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11 on behalf of herself and all others similarly situated

FILED
Superior Court of California
County of Los Angeles

MAY 10 2023

David W. Slayton, Executive Officer/Clerk of Court

By: K. Caudill, Deputy

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **FOR THE COUNTY OF LOS ANGELES –NORWALK COURTHOUSE**

14 JUAN RUVALCABA, individually and on
15 behalf of all other Aggrieved Employees;

16 Plaintiff,

17 vs.

18 AMPHENOL CORPORATION, a Delaware
19 Corporation, AMPHENOL
20 THERMOMETRICS, INC., a Pennsylvania
21 Corporation, AMPHENOL DC
22 ELECTRONICS, INC., a California
23 Corporation, AMPHENOL NELSON-
24 DUNN TECHNOLOGIES, INC., a
25 California Corporation, HOLLAND
26 ELECTRONICS, LLC, a California Limited
27 Liability Company, and DOES 1 through 50,
28 inclusive,

Defendants.

Case No. 22NWCV00167 **LEE W. TSAO**
[Assigned to Honorable ~~Margaret Miller Bernal~~,
Dept. ~~F~~] C

CLASS ACTION

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

[Filed concurrently with Notice of Motion; and
Memorandum of Points and Authorities;
Declaration of Haig B. Kazandjian;
Declaration of Juan Ruvalcaba; and
[Proposed] Order]

Date: May 10, 2023

Time: 1:30 p.m.

Dept.: F

Action Filed: 3/9/2022

Trial Date: None Yet Set

RESERVATION ID: 086026185039

29 The Court, having read the papers filed regarding Plaintiff's unopposed Motion for
30 Preliminary Approval of Class Action Settlement, and having heard argument regarding the
Motion on May 10, 2023, hereby finds and ORDERS as follows:

1 1. The Class Action and PAGA Settlement Agreement And Class Notice
2 ("Settlement Agreement") attached hereto as **Exhibit 1** and incorporated by reference, is within
3 the range of possible recovery and, subject to further consideration at the Final Approval Hearing
4 described below, is preliminarily approved as fair, reasonable, and in the best interest of the
5 absent class members;

6 2 For purposes of settlement only, the Court provisionally and conditionally
7 certifies the following class: All current and former non-exempt employees who are or were
8 employed by Defendants Amphenol Corporation, Amphenol Thermometrics, Inc., Amphenol
9 DC Electronics, Inc., Amphenol Nelson-Dunn Technologies, Inc., and Holland Electronics, LLC
10 in California from November 8, 2020 to the earlier of either June 21, 2023 or the date of the
11 court's preliminary approval of this class action settlement.

12 3. The Court finds the Settlement Class, consisting of approximately 539 members,
13 is so numerous that joinder of all members is impracticable, and that the Settlement Class is
14 ascertainable by reference to the business records of Defendants.

15 4. The Court finds further there are questions of law and fact common to the entire
16 Settlement Class, which common questions predominate over any individualized questions of
17 law or fact. These common questions include, without limitation: (1) whether Defendants paid
18 Settlement Class Members for all hours worked, (3) whether Defendants provided Settlement
19 Class Members with all required meal and rest periods, or compensation in lieu thereof, (3)
20 whether Defendants properly reimbursed Settlement Class Members for business expenses, and
21 (4) whether Defendants provided Settlement Class Members with proper itemized wage
22 statements.

23 5. The Court finds further the claims of named Plaintiff Juan Ruvalcaba are typical
24 of the claims of the Settlement Class, and that he will fairly and adequately protect the interests
25 of the Settlement Class. Accordingly, the Court appoints Juan Ruvalcaba as the Class
26 Representative, and appoints his counsel of record Haig B. Kazandjian, APC, as Class Counsel.

27 6. The Court finds further that certification of the Settlement Class is superior to
28 other available means for the fair and efficient adjudication of the controversy.

1 7. The Court finds further that, in the present case, the proposed method of
2 providing notice of the Settlement to the Settlement Class via First Class U.S. Mail to each
3 Settlement Class Member's last known address, is reasonably calculated to notify the Settlement
4 Class Members of the proposed Settlement and provides the best notice possible under the
5 circumstances. The Court also finds the Notice of Class Action Settlement form is sufficient to
6 inform the Settlement Class Members of the terms of the Settlement and their rights thereunder,
7 including the right to object to the Settlement or any part thereof and the procedure for doing so,
8 their right to exclude themselves from the Settlement and the procedure for doing so, their right
9 to obtain a portion of the Settlement proceeds, and the date, time and location of the Final
10 Approval Hearing. The proposed Notice of Class Action Settlement (Exhibit A to the Settlement
11 Agreement) and the procedure for providing Notice set forth in the Settlement Agreement, are
12 approved by the Court.

13 8. Under the terms of the Settlement Agreement, the Court approves the Parties'
14 selection of Simpluris, Inc. as the Settlement Administrator. The Settlement Administrator is
15 ordered to mail the Class Notice to the Settlement Class Members via First-Class U.S. Mail as
16 specified in the Settlement Agreement, and to otherwise carry out all other duties set forth in the
17 Settlement Agreement. The Parties are ordered to carry out and comply with all terms of this
18 Order and the Settlement Agreement, and particularly with respect to providing the Settlement
19 Administrator all information necessary to perform its duties under the Settlement Agreement.

