

LIDMAN LAW, APC

Scott M. Lidman (SBN 199433)
slidman@lidmanlaw.com
Elizabeth Nguyen (SBN 238571)
enguyen@lidmanlaw.com
Milan Moore (SBN 308095)
mmoore@lidmanlaw.com
2155 Campus Drive, Suite 150
El Segundo, California 90245
Tel: (424) 322-4772
Fax: (424) 322-4775

Attorneys for Plaintiff
ELIAS MORALES

HAINES LAW GROUP, APC

Paul K. Haines (SBN 248226)
phaines@haineslawgroup.com
2155 Campus Drive, Suite 180
El Segundo, California 90245
Tel: (424) 292-2350
Fax: (424) 292-2355

Attorneys for Plaintiff
ELIAS MORALES

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

ELIAS MORALES, as an individual and on
behalf of all others similarly situated,

Plaintiff,

vs.

JB I INTERIORS, LLC., a Delaware limited
liability company; and DOES 1 through 100,
inclusive,

Defendants.

Case No. 21STCV43284

*[Assigned for all purposes to the Hon.
Kenneth R. Freeman, Dept. SSC-14]*

**~~PROPOSED~~ ORDER GRANTING
PRELIMINARY APPROVAL OF CLASS
AND PAGA ACTION SETTLEMENT**

Date: December 12, 2023
Time: 10:00 a.m.
Dept.: SSC-14

Action Filed: November 24, 2021
Trial Date: None Set

FILED
Superior Court of California
County of Los Angeles

01/09/2024

David W. Slayton, Executive Officer / Clerk of Court

By: I. Arellanes Deputy

1 The Motion of Plaintiff Elias Morales (“Plaintiff”) for Preliminary Approval of Class Action
2 Settlement will come on regularly for hearing before this Court on December 12, 2023 at 10:00 a.m.
3 The Court, having considered the proposed Amended Class Action and PAGA Settlement Agreement
4 and Class Notice (the “Settlement”), attached as Exhibit A to the Declaration of Elizabeth Nguyen in
5 in support of Plaintiff’s Supplemental Brief in support of Motion for Preliminary Approval of Class
6 Action Settlement filed concurrently herewith and having considered Plaintiff’s Motion for Preliminary
7 Approval of Class Action Settlement, Memorandum of Points and Authorities and Supplemental Brief
8 in support thereof, and supporting declarations filed therewith; and good cause appearing, HEREBY
9 ORDERS THE FOLLOWING:

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

17 All current and former hourly-paid, non-exempt employees who worked for
18 Defendant JBI Interiors, LLC in California at any time from November 24,
2017 through granting of preliminary approval of the Settlement.

19 2. For purposes of the Settlement, the Court designates named Plaintiff Elias Morales as
20 Class Representative, and Scott M. Lidman, Elizabeth Nguyen, and Milan Moore of Lidman Law, APC
21 and Paul Haines of Haines Law Group, APC as Class Counsel.

22 3. The Court designates Phoenix Class Action Administration Solutions as the third-party
23 Settlement Administrator for mailing notices.

24 4. The Court approves, as to form and content, the Court Approved Notice of Class Action
25 Settlement and Hearing Date for Final Court Approval (“Class Notice”) and is attached to the Settlement
26 as Exhibit A.

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

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

6 6. The Court further approves the procedures for Settlement Class Members to opt out of or
7 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 due
11 process rights of all Settlement Class Members.

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

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

16 10. The Final Fairness Hearing on the question of whether the Settlement should be finally
17 approved as fair, reasonable, and adequate is scheduled in Department 14 of this Court, located at 312
18 North Spring Street, Los Angeles, California, 90012 on July 2, 2024 at 11:00 a.m.

19 11. At the Final Fairness Hearing, the Court will consider: (a) whether the Settlement should
20 be finally approved as fair, reasonable, and adequate for the Settlement Class; (b) whether a judgment
21 granting final approval of the Settlement should be entered; and (c) whether Plaintiff's application for
22 reasonable attorneys' fees, reimbursement of litigation expenses, service award to Plaintiff, and payment
23 to the Labor and Workforce Development Agency ("LWDA") for penalties under the Labor Code
24 Private Attorneys General Act ("PAGA") should be granted.

25 12. Counsel for the parties shall file memoranda, declarations, or other statements and
26 materials in support of their request for final approval of the Settlement, attorneys' fees, litigation
27 expenses, Plaintiff's service award, settlement administration costs, and payment to the LWDA for
28 PAGA penalties 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 Settlement Administrator	30 calendar days after issuance of the preliminary approval order	January 22, 2024 (if the Courts enters the Order granting preliminary approval on December 22, 2023)
Settlement Administrator to mail Notice Packets to Class Members	3 business days after receiving Class Information from Defendant	January 25, 2024 (if the Courts enters the Order granting preliminary approval on December 22, 2023)
Deadline for Class Members to request exclusion from, submit disputes, or object to, the Settlement	60 calendar days after mailing of the Notice by the Settlement Administrator	March 25, 2024 (if the Courts enters the Order granting preliminary approval December 22, 2023)
Deadline for Plaintiff to file Motion for Final Approval of Class Action Settlement:	June 3, 2024	
Final Fairness Hearing:	July 2, 2024 at 11:00 a.m	

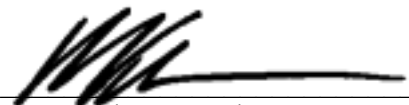
14. Pending the Final Fairness Hearing, all proceedings in this action, other than proceedings necessary to carry out or enforce the terms and conditions of the Settlement and this Order, are stayed.

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: 01/09/2024, 2024




Honorable Kenneth R. Freeman
Judge of the Superior Court
Kenneth R. Freeman / Judge