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

WENDY CERON VENTURA, an individual,
on behalf of herself and others similarly
situated

PLAINTIFF,

v.

MEDICAL LINEN SERVICE, INC.; and
DOES 1 thru 50, inclusive,

DEFENDANTS.

CASE NO. 21-CIV-03233

[Case Assigned for All Purposes to Hon. Robert
D. Foiles in Dept. 21]

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

Date: March 24, 2023

Time: 12:00 p.m.

Dept.: 21

Complaint Filed: June 10, 2021

FAC Filed: August 16, 2021

Trial Date: None Set

1 The Motion for Preliminary Approval of the Joint Stipulation of Class Action Settlement
2 and Release of Claims (“Settlement Agreement”), a copy of which is attached as to the Declaration
3 of Kelsey M. Szamet In Support of Preliminary Approval of Class Action Settlement (“Motion”)
4 as Exhibit “1”, came before this Court on March 24, 2023. The Court, having considered the
5 papers submitted in support of the motion of the parties and having heard argument regarding the
6 Motion, **HEREBY FINDS GOOD CAUSE APPEARING AND ORDERS THE**
7 **FOLLOWING:**

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

15 2. For purposes of settlement only, the Court provisionally and conditionally certifies
16 the following class (“Class Member(s)”): all persons who are employed or have been employed as
17 an hourly employee by Defendant in the State of California during the Covered Period.

18 3. The Settlement falls within the range of reasonableness and appears to be
19 presumptively valid, subject only to any objections that may be raised at the final fairness hearing
20 and final approval by this Court.

21 4. For purposes of settlement only, the Court conditionally finds that

- 22 A. The Settlement Class, which consists of approximately 500 persons, is so
23 numerous that joinder of all members is impracticable;
- 24 B. There appear to be questions of law or fact common to the Settlement
25 Class for purposes of determining whether this Settlement should be
26 approved;
- 27 C. Plaintiff’s claims appear to be typical of the claims being resolved through
28 the proposed settlement;
- D. Plaintiff appears to be capable of fairly and adequately protecting the
interests of the Settlement Class Members in connection with the proposed
settlement;

1 E. Common questions of law and fact appear to predominate over questions
2 affecting only individual persons in the Settlement Class. Accordingly,
3 the Settlement Class appears to be sufficiently cohesive to warrant
4 settlement by representation; and

5 F. Certification of the Settlement Class appears to be superior to other
6 available methods for the fair and efficient resolution of the claims of the
7 Settlement Class.

8 5. The Court approves, as to form and content, the Notice to Class Members in
9 substantially the form attached to the Settlement Agreement as Exhibit 1 (Notice of Class Action
10 Settlement).

11 6. The Court approves the procedure for Class Members to object to the Settlement as
12 set forth in the Notice of Class Action Settlement to Class Members.

13 7. The Court approves the procedure for Class Members to become Participating
14 Settlement Class Members as set forth in the Notice of Class Action Settlement to Class Members.

15 8. The Court directs the mailing of the Notice Packet to Class Members by first class
16 mail to the Class Members in accordance with the Implementation Schedule set forth below. The
17 Court finds that the dates selected for the mailing and distribution of the Notice, as set forth in the
18 Implementation Schedule, meet the requirements of due process and provide the best notice
19 practicable under the circumstances, shall constitute due and sufficient notice to all persons entitled
20 thereto, is sufficient to inform the Settlement Class Members of the terms of the Settlement and
21 their rights thereunder, including the right to object to the Settlement or any part thereof and the
22 procedure for doing so, their right to exclude themselves from the Settlement and the procedure
23 for doing so, their right to obtain a portion of the Settlement proceeds, and the date, time and
24 location of the Final Approval Hearing.

25 9. The Court appoints Kingsley & Kingsley, APC as Class Counsel.

26 10. The Court approves ILYM Group, Inc. as the Settlement Administrator.

27 11. 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.

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

a.	Preliminary Approval	_____
b.	Deadline for Defendant to Provide Class Data to Settlement Administrator	60 calendar days from Preliminary Approval
c.	Mail Notice to Class Members	30 calendar days from Settlement Administrator's receipt of Class Data
d.	Deadline for Class Members to Postmark a Request for Exclusion	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 Settlement Agreement, does not occur for any reason, the Settlement 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 Settlement 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 Settlement 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 Settlement Class.

3
4 **DATED:** _____

_____ **JUDGE OF THE 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 August 17, 2022, 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:

Cody Stroman
Andrew Russell
Alexander Hernaez
Steven Wong
Claudia A. LeBrane
codystroman@foxrothschild.com
arussell@foxrothschild.com
ahernaez@foxrothschild.com
swong@foxrothschild.com
clebrane@foxrothschild.com

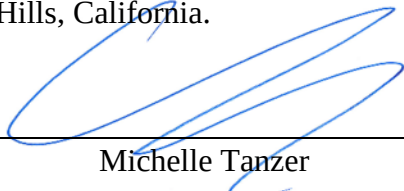
Fox Rothschild LLP
10250 Constellation Blvd., Suite 900
Los Angeles, CA 90067

[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 August 17, 2022, at Woodland Hills, California.


Michelle Tanzer