

KINGSLEY & KINGSLEY, APC

ERIC B. KINGSLEY, Esq. (SBN 185123)

eric@kingsleykingsley.com

LIANE KATZENSTEIN LY, Esq., (SBN 259230)

liane@kingsleykingsley.com

JESSICA BULAON, Esq. (SBN 340749)

jessi@kingsleykingsley.com

16133 Ventura Blvd., Suite 1200

Encino, CA 91436

Tel: (818) 990-8300, Fax (818) 990-2903

Attorneys for Plaintiff and the proposed class

(Additional Counsel listed on next page)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

EMMANUEL WRIGHT, individually and on
behalf of all others similarly situated,

PLAINTIFF,

v.

HOME BOX OFFICE, INC.; PLANE
MEETS PAPER PRODUCTIONS, LLC; and
DOES 1 through 50, inclusive,

DEFENDANTS.

CASE NO. 21STCV19636

[Case Assigned for All Purposes to Hon.
Maren E. Nelson, in Dept. 17]

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

Date: January 8, 2024

Time: 9:00 a.m.

Dept.: 17

Complaint Filed: May 24, 2021

Trial Date: None Set

1 FRANK H. KIM, State Bar No. 264609
fkim@kim-legal.com
2 KIM LEGAL, APC
3435 Wilshire Blvd, Suite 2700
Los Angeles, CA 90010
3 Telephone: (323) 482-3300
4 Facsimile: (866) 652-7819

5 HELEN U. KIM, State Bar No. 260195
helen@helenkimlaw.com
HELEN KIM LAW, APC
6 3435 Wilshire Blvd, Suite 2700
Los Angeles, CA 90010
7 Telephone: (323) 487-9151
8 Facsimile: (866) 652-7819

9 Attorneys for Plaintiff and the Proposed Class
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1 The Motion for Preliminary Approval of the Class Action and PAGA Settlement
2 Agreement and Class Notice (“Agreement”), a copy of which is attached as to the Declaration of
3 Liane Katzenstein Ly as Exhibit “1”, came before this Court on January 8, 2024 at 9:00 a.m. in
4 Department 17 of the above-entitled Court. The Court, having considered the papers submitted in
5 support of the motion of the parties, **HEREBY ORDERS THE FOLLOWING:**

6 1. The Court grants preliminary approval of the Agreement and the Class based upon
7 the terms set forth in the Agreement filed herewith. The Settlement is fair, adequate, and
8 reasonable to the Class. The Court finds that: (a) the Agreement resulted from extensive arm’s
9 length negotiations; and (b) the Agreement is sufficient to warrant notice of the Settlement to
10 persons in the Class and a full hearing on the final approval of the Settlement.

11 2. “Class” means all all non-exempt and non-union employees of Plane Meets Paper
12 Productions and/or HBO who quarantined in California for the show *Insecure* from April 4, 2021
13 through April 9, 2021 or from May 19, 2021 through May 24, 2021, or both, and who did not enter
14 into a release of their claims with Defendants for compensation.

15 3. The “Class Settlement Period” or “Settlement Period” means the period from April
16 4, 2021 through April 9, 2021 and from May 19, 2021 through May 24, 2021.

17 4. “Aggrieved Employee” or “PAGA Member” means all non-exempt and non-union
18 employees of Plane Meets Paper Productions and/or HBO who quarantined in California for the
19 show *Insecure* from April 4, 2021 through April 9, 2021 or from May 19, 2021 through May 24,
20 2021, or both.

21 5. The “PAGA Settlement Period” means the period from April 4, 2021 to April 9,
22 2021 and from May 19, 2021 through May 24, 2021.

23 6. The Settlement falls within the range of reasonableness and appears to be
24 presumptively valid, subject only to any objections that may be raised at the final fairness hearing
25 and final approval by this Court.

26 7. The Court makes the following preliminary findings for settlement purposes
27 only:

28 A. The Class, which consists of approximately 17 persons, is so numerous
 that joinder of all members is impracticable;

- 1 B. There appear to be questions of law or fact common to the Class for
2 purposes of determining whether this Settlement should be approved;
- 3 C. Plaintiff's claims appear to be typical of the claims being resolved through
4 the proposed settlement;
- 5 D. Plaintiff appears to be capable of fairly and adequately protecting the
6 interests of the Class Members in connection with the proposed settlement;
- 7 E. Common questions of law and fact appear to predominate over questions
8 affecting only individual persons in the Class. Accordingly, the Class
9 appears to be sufficiently cohesive to warrant settlement by representation;
 and
- F. Certification of the Class appears to be superior to other available methods
 for the fair and efficient resolution of the claims of the Class.

