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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

CARLOS HERNANDEZ, Individually, and
on behalf of other members of the general
public similarly situated,

 Plaintiff,

 v.

EAST & WEST ALUM CRAFT INC., a
California Corporation and DOES 1-10,
inclusive.

 Defendants

CASE NO. 37-2022-00002587-CU-OE-CTL

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF GOOD
FAITH DETERMINATION OF CLASS
ACTION SETTLEMENT**

Date: October 27, 2023
Time: 10:30 a.m.
Judge: Hon. Carolyn Caietti
Dept.: C-70

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 Plaintiff CARLOS HERNANDEZ's Unopposed Motion for Conditional Certification of
3 Settlement Class and Preliminary Approval of Good Faith Determination of Class Action Settlement,
4 in the above-captioned matter, came on for hearing before this Court on October 27, 2023 at 10:30
5 a.m., Sullivan & Yaeckel Law Group, APC appeared on behalf of Plaintiff and the Class; Wilson,
6 Turner Kosmo LLP appeared on behalf of Defendant. On good cause shown, and pursuant to the
7 authority of California statutory and case law, this Court finds that the settlement between Plaintiff and
8 Defendant was made in good faith pursuant to California Rules of Court, rules 3.769 and 3.770.
9 Accordingly, this Court rules as follows:

10 **IT IS HEREBY ORDERED THAT:**

- 11 1. Plaintiff's Unopposed Motion for Preliminary Approval of Good Faith Determination of Class
12 Action Settlement is hereby granted.
- 13 2. Specifically, the Court preliminarily orders as follows:
 - 14 a. Conditionally certifying the following class, which is subject to the Settlement:
15 all non-exempt employees of East & West in California from January 21, 2018,
16 through the date of preliminary approval of the settlement
 - 17 b. Appointing named Plaintiff, Carlos Hernandez, as Class Representative.
 - 18 c. Appointing Sullivan & Yaeckel Law Group, APC, as Class Counsel.
 - 19 d. Approving as to form and content the proposed Notice of Class Action Settlement and
20 Request for Exclusion ("opt-out") form.
 - 21 e. Appointing CAC Services Group, LLC to act as the Settlement Administrator. CAC
22 is directed to issue –via First Class United States Mail–the Notice of Proposed Class
23 Action Settlement to the proposed Class Members, as specified in the Joint Stipulation
24 of Class Action Settlement.
 - 25 f. The Settlement is preliminarily approved subject only to the objections of Class
26 Members and final review by the Court.
 - 27 g. Class Counsel's request for Attorneys' Fees (in an amount of \$70,833.33) and litigation
28 costs (in an amount of \$10,000.00), is preliminarily approved, subject to the final

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review of the Court.

h. Class Representative’s enhancement award of \$5,000.00 to be provided to Plaintiff Carlos Hernandez, in consideration for serving as Class Representative is preliminarily approved, subject to final review of the Court.

3. Following the end of the Notice period, for which Class Members may submit Requests for Exclusions, or as soon thereafter as is practicable, and at least 16 court days before the hearing, Plaintiff shall file his Motion for Final Approval of Good Faith Determination of Class Action Settlement to Department 70 of this Court.

4. Plaintiff’s Motion for Final Approval of Good Faith Determination of Class Action Settlement shall be heard in Department 70 of this Court on _____, 2024 at 8:30 a.m.

IT IS SO ORDERED.

Dated: _____

HONORABLE CAROLYN CAIETTI
JUDGE OF THE SUPERIOR COURT