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JAIME BARAJAS

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

JAIME BARAJAS, as an individual and on
behalf of all others similarly situated,

Plaintiff,

vs.

SCHUMACHER CARGO LOGISTICS, INC.,
a California corporation; and DOES 1 through
100, inclusive,

Defendants.

Case No. 21STCV04851

*[Assigned for All Purposes to Hon. Lawrence
P. Riff, SSC-7]*

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

Date: August 11, 2022
Time: 10:00 a.m.
Dept.: SSC-7

Action Filed: February 5, 2021
Trial Date: None Set

1 The Motion of Plaintiff Jaime Barajas (“Plaintiff”) for Preliminary Approval of Class Action
2 Settlement came on regularly for hearing before this Court on August 11, 2022 at 10:00 a.m. The Court,
3 having considered the proposed Stipulation of Settlement, attached as Exhibit 1 to the Declaration of
4 Scott M. Lidman filed on April 21, 2022, ordered the Parties to prepare an Amended Stipulation of
5 Settlement (the “Amended Settlement”) to address two issues. Now, the Court, having considered the
6 Amended Settlement attached as Exhibit 2 to the Supplemental Declaration of Scott M. Lidman in
7 Support of Motion for Preliminary Approval of Class Action filed concurrently herewith; having
8 considered Plaintiff’s Motion for Preliminary Approval of Class Action Settlement, Memorandum of
9 Points and Authorities in support thereof, and supporting declarations filed therewith; and good cause
10 appearing, HEREBY ORDERS THE FOLLOWING:

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

18 All current and former non-exempt warehouse employees of Defendant
19 Schumacher Cargo Logistics, Inc. who worked for Defendant in California
20 at any time from February 5, 2017 through the date of preliminary approval
21 of the Settlement.

22 2. For purposes of the Settlement, the Court designates named Plaintiff Jaime Barajas as
23 Class Representative, and Scott M. Lidman, Elizabeth Nguyen, and Milan Moore of Lidman Law, APC
24 and Paul Haines of Haines Law Group, APC as Class Counsel.

25 3. The Court designates Simpluris, Inc. as the third-party Settlement Administrator for
26 mailing notices.

27 4. The Court approves, as to form and content, the Notice Packet (which is comprised of the
28 Notice of Pendency of Class Action and Settlement and Notice of Settlement Award) and is attached to
the Settlement as Exhibit C.

1 5. The Court finds that the form of notice to the Settlement Class regarding the pendency of
2 the action and of the Settlement, and the methods of giving notice to members of the Settlement Class,
3 constitutes the best notice practicable under the circumstances, and constitute valid, due, and sufficient
4 notice to all members of the Settlement Class. The form and method of giving notice complies fully
5 with the requirements of California Code of Civil Procedure section 382, California Civil Code section
6 1781, California Rules of Court 3.766 and 3.769, the California and United States Constitutions, and
7 other applicable law.

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

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

14 8. The Court directs the Settlement Administrator to mail the Notice Packet to the members
15 of the Settlement Class in accordance with the terms of the Settlement.

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

18 10. The Final Fairness Hearing on the question of whether the Settlement should be finally
19 approved as fair, reasonable, and adequate is scheduled in Department 7 of this Court, located at 312
20 North Spring Street, Los Angeles, California, 90012 on January 4, 2023 at 10:00 a.m.

21 11. At the Final Fairness Hearing, the Court will consider: (a) whether the Settlement should
22 be finally approved as fair, reasonable, and adequate for the Settlement Class; (b) whether a judgment
23 granting final approval of the Settlement should be entered; and (c) whether Plaintiff's application for
24 reasonable attorneys' fees, reimbursement of litigation expenses, service award to Plaintiff, and payment
25 to the Labor and Workforce Development Agency ("LWDA") for penalties under the Labor Code
26 Private Attorneys General Act ("PAGA") should be granted.

27 12. Counsel for the parties shall file memoranda, declarations, or other statements and
28 materials in support of their request for final approval of the Settlement, attorneys' fees, litigation

expenses, Plaintiff's service award, settlement administration costs, and payment to the LWDA for PAGA penalties prior to the Final Fairness Hearing according to the time limits set by the Code of Civil Procedure and the California Rules of Court.

13. An implementation schedule is below:

Event	Date
Defendant to provide Class Data to Settlement Administrator	10 business days after issuance of the preliminary approval order
Settlement Administrator to mail Notice Packets to Class Members	10 business 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:	December 9, 2022
Final Fairness Hearing:	January 4, 2023 at 10:00 a.m.

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

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

IT IS SO ORDERED.

Dated: _____, 2022

Honorable Lawrence P. Riff
Judge of the Superior Court