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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

LAURA LOPEZ, as an individual and on behalf
of all others similarly situated,

Plaintiff,

vs.

BARLOW RESPIRATORY HOSPITAL, a
California corporation; and DOES 1 through
100,

Defendants.

Case No.: 21STCV29754 (Related to Case
Nos. 22STCV03831; 22STCV34472)

*[Assigned for all purposes to Hon. Carolyn
B. Kuhl, Dept. SSC-12]*

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

Date: July 9, 2024
Time: 10:30 a.m.
Dept.: 12

Action Filed: August 12, 2021
Trial Date: None Set

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12 Attorneys for Plaintiffs

1 The Motion of Plaintiffs Laura Lopez and Winifred Allison (“Plaintiffs”) for Preliminary
2 Approval of Class Action Settlement came on regularly for hearing before this Court on July 9,
3 2024 at 10:30 a.m. This Court, having considered the proposed Stipulation of Settlement (the
4 “Settlement”), attached to the Declaration of Sean M. Blakely filed concurrently herein; having
5 considered Plaintiffs’ Motion for Preliminary Approval of Class Action Settlement,
6 Memorandum of Points and Authorities in support thereof, and supporting declarations filed
7 therewith; and good cause appearing, HEREBY ORDERS THE FOLLOWING:

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

15 All current and former non-exempt employees who worked for
16 Defendant Barlow Respiratory Hospital in California from February
17 15, 2017 until February 27, 2024 (the “Class Period”).

18 2. For purposes of the Settlement, the Court designates named Plaintiffs Laura Lopez
19 and Winifred Allison as Class Representatives, and designates Paul K. Haines, Sean M. Blakely,
20 and Alexandra R. McIntosh of Haines Law Group, APC, Sahag Majarian II of The Law Office
21 of Sahag Majarian II, and Joseph Lavi and Vincent Granberry of Lavi & Ebrahimian, LLP, as
22 Class Counsel.

23 3. The Court designates Apex Class Action LLC as the third-party Settlement
24 Administrator for mailing notices.

25 4. The Court approves, as to form and content, the Class Notice and Notice of
26 Estimated Settlement Award (collectively, the “Notice Packet”), attached as Exhibits 1 and 2,
27 respectively, to the Settlement.

28 5. The Court finds that the form of notice to the Settlement Class regarding the
pendency of the action and of the Settlement, and the methods of giving notice to members of the

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

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

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

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

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

16 10. The Final Fairness Hearing on the question of whether the Settlement should be
17 finally approved as fair, reasonable, and adequate is scheduled in Department 12 of this Court,
18 located at 312 North Spring Street, Los Angeles, California 90012, on _____,
19 2024 at _____ a.m. / p.m.

20 11. At the Final Fairness Hearing, the Court will consider: (a) whether the Settlement
21 should be finally approved as fair, reasonable, and adequate for the Settlement Class; (b) whether
22 a judgment granting final approval of the Settlement should be entered; and (c) whether Plaintiffs'
23 application for reasonable attorneys' fees, reimbursement of litigation expenses, Enhancement
24 Payments to Plaintiffs, settlement administration costs, and payment to the Labor & Workforce
25 Development Agency ("LWDA") for penalties under the Labor Code Private Attorneys General
26 Act 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, Plaintiffs' Enhancement Payments, payment to the LWDA, and settlement administration costs, 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 the Settlement Administrator no later than [30 calendar days settlement agreement is executed]:	June 24, 2024
Settlement Administrator to mail the Notice Packet to Settlement Class members no later than [10 business days after preliminary approval]:	July 23, 2024
Deadline for Settlement Class members to request exclusion from, or object to, the Settlement [60 calendar days after mailing]:	September 23, 2024
Deadline for Plaintiffs to file their Motion for Final Approval of Class Action Settlement:	16 court days prior to Final Fairness Hearing
Final Fairness Hearing:	_____, 2024

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: _____, 2024

Hon. Carolyn B. Kuhl
Judge of the Superior Court