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Attorneys for Plaintiffs
IVAN MARQUEZ and FERNANDO SALGUERO

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

IVAN MARQUEZ, individually and on behalf of
others similarly situated and as an aggrieved
employee and Private Attorney General;
FERNANDO SALGUERO, individually and on
behalf of others similarly situated, and as an
aggrieved employee and Private Attorney
General,

Plaintiffs,

vs.

COLLABERA, INC. a New Jersey corporation;
and DOES 1 through 50, inclusive,

Defendant.

Case No. 37-2022-00010988-CU-OE-CTL

*Assigned for All Purposes to: Hon. John S.
Meyer, Dept. C-64*

NOTICE OF ENTRY OF ORDER

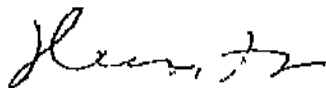
Complaint Filed: March 22, 2022
Trial Date: None Set

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 PLEASE TAKE NOTICE that on December 16, 2022, the Honorable John S. Meyer, in
3 Department C64 in the above-entitled Court, located at 330 W. Broadway, San Diego, California
4 92101, executed the Proposed Order Granting Plaintiff's Motion for Preliminary Approval of
5 Class Action and PAGA Settlement. Attached hereto as **Exhibit A** is a true and correct copy of
6 the Order which was executed and filed on December 16, 2022.

7
8 Dated: December 21, 2022

PROTECTION LAW GROUP, LLP

9
10 By: 
11 Heather Davis
12 Amir Nayebdadash
13 *Attorneys for Plaintiffs*
14 IVAN MARQUEZ and FERNANDO
15 SALGUERO
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EXHIBIT A

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Attorneys for Plaintiff

ELECTRONICALLY RECEIVED
Superior Court of California,
County of San Diego

11/22/2022 at 03:33:05 PM

Clerk of the Superior Court
By Regina Chanez, Deputy Clerk

FILED
Clerk of the Superior Court

DEC 16 2022

By: H. CHAVARIN, Deputy

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO**

IVAN MARQUEZ, individually and on behalf of
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FERNANDO SALGUERO, individually and on
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Defendants.

Case No. 37-2022-00010988-CU-OE-CTL
*Assigned for All Purposes to: Hon. John S.
Meyer, Dept. C-64*

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

Hearing Date: December 16, 2022
Hearing Time: 10:30 a.m.
Department: C-64

Complaint Filed: March 22, 2022
Trial Date: None Set

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1. The Court GRANTS preliminary approval of the class action settlement as set forth in the Settlement Agreement and finds its terms to be within the range of reasonableness of a settlement that ultimately could be granted approval by the Court at a Final Fairness hearing. All terms used herein shall have the same meaning as defined in the Agreement. For purposes of the settlement only, the Court finds that the proposed Class is ascertainable and that there is a sufficiently well-defined community of interest among the members of the Class in questions of law and fact. Therefore, for settlement purposes only, the Court grants conditional certification of the following settlement Class:

3. The Court designates ILYM Group, Inc. as the third-party Settlement Administrator.

1 4. The Parties are ordered to implement the Settlement according to the terms of the
2 Settlement Agreement.

3 5. The Court approves, as to form and content, the Notice of Class Action Settlement
4 attached as Exhibit A to the Settlement and the Opt-Out Form attached to the Settlement as Exhibit
5 B.

6 6. The Court finds that the form of notice to the Class regarding the pendency of the
7 action and of the Settlement, the dates selected for mailing and distribution, and the methods of
8 giving notice to members of the Class, satisfy the requirements of due process, constitute the best
9 notice practicable under the circumstances, and constitute valid, due, and sufficient notice to all
10 members of the Class. The form and method of giving notice complies fully with the requirements
11 of California Code of Civil Procedure § 382, California Civil Code § 1781, California Rules of
12 Court §§ 3.766 and 3.769, the California and United States Constitutions, and other applicable
13 law.

14 7. The Court further approves the procedures for Class Members to opt- out of or
15 object to the Settlement, as set forth in the Notice and the Settlement Agreement. However, Class
16 Members shall not be required to submit a written objection in order to attend the Final Approval
17 Hearing. Class Members may appear and orally object at the Final Approval Hearing regardless
18 of whether they have submitted a written objection. The procedures and requirements for filing
19 objections in connection with the final fairness hearing are intended to ensure the efficient
20 administration of justice and the orderly presentation of any Class Member's objection to the
21 Settlement, in accordance with the due process rights of all Class Members.

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

24 9. The Notice shall provide 60 calendar days' notice for Settlement Class Members to
25 submit disputes, opt-out of, or object to the Settlement.

26 10. The hearing on Plaintiff's Motion for Final Approval of Settlement on the question
27 of whether the Settlement should be finally approved as fair, reasonable, and adequate is scheduled
28

in Department C-64 of this Court, located at 330 West Broadway, San Diego, CA 92101, on 5/19/23 at 10:30 a.m. / ~~p.m.~~

11. At the Final Fairness hearing, the Court will consider: (a) whether the Settlement should be approved as fair, reasonable, and adequate for the Class; (b) whether a judgment granting final approval of the Settlement should be entered; and (c) whether Plaintiff's application for enhancement award, settlement administration costs, and Class Counsel's attorney's fees and costs, should be granted.

12. Counsel for the parties shall file memoranda, declarations, or other statements and materials in support of their request for final approval of Plaintiff's application for an enhancement award, settlement administration costs, Class Counsel's attorneys' fees and costs, prior to the hearing on Plaintiff's Motion for Final Approval of Settlement 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
Defendants to provide class contact information to Settlement Administrator no later than:	[14 business days following preliminary approval]
Settlement Administrator to mail the Notice and Workweek Dispute Form to the Settlement Class no later than:	[14 business days following provision of contact information]
Deadline for Class Members to submit disputes, request exclusion from, or object to the Settlement:	[60 calendar days after mailing of the Notice]
Deadline for Plaintiff to file Motion for Final Approval of Class Action Settlement:	
Hearing on Motion for Final Approval of Settlement	<u>May 19, 2023</u>

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

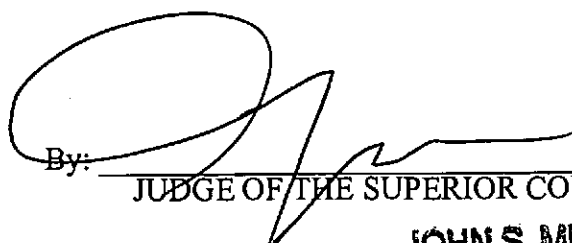
1 Order, are stayed. To facilitate administration of the Settlement pending final approval, the Court
2 hereby enjoins Plaintiff and all members of the Settlement Class from filing or prosecuting any
3 claims, or suits regarding claims released by the Settlement, unless and until such Settlement Class
4 Members have filed valid Requests for Exclusion with the Settlement Administrator.

5 15. Counsel for the parties are hereby authorized to utilize all reasonable procedures in
6 connection with the administration of the Settlement which are not materially inconsistent with
7 either this Order or the terms of the Settlement.

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9 **IT IS SO ORDERED.**

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11 DATED:

12 12-16-22

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By: 

JUDGE OF THE SUPERIOR COURT

JOHN S. MEYER