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Attorneys for Plaintiff ANTOINE BRESSE
on behalf of himself and all others similarly situated

[Attorneys for Defendant on Next Page]

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ORANGE

ANTOINE BRESSE, individually and on
behalf of himself and all others similarly
situated,

Plaintiff,

v.

INFINITE COMPUTER SOLUTIONS,
INC., a Delaware Corporation; and DOES
1-50, inclusive,

Defendants.

Case No. 30-2022-01243447-CU-OE-CXC

CLASS ACTION

Assigned for All Purposes To:

Hon. Melissa McCormick

Dept.: CX-104

**[PROPOSED] ORDER FOR MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT AND PAGA
SETTLEMENT AGREEMENT**

Date: November 07, 2024

Time: 2:00p.m.

Dept: CX104

Trial: Not Set

[PROPOSED] ORDER

This Court conducted a hearing on Plaintiff's Motion for Preliminary Approval of Class Action Settlement (the "Motion"). Having considered the Motion and the points and authorities submitted in support, including the Joint Stipulation of Class Action and PAGA Settlement and Release ("Settlement Agreement" or "Settlement") and exhibits, and **GOOD CAUSE** appearing, **IT IS HEREBY ORDERED** that the Motion is **GRANTED**, subject to the following findings and orders:

1. This Order incorporates by reference the definitions in the Settlement Agreement, and all terms defined in this Order shall have the same meaning as set forth in the Settlement Agreement.

2. The Settlement Class shall be conditionally certified for settlement purposes only and shall consist of all current and former non-exempt employees of Infinite Computer Solutions, Inc. who worked in the state of California during the Class Period, which is defined as the period from January 31, 2018, to May 19, 2024. Additionally, the settlement resolves the PAGA claims on behalf of all current and former non-exempt employees of Infinite Computer Solutions, Inc. who worked in the state of California during the PAGA Period, which is defined as the period from November 27, 2020, to May 19, 2024.

3. The class action and PAGA settlement set forth in the Settlement Agreement is preliminarily approved as it appears to be proper, to fall within the range of reasonableness, to be the product of arm's-length and informed negotiations, to treat all Class Members fairly, and to be presumptively valid, subject only to any objections that may be raised at or before the final approval hearing. The Court further finds that Class Counsel conducted extensive investigation and research and were able to evaluate the strengths and weaknesses of their claims. Class Counsel have provided the Court with enough information about the nature and magnitude of the claims being settled, as well as the impediments to recovery, to make an independent assessment of the reasonableness of the terms to which the Parties have agreed.

4. The Court also finds that settlement now will avoid additional and potentially substantial litigation costs, as well as delay and risks if the Parties were to continue to litigate the Action.

5. The Court preliminarily approves the Settlement Agreement, including all the terms and conditions set forth therein.

6. The Court finds that any objections shall be limited to the class portion of the Settlement.

7. The rights of any potential dissenters to the proposed Settlement are protected in that they may exclude themselves from the Settlement (except the PAGA portion) and proceed with any alleged claims they may have against Defendants, or they may object to the Settlement and appear before this Court. However, to do so they must follow the procedures outlined in the Settlement Agreement and Notice of Class Action and PAGA Settlement.

8. The Court approves, as to form and content, the proposed Notice of Class Action (the "Notice").

9. The Court directs the mailing, by First-Class U.S. Mail, of the Notice to Class Members in accordance with the schedule set forth below and the other procedures described in the Settlement Agreement. The Court finds that the method selected for communicating the preliminary approval of the Settlement Agreement to Class Members is the best notice practicable under the circumstances, constitutes due and sufficient notice to all persons entitled to notice, and thereby satisfies due process.

10. Plaintiff Antoine Bresse is a suitable class representative and is appointed the Class Representative for the Settlement Class conditionally certified by this Order.

11. The Court appoints James Hawkins APLC as Class Counsel. The Court finds that counsel have demonstrable experience litigating, certifying, and settling class actions, and are deemed adequate class counsel for the Class conditionally certified by this Order.

12. The Court approves and appoints Phoenix Class Action Administration Solutions as the Settlement Administrator.

13. The following dates shall govern for purposes of this Settlement:
- a. No later than 15 days after the Court grants Preliminary Approval of the Settlement, Infinite Computer Solutions, Inc. shall provide a list containing Class Members' (i) name; (ii) last-known mailing address; (iii) Social Security number; and (iv) number of Class Period Workweeks and PAGA Pay Periods.
 - b. No later than 14 days after receiving the Class Data, the Settlement Administrator shall send the Class Notice via first-class mail to Class Members.
 - c. No later than 45 days after the Administrator mails the Class Notice (plus an additional 14 days for Class Members whose Class Notice is re-mailed), Class Members may submit a request for exclusion from the Settlement in accordance with the Settlement.
 - d. No later than 45 days after the Administrator mails the Class Notice (plus an additional 14 days for Class Members whose Class Notice is re-mailed), Class Members may submit a dispute or challenge to the information in the Class Notice in accordance with the Settlement.
 - e. No later than 45 days after the Administrator mails the Class Notice (plus an additional 14 days for Class Members whose Class Notice is re-mailed), Class Members may submit objections in accordance with the Settlement.
 - f. At least 21 days before the date by which Plaintiff is required to file the Motion for Final Approval of the Settlement, the Settlement Administrator shall provide Class Counsel and Counsel for Infinite Computer Solutions, Inc. a summary of compliance with notice procedures and a complete and accurate list of all Settlement Class Members, all Class Members who sent timely requests to be excluded from the Action, and all Class Members who objected to the settlement.

1 g. A Final Approval Hearing shall be held before this Court on _____ at
2 _____ to determine all necessary matters concerning the Settlement,
3 including whether the Proposed Settlement is fair, adequate, and reasonable,
4 whether this Court should grant final approval, whether there should be any
5 Fee and Expense Award and/or Service Award, and the amounts of any such
6 award.

7 14. Any Class Member wishing to opt-out from the Settlement shall submit a signed
8 written Request for Exclusion to the Settlement Administrator by fax, email, or mail within the
9 Response Deadline. The Response Deadline will be forty-five (45) days after the Administrator
10 mails the Class Notice, unless the 45th day falls on a Sunday or Federal holiday, in which case
11 the Response Deadline will be extended to the next day on which the U.S. Postal Service is
12 open. To the extent any Class Member's mailed Class Notice is returned as undeliverable, such
13 Class Member shall be permitted an additional fourteen (14) calendar days beyond the
14 Response Deadline to submit their Request for Exclusion.

15 15. The Court expressly reserves the right to continue or adjourn the final approval
16 hearing from time to time without further notice to the Class Members.

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19 **IT IS SO ORDERED.**

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21 DATED: _____ By: _____
22 Hon. Melissa McCormick
23 JUDGE OF THE SUPERIOR COURT
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