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

NICK VASQUEZ, an individual, on behalf of
himself and others similarly situated,

PLAINTIFF,

v.

TURBINE ENGINE COMPONENTS
TECHNOLOGIES CORPORATION; and
DOES 1 thru 50, inclusive,

DEFENDANTS.

CASE NO. 21STCV42670

[Case Assigned for All Purposes to Hon.
Yvette M Palazuelos in Dept. 9]

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

Date: November 2, 2023
Time: 10:00 AM
Dept.: 9

Complaint Filed: November 19, 2021
Trial Date: None Set

1 The Motion for Preliminary Approval of the Class Settlement came before this Court on
2 November 2, 2023, the Honorable Yvette M Palazuelos, presiding. The Court, having considered
3 the papers submitted in support of the motion of the parties, **HEREBY ORDERS THE**
4 **FOLLOWING:**

5 1. The Court grants preliminary approval of the proposed settlement based upon the
6 terms set forth in the Class Action and PAGA Settlement Agreement (“Settlement” or
7 “Agreement”) filed herewith. The Settlement appears to be fair, adequate, and reasonable to the
8 Class. The Court finds that: (a) the Settlement resulted from extensive arm’s length negotiations;
9 and (b) the Settlement is sufficient to warrant notice of the Settlement to persons in the Class and
10 a full hearing regarding final approval of the Settlement.

11 2. “Class” or “Settlement Class” is defined as follows:

12 “all current and former non-exempt employees of Defendant in the
13 State of California including all temporary employees supplied to
14 Defendant by any staffing agency at any time between November
19, 2017 through January 24, 2023.” (“Settlement Class” or “Class”)

15 3. The “Class Period” is November 19, 2017, through January 24, 2023.

16 4. “Aggrieved Employees” or “PAGA Members” are defined as follows:

17 “all current and former non-exempt employees of Defendant in the
18 State of California including all temporary employees supplied to
19 Defendant by any staffing agency at any time between November
20 19, 2020 through January 24, 2023.” (“Aggrieved Employees” or
21 “PAGA Members”)

22 5. The “PAGA Period” is November 19, 2020 to January 24, 2023.

23 6. The Settlement falls within the range of reasonableness and appears to be
24 presumptively valid, subject only to any objections that may be raised at the final fairness hearing
25 and final approval by this Court.

26 7. The Court makes the following preliminary findings for settlement purposes only:

27 A. The Class, which consists of approximately 219 persons, is so numerous that
28 joinder of all members is impracticable;

B. There appear to be questions of law or fact common to the Class for purposes
of determining whether this Settlement should be approved;

1 C. Plaintiff's claims appear to be typical of the claims being resolved through
2 the proposed settlement;

3 D. Plaintiff appears to be capable of fairly and adequately protecting the
4 interests of the Settlement Class Members in connection with the proposed
5 settlement;

6 E. Common questions of law and fact appear to predominate over questions
7 affecting only individual persons in the Class. Accordingly, the Class
8 appears to be sufficiently cohesive to warrant settlement by representation;
9 and

10 F. Certification of the Class appears to be superior to other available methods
11 for the fair and efficient resolution of the claims of the Class.

12 8. The Court approves, as to form and content, the Notice of Class Action Settlement
13 to Settlement Class Members in substantially the form attached to the Settlement as Exhibit "A".

14 9. The Court approves the procedure for Settlement Class Members to opt out to the
15 Settlement as set forth in the Settlement and the Notice of Class Action Settlement.

16 10. The Court approves the procedure for Settlement Class Members to object to the
17 Settlement as set forth in the Settlement and the Notice of Class Action Settlement.

18 11. The Court directs the mailing of the Notice of Class Action Settlement and related
19 documents to members of the Class by first class mail in accordance with the Settlement and the
20 implementation schedule set forth below. The Court finds that the dates selected for the mailing
21 and distribution of the notice, as set forth in the following implementation schedule, meet the
22 requirements of due process and provide the best notice practicable under the circumstances and
23 shall constitute due and sufficient notice to all persons entitled thereto.

24 12. It is ordered that the Settlement Class is preliminarily certified for settlement
25 purposes only.

26 13. The Court confirms Kingsley & Kingsley, APC and Abramson Labor Group as
27 Class Counsel.

28 14. The Court confirms NICK VASQUEZ as Class Representative.

15. The Court approves Phoenix Class Action Administration Solutions as the
Administrator.

16. The Court orders that pursuant to the California Private Attorneys General Act,

Labor Code §§ 2698, et seq. (“PAGA”), statutory notice of this Settlement has been and will continue to be given to the Labor & Workforce Development Agency.

17. A final fairness hearing on the question of whether the proposed Settlement, attorneys’ fees and costs to Class Counsel, the PAGA payment, and the claims administration costs should be finally approved as fair, adequate, and reasonable as to the members of the Class is scheduled for _____ at _____ (Pacific Time), in Department 9.

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

a.	Preliminary Approval Granted	_____
b.	Deadline for Defendant to Provide Settlement Class Members’ Information to Administrator	15 calendar days from Entry of Preliminary Approval
c.	Administrator Shall Mail Notice to Settlement Class Members	14 calendar days from receipt of the Class List from Defendant
d.	Deadline for Postmark of Any Request for Exclusion	60 Days from Mailing of Notices
e.	Deadline for Postmark of Any Objection	60 Days from Mailing of Notices
f.	Deadline for Class Counsel to file Motion for Final Approval of Class Settlement	To be determined by the Court _____
g.	Deadline for Class Counsel to file Motion for Attorneys’ Fees	To be determined by the Court _____
h.	Final Approval Hearing	_____

19. IT IS FURTHER ORDERED that if the Court does not execute and file an Order of Final Approval and Judgment, or if the Effective Date of Settlement, as defined in the “Settlement, does not occur for any reason, the Settlement and the proposed 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

1 proceedings had in connection therewith, shall be without prejudice to the status quo ante rights
2 of the Parties to the litigation, as more specifically set forth in the ("Settlement.

3 20. IT IS FURTHER ORDERED that, pending further Order of this Court, all
4 proceedings in this matter except those contemplated herein and in the Settlement are hereby
5 stayed.

6 21. The Court expressly reserves the right to adjourn or continue the Final Fairness
7 Hearing from time to time without further notice to members of the Class.

8
9 **DATED:** _____

10 **JUDGE OF THE SUPERIOR COURT**
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(PROOF OF SERVICE)
[CCP 1013(a)(3)]

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is 16133 Ventura Boulevard, Suite 1200, Encino, California 91436.

On September 11, 2023, I served all interested parties in this action the following documents described as: **[PROPOSED] ORDER GRANTING PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT** by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

SEYFARTH SHAW LLP Andrew M. Paley apaley@seyfarth.com Jill A. Porcaro jporcaro@seyfarth.com Angelina Evans aevans@seyfarth.com 2029 Century Park East, Suite 3500 Los Angeles, CA 90067-3021	ABRAMSON LABOR GROUP William Zev Abramson wza@abramsonlabor.com 11846 Ventura Blvd., Suite 100 Studio City, CA 91604
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[XX] BY ELECTRONIC SERVICE: I caused a true and correct copy thereof to be electronically filed using the Labor and Workforce Development Agency Electronic Filing ("EF") System (<https://dir.tfaforms.net/315>) and service was completed by electronic means by transmittal of the documents referenced herein on the EF System.

[XX] (BY ELECTRONIC MAIL THROUGH CASE ANYWHERE): On interested parties set forth on the attached service list.

[XX] (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on September 11, 2023, at Woodland Hills, California.



Michelle Tanzer