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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE**

CHRISTOPHER RODRIGUEZ, individually,
and on behalf of other members of the general
public similarly situated and on behalf of other
aggrieved employees pursuant to the California
Private Attorneys General Act;

Plaintiff,

vs.

ARKEMA INC., an unknown business entity;
BOSTIK, INC., an unknown business entity; and
DOES 1 through 100, inclusive,

Defendants.

Case No. BC721328

Date: June 20, 2022
Time: 9:00 a.m.
Place: Dept. SSC17
Judge: Hon. Maren E. Nelson
[Assigned for all purposes]

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

Complaint Filed: September 17, 2018
FAC Filed: October 31, 2018
SAC Filed: December 26, 2018
TAC Filed: August 25, 2020
FAC Filed: July 9, 2021
FAC Filed: January 4, 2022
Trial Date: None

This matter came before this Court on June 20, 2022 at 9:00 a.m. for Plaintiff's Motion for Preliminary Approval of Class Action Settlement. Lawyers *for* Justice, PC appeared as counsel for Plaintiff Christopher Rodriguez ("Plaintiff"), individually and on behalf of all others similarly situated and other aggrieved employees, and Ogletree, Deakins, Nash, Smoak & Stewart, P.C. appeared as counsel for Defendants Arkema Inc. and Bostik, Inc. ("Defendants"). The Court, having considered the papers submitted in support of the motion of the parties, **HEREBY**

ORDERS THE FOLLOWING:

1. The Court grants preliminary approval of the Joint Stipulation of Class Action and PAGA Settlement and Release of Claims ("Settlement," "Agreement," or "Settlement Agreement"), attached as "EXHIBIT 1" to the Declaration of Alexandra Rose in Support of Plaintiff's Motion for Preliminary Approval of Class Action Settlement.

2. The Court preliminarily finds that the Settlement, including the allocations for the Class Counsel Award, Class Representative Service Award, LWDA Payment, Settlement Administrator Costs, and payments to the Participating Class Members and PAGA Members, are fair, adequate, and reasonable to the Settlement Class when balanced against the possible risks of further litigation, including issues relating to class certification, liability, calculating damages, and potential appeals. The Court finds that: (a) significant investigation, research, and litigation have been conducted, such that the Parties are able to fairly evaluate their respective positions; (b) settlement at this time will avoid the substantial cost, delay and risk presented by further litigation of the action; (c) the Agreement resulted from extensive, informed, non-collusive arm's length negotiations by experienced counsel with the assistance of a reputable mediator; and (d) the Class Notice is sufficient to warrant notice of the Settlement to persons in the Settlement Class and a full hearing on the final approval of the Settlement.

3. The Court conditionally certifies and approves, for settlement purposes only, the following Settlement Class as set forth in the Settlement Agreement:

All current and former non-exempt employees who were employed by Defendants in California during the period September 17, 2014 to November 1, 2021.

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

4 5. The Court makes the following preliminary findings for settlement purposes
5 only:

- 6 A. The Settlement Class, is so numerous that joinder of all members is
7 impracticable;
- 8 B. There appear to be questions of law or fact common to the Settlement
9 Class for purposes of determining whether this Settlement should be
10 approved;
- 11 C. Plaintiff's claims appear to be typical of the claims being resolved through
12 the proposed settlement;
- 13 D. Plaintiff appears to be capable of fairly and adequately protecting the
14 interests of the Settlement Class Members in connection with the proposed
15 settlement;
- 16 E. Common questions of law and fact appear to predominate over questions
17 affecting only individual persons in the Settlement Class. Accordingly,
18 the Settlement Class appears to be sufficiently cohesive to warrant
19 settlement by representation; and
- 20 F. Certification of the Settlement Class appears to be superior to other
21 available methods for the fair and efficient resolution of the claims of the
22 Settlement Class.

23 6. The Court approves, as to form and content, the Notice of Pendency of Class Action
24 Settlement and Final Approval Hearing Date ("Class Notice") in substantially the form attached to
25 the Settlement Agreement as **Exhibit A**.

26 7. The Court approves the procedure for Settlement Class Members to request
27 exclusion from the Class Settlement as set forth in the Class Notice.

28 8. The Court approves the procedure for Participating Class Members to object to the
Class Settlement as set forth in the Class Notice.

 9. The Court directs the mailing of the Class Notice to Settlement Class Members by
U.S. first class mail to the Settlement Class Members in accordance with the Implementation
Schedule set forth below. The Court finds that the dates selected for the mailing and distribution of
the Class Notice to Settlement Class Members, as set forth in the Implementation Schedule, meet
the requirements of due process and provide the best notice practicable under the circumstances

and shall constitute due and sufficient notice to all persons entitled thereto.

10. The Court preliminary approves Edwin Aiwazian, Arby Aiwazian, and Joanna Ghosh of Lawyers *for* Justice, P.C. as counsel for the Settlement Class (“Class Counsel”).

11. The Court preliminary approves Plaintiff Christopher Rodriguez as the representative of the Settlement Class (“Class Representative”).

12. The Court approves Simpluris, Inc. to handle the administration of the Settlement (“Settlement Administrator”).

13. The Court orders that pursuant to the California Private Attorneys General Act, Labor Code §§ 2698, et seq. (“PAGA”), statutory notice of the Settlement has been and will continue to be given to the Labor & Workforce Development Agency.

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

a.	Preliminary Approval	The date of this Order
c.	Deadline for Defendants to Provide Class Information to Settlement Administrator.	7 business days from the date of this Order
d.	Deadline to Mail Class Notice to Settlement Class Members	30 calendar days from the date of this Order.
e.	Deadline for Settlement Class Members to Postmark and/or Fax Any Request for Exclusion	45 calendar days from mailing of Class Notice or in the case of a re-mailed Class Notice, the deadline is extended by 15 calendar days.
f.	Deadline for Settlement Class Members to Postmark and/or Fax Any Notice of Objection	45 calendar days from mailing of Class Notice or in the case of a re-mailed Class Notice, the deadline is extended by 15 calendar days.
g.	Deadline for Class Counsel to file Motion for Final Approval of Class Action Settlement, Attorneys’ Fees, Costs, and Class Representative Service Award	_____, 2022

i.	Deadline for Class Counsel and/or Defendants' Counsel to file a response to any objection	_____, 2022
j.	Final Approval Hearing	_____, 2022 at _____ a.m./p.m. in Department SSC17 of the above-referenced Court.

15. IT IS FURTHER ORDERED that if the Court does not finally approve the Settlement Agreement, the 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.

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

DATED: _____

Hon. Maren E. Nelson
Judge of the Los Angeles Superior Court