

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO**

LEE, RONGHUI, an individual California resident on behalf of himself and all others similarly situated,

Plaintiff,

vs.

HUNGrypanda US INC., a Delaware corporation; and DOES 1-10, inclusive,

Defendant.

Case No. CIVSB2126633

[PROPOSED] ORDER:

**(1) PRELIMINARILY APPROVING
PROPOSED SETTLEMENT;**

(2) APPOINTING SETTLEMENT ADMINISTRATOR;

**(3) APPROVING CLASS NOTICE
PACKET; AND**

(4) SETTING HEARING FOR FINAL APPROVAL OF SETTLEMENT

Date: August 1, 2024

Time: 8:30 a.m.

Judge: Hon. Jessica Morgan

Dept.: S-26

Action Filed: September 2, 2021

Trial Date: None

1 **[PROPOSED] ORDER**

2 On August 1, 2024, a hearing was held on plaintiff Ronghui Lee's ("Plaintiff") motion for
3 Preliminary Approval of Class and PAGA Action Settlement, Appointment of Settlement
4 Administrator, Approval of the Class Notice Packet, and Setting of Final Approval Hearing. Torey
5 Joseph Favarote of Gleason & Favarote, LLP and Joseph Becerra of Becerra Law Firm appeared
6 for Plaintiff; and Michael Holecek of Gibson, Dunn & Crutcher LLP appeared for Defendant.

7 The Court having read and considered the papers on the motion, the arguments of counsel,
8 and the law; and good cause appearing therefore,

9 IT IS ORDERED:

10 The parties' Settlement Agreement (the "Settlement" or the "Agreement") is granted
11 preliminary approval as it meets the criteria for preliminary settlement approval. The Settlement
12 falls within the range of possible approval as fair, adequate and reasonable, and appears to be the
13 product of arm's length and informed negotiations and to treat all Class Members as defined below
14 fairly.

15 The "Class" and "Class Members" are defined as:

16 "All individuals currently or formerly employed by Defendant as an independent contractor
17 in the title of Driver, Contractor, or other similar titles/duties who performed deliveries for
18 Defendant and/or its customers in California at any time within the Class Period that did not opt
19 out."

20 The proposed notice plan is constitutionally sound because individual notices will be
21 mailed to all Class Members whose identities are known to the parties, and such notice is the best
22 notice practicable. The parties' proposed "Class Notice Packet" (Settlement, Exh. A), is sufficient
23 to inform Class Members of the terms of the Settlement, their rights under the Settlement, their
24 rights to object to or comment on the Settlement, the process for doing so, and the date and location
25 of the final approval hearing, and are therefore approved.

26 ILYM Group, Inc. is appointed to act as the Settlement Administrator, pursuant to the terms
27 set forth in the Agreement.

28 The Class Notice will be disseminated according to the notice plan described in the

1 Settlement Agreement and substantially in the form submitted by the parties. Proof of distribution
2 of the Class Notice will be filed by Plaintiff in conjunction with the motion for an order granting
3 final approval of the Settlement.

4 Defendants are directed to provide to the Settlement Administrator not later than 30
5 calendar days after the date of this order the Class Members' data as specified by the Settlement
6 Agreement.

7 The Settlement Administrator is directed to mail the approved Class Notice Packet by first-
8 class mail to the Class Members not later than 15 calendar days after receipt of the Class Members'
9 data.

10 Any Class Member who objects to the Settlement has until 60 days after the mailing of the
11 Class Notice Packet to submit his or her objection to the Settlement pursuant to the procedures set
12 forth in the Class Notice.

13 A final approval hearing will be held on February 10, 2025, at 8:30 a.m., to determine
14 whether the Settlement should be granted final approval as fair, reasonable, and adequate as to the
15 Class Members. The Court will hear all evidence and argument necessary to evaluate the
16 Settlement, and will consider Plaintiff and Class Counsel's request, for the Class Representative
17 Payment and the Class Counsel Fees and Expenses Payment. Class Members and their own
18 counsel may support or oppose the Settlement and the motion for awards of the Class
19 Representative Payment and the Class Counsel Fees and Expenses Payment, if they so desire, as
20 set forth in the Class Notice.

21 The Court reserves the right to continue the date of the final approval hearing without
22 further notice to Class Members. The Court retains jurisdiction to consider all further applications
23 arising out of or in connection with the Settlement.

24 IT IS SO ORDERED.

25
26 Dated: _____

Jessica Morgan
Judge of the Superior Court

PROOF OF SERVICE

I, Linda Montemayor, declare:

I am and was at the time of the service mentioned in this declaration, employed in the County of Los Angeles, California. I am over the age of 18 years and not a party to the within action. My business address is Gleason & Favarote, LLP, 3646 Long Beach Blvd., Suite 203, Long Beach, CA 90807.

On July 10, 2024, I served a copy(ies) of the following document(s):

[PROPOSED] ORDER

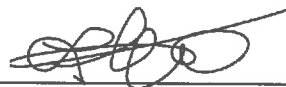
on the parties to this action as follows:

Attorney	Party(ies) Served	Method of Service
Michael Holecek Jun Nam Alexa Yarnell Gibson, Dunn & Crutcher LLP 333 South Grand Ave. Los Angeles, CA 90071-3197 Tel: (213) 229-7018 mholecek@gibsondunn.com JNam@gibsondunn.com ayarnell@gibsondunn.com	Attorneys for Default Defendant/Non- Party HUNGRYPANDA US INC.	By Electronic Service

☒ [BY ELECTRONIC SERVICE] I hereby certify that the above-referenced document(s) were served electronically on the parties listed herein at their most recent known email address or email of record at mholecek@gibsondunn.com, JNam@gibsondunn.com and ayarnell@gibsondunn.com.

☐ [BY HAND] I directed the sealed envelope(s) to the party(ies) so designated on the service list to be delivered by Ace Attorney Service, Inc. this date.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct, and that this declaration was executed on July 10, 2024, at Long Beach, California.



Linda Montemayor