); and
- 10 c. Final Approval Hearing: _____ at _____ am/pm
- 11 in Department 6 of the Los Angeles Superior Court located at 312 N.
- 12 Spring Street, Los Angeles, CA 90012.

13 10. _____

14 _____

15 _____

16 _____

17 _____

18 _____

19 _____

20 _____

21 _____

22 _____

23 Dated: _____

HONORABLE ELIHU M. BERLE
JUDGE OF THE SUPERIOR COURT