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JOSE MARTINEZ

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

JOSE MARTINEZ, as an individual and on
behalf of all others similarly situated,

Plaintiff,

vs.

SOUTHLAND ENERGY SYSTEMS, a
California corporation; and DOES 1 through
100, inclusive,

Defendants.

Case No. 21STCV06911

*[Assigned for all purposes to the Hon. Stuart
M. Rice, Dept. SSC-1]*

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

Date: January 31, 2025

Time: 10:30 a.m.

Dept.: SSC-1

1 The Motion of Plaintiff Jose Martinez (“Plaintiff”) for Preliminary Approval of Class Action
2 Settlement came before this Court on January 31, 2025 at 10:00 a.m. The Court, having considered the
3 proposed Class Action and PAGA Settlement Agreement and Class Notice (the “Settlement”), attached as
4 Exhibit 2 to the Declaration of Scott M. Lidman filed concurrently with the Motion; having
5 considered Plaintiff’s Motion for Preliminary Approval of Class Action Settlement, Memorandum of
6 Points and Authorities in support thereof, and supporting declarations filed therewith; and good cause
7 appearing, HEREBY ORDERS THE FOLLOWING:

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

15 All individuals whom Defendant Southland Energy Systems classified as
16 nonexempt employees and who worked for Defendant in California at any
time during the Class Period.

17 Class Period means the period of time starting February 19, 2017 and ending
18 on June 3, 2024.

19 2. For purposes of the Settlement, the Court designates named Plaintiff Jose Martinez as
20 Class Representative, and Scott M. Lidman and Milan Moore of Lidman Law, APC and Paul Haines of
21 Haines Law Group, APC as Class Counsel.

22 3. The Court designates Phoenix Class Action Administration Solutions as the third-party
23 Settlement Administrator for mailing notices.

24 4. The Court approves, as to form and content, the Notice of Class Action Settlement and
25 Hearing Date for Final Court Approval (“Class Notice”) and is attached to the Settlement as Exhibit A.

26 5. The Court finds that the form of notice to the Settlement Class regarding the pendency of
27 the action and of the Settlement, and the methods of giving notice to members of the Settlement Class,
28 constitutes the best notice practicable under the circumstances, and constitute valid, due, and sufficient

1 notice to all members of the Settlement Class. The form and method of giving notice complies fully
2 with the requirements of California Code of Civil Procedure section 382, California Civil Code section
3 1781, California Rules of Court 3.766 and 3.769, the California and United States Constitutions, and
4 other applicable law.

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

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

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

13 9. The Class Notice shall provide at least 60 calendar days' notice for members of the
14 Settlement Class to opt out of, or object to, the Settlement.

15 10. The Final Fairness Hearing on the question of whether the Settlement should be finally
16 approved as fair, reasonable, and adequate is scheduled in Department 1 of this Court, located at 312
17 North Spring Street, Los Angeles, California, 90012 on _____, 2024 at _____ a.m. /
18 p.m.

19 11. At the Final Fairness Hearing, the Court will consider: (a) whether the Settlement should
20 be finally approved as fair, reasonable, and adequate for the Settlement Class; (b) whether a judgment
21 granting final approval of the Settlement should be entered; and (c) whether Plaintiff's application for
22 reasonable attorneys' fees, reimbursement of litigation expenses, service payment to Plaintiff, and

23 [REDACTED]
24 [REDACTED].

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 service award, settlement administration costs, and payment to the LWDA for
28 [REDACTED]

1 [REDACTED].

2 13. An implementation schedule is below:

Event	Date
Defendant to provide Class Data to Settlement Administrator	15 calendar days after issuance of the preliminary approval order
Settlement Administrator to mail Notice Packets to Class Members	14 calendar days after receiving Class Information from Defendant
Deadline for Class Members to request exclusion from, submit disputes, or object to, the Settlement	60 calendar days after mailing of the Notice by the Settlement Administrator
Deadline for Plaintiff to file Motion for Final Approval of Class Action Settlement:	
Final Fairness Hearing:	_____, 2024 at _____ a.m./p.m.

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

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

16 **IT IS SO ORDERED.**

17
18 Dated: _____, 2024

Honorable Stuart M. Rice
Judge of the Superior Court