10 8. The Court approves, as to form and content, the Notice to Class Members in
11 substantially the form attached to the Agreement as "Exhibit A".

12 9. The Court approves the procedure for Class Members to object to the Settlement as
13 set forth in the Class Notice to Class Members.

14 10. The Court approves the procedure for Class Members to become Participating Class
15 Members as set forth in the Notice to Class Members.

16 11. The Court directs the mailing of the Notice to Class Members by first class mail to
17 the Class Members in accordance with the Implementation Schedule set forth below. The Court
18 finds that the dates selected for the mailing and distribution of the Notice, as set forth in the
19 Implementation Schedule, meet the requirements of due process and provide the best notice
20 practicable under the circumstances and shall constitute due and sufficient notice to all persons
21 entitled thereto.

22 12. The Court confirms Kingsley & Kingsley, APC, Kim Legal, Inc., and Helen Kim
23 Law, APC as Class Counsel.

24 13. The Court confirms the named Plaintiff in the operative complaint in the Action as
25 the Class Representative.

26 14. The Court approves Xpand Legal as the Administrator.

27 15. The Court orders that pursuant to the California Private Attorneys General Act,
28 Labor Code §§ 2698, et seq. ("PAGA"), statutory notice of this Settlement has been and will

continue to be given to the Labor & Workforce Development Agency.

16. The Court orders the following Implementation Schedule for further proceedings:

a.	Preliminary Approval	
b.	Deadline for Defendants to Provide Class Data to Administrator	15 business days from Preliminary Approval
c.	Mail Notice to Class Members	14 calendar days from Administrator's receipt of Class Data
d.	Deadline for Class Members to Postmark Any Opt-Out	60 calendar days from mailing of Notice Packet (judged by postmark date)
e.	Deadline for Class Members to Postmark Any Objection	60 calendar days from mailing of Notice Packet (judged by postmark date)
f.	Deadline for Class Counsel to file Motion for Final Approval of Class Settlement	To be determined by the Court
g.	Deadline for Class Counsel to file Motion for Class Counsel Award	To be determined by the Court
h.	Final Approval Hearing	To be determined by the Court

15. IT IS FURTHER ORDERED that if the Court does not execute and file an Order of Final Approval and Judgment, or if the Effective Date of Settlement, as defined in the Agreement, does not occur for any reason, the Agreement and the proposed Settlement that is the subject of this Order shall become null, void, unenforceable and inadmissible in any judicial, administrative or arbitral proceeding for any purpose, and all evidence, court orders and proceedings had in connection therewith, shall be without prejudice to the status quo ante rights of the Parties to the litigation, as more specifically set forth in the Agreement.

16. IT IS FURTHER ORDERED that, pending further Order of this Court, all proceedings in this matter except those contemplated herein and in the Agreement are hereby stayed.

1 17. The Court expressly reserves the right to adjourn or continue the Final Fairness
2 Hearing from time to time without further notice to members of the Class.

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4 **DATED:** _____ **JUDGE OF THE SUPERIOR COURT**
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(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 September 11, 2023, I served all interested parties in this action the following documents described as: **[PROPOSED] ORDER GRANTING PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT** by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

Maria C. Rodriguez mcrodriguez@mwe.com Chris Braham cbraham@mwe.com Ariel Beverly abeveryly@mwe.com Yvonne Rivera yrivera@mwe.com Cindy Liu cliu@mwe.com McDermott Will & Emery LLP 2049 Century Park East, Suite 3200 Los Angeles, CA 90067-3206 <i>Attorneys for Defendants</i>	Frank H. Kim fkim@kim-legal.com KIMLEGAL, APC 3435 Wilshire Blvd, Suite 2700 Los Angeles, CA 90010 Helen U. Kim helen@helenkimlaw.com HELEN KIM LAW, APC 3435 Wilshire Blvd, Suite 2700 Los Angeles, CA 90010 <i>Attorneys for Plaintiff</i>
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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 THROUGH CASE ANYWHERE): On interested Parties set forth on the service list.

[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 September 11, 2023, at Woodland Hills, California.



Michelle Tanzer