20 9. Any member of the Settlement Class who wishes to be excluded, or object to the
21 Settlement or any term thereof, including any proposed award of attorney's fees and costs to
22 Class Counsel or any proposed representative enhancement to the Class Representative, shall
23 have forty-five (45) days from the mailing of the Class Notice to request exclusion and/or to
24 object, as set forth in the Settlement Agreement and Class Notice.

25 10. A Final Approval Hearing is hereby set for December 6, 2023, at 1:30 p.m. in
26 Department F of the Los Angeles County Superior Court, Norwalk Courthouse, to consider any
27 objections to the Settlement, determine if the proposed Settlement should be found fair, adequate
28 and reasonable and given full and final approval by the Court, and to determine the amount of

attorney's fees and costs awarded to Class Counsel, the amount of any representative enhancement award to the Class Representative, and to approve the fees and costs payable to the Settlement Administrator. All legal memoranda, affidavits, declarations, or other evidence in support of the request for final approval, the award of attorney's fees and costs to Class Counsel, the enhancement award to the Class Representative, and the fees and costs of the Settlement Administrator, shall be filed no later than sixteen (16) court days prior to the Final Approval Hearing. The Court reserves the right to continue the Final Approval Hearing without further notice to the Settlement Class Members.

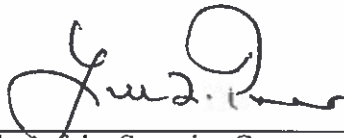
11. Provided he or she has not submitted a timely and valid Request for Exclusion, any Settlement Class Member may appear, personally or through his or her own counsel, and be heard at the Final Approval Hearing regardless of whether he or she has submitted a written objection.

12. The Court orders the following Schedule for further proceedings:

a.	Deadline for Defendants to submit Class List and Data Report to Settlement Administrator	May 24, 2023 [within 10 business days of preliminary approval order]
b.	Deadline for Settlement Administrator to Mail the Notice Packets to Class Members	July 7, 2023 [within 10 business days of receipt of the Class List and Data Report from Defendants]
c.	Deadline for Settlement Class Members to postmark Requests for Exclusions	August 21, 2023 [45 calendar days after mailing of the Notice Packet to Class Members]
d.	Deadline for the postmark of any Objections to the Settlement	August 21, 2023 [45 calendar days after mailing of the Notice Packet to Class Members]

e.	Deadline for Class Counsel to File Motion for Final Approval of Settlement Including the requested attorneys' fees and costs including any expenses and declarations in support thereof; and deadline to file declaration by Simpluris Re Service of Class Notice, receipt and filing of objections	November 6, 2023 [180 days from preliminary approval date]
f.	Final Approval Hearing and Final Approval	November 28, 2023 at 1:30 p.m. [2 weeks after filing date of Motion for Final Approval]

Dated: 5/10/23


 LEE W. TSAC
 Judge of the Superior Court

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PROOF OF SERVICE

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 and not a party to the within action; my business address is 801 North Brand Boulevard, Suite 970, Glendale, California 91203.

On April 18, 2023, I served the foregoing document(s) described as: [PROPOSED] ORDER GRANTING MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT by method indicated below, on the interested parties in this action by placing a true copy thereof, enclosed in a sealed envelope, addressed as follows:

SEE ATTACHED SERVICE LIST

☐ **BY PERSONAL DELIVERY:** I caused a copy of the document to be delivered personally to the individual(s) named in the attached service list.

☐ **BY OVERNIGHT DELIVERY:** I enclosed the above-listed document(s) in an envelope or package provided by an overnight delivery carrier and addressed it to the referenced in attached service list. I placed the envelope or package for collection and overnight delivery at an area regularly utilized by said delivery carrier.

☐ **BY U.S. MAIL:** I enclosed said document(s) in a sealed envelope or package to each addressee. I placed the envelope for collection and mailing, following our firm's ordinary business practices. I am readily familiar with the firm's practice for collecting and processing correspondence for mailing. Under that practice, the correspondence is deposited with the United States Postal Service, with postage fully prepaid, on the same day in the ordinary course of business.

☒ **BY ELECTRONIC MAIL:** I transmitted the foregoing document(s) by electronic mail from **georgina@hbklawyers.com** to the electronic mail addresses indicated on the attached mailing list. The transmission was reported as complete and without error.

☐ **BY FAX TRANSMISSION:** I transmitted the foregoing document(s) by facsimile transmission from 818-696-2307 to the facsimile numbers indicated on the attached mailing list. The transmission was reported as complete and without error on the transmission report, which was properly issued by the transmitting facsimile machine and, pursuant to Rule 2.306(h)(4), a copy of which is attached to the original of this proof of service.

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

Executed on April 18, 2023, at Glendale, California.

Georgina Kregorian

SERVICE LIST

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