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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES
(UNLIMITED JURISDICTION)

MARIO CABRAL, on behalf of himself, all
others similarly situated, and the general
public, and as an "aggrieved employee" on
behalf of other "aggrieved employees"
under the Labor Code Private Attorneys
General Act of 2004,

Plaintiff,

vs.

SENTRY INSURANCE COMPANY and
DOES 1 to 25, inclusive,

Defendants.

Case No.: 22STCV21484

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

Action filed: July 1, 2022
Hearing Date: December 13, 2023
Hearing Time: 9:00 a.m.
Hearing Dept: 54, Hon. Maurice A. Leiter

1 Plaintiff MARIO CABRAL's ("Plaintiff") unopposed Motion for Preliminary Approval
2 of a Class Action Settlement was scheduled for hearing before the Court on December 13, 2023
3 at 9:00 a.m., before the Honorable Maurice A. Leiter, Judge presiding. The Court having
4 considered the papers submitted in support of the motion, HEREBY ORDERS THE
5 FOLLOWING:

6 1. The Court grants preliminary approval of the Settlement and the Settlement
7 Class based upon the terms set forth in the Class Action and PAGA Settlement Agreement (the
8 Settlement) filed herewith. All capitalized terms used herein shall have the same meaning as
9 defined in the Settlement. The Court finds that the terms of the Settlement are fair, adequate,
10 and reasonable to the Settlement Class. The Settlement falls within the range of reasonableness
11 and appears to be presumptively valid, subject only to any objections that may be raised at the
12 final hearing and final approval by this Court.

13 2. For purposes of this Order, the Settlement Class is defined as follows: All
14 individual Defendants employed in California in an hourly, non-exempt position at any time
15 during the Class Period of July 1, 2018 through the date the Court grants preliminary approval
16 of the Settlement ("Class" or "Class Members"). The Settlement Class is preliminarily certified
17 for settlement purposes only.

18 3. The Court hereby preliminarily finds that the Settlement was the product of
19 serious, informed, non-collusive negotiations conducted at arm's length by the Parties. In
20 making this preliminary finding, the Court considered the nature of the claims set forth in the
21 pleadings, the amounts and kinds of benefits which shall be paid pursuant to the Settlement, the
22 allocation of Settlement proceeds to the Settlement Class, and the fact that the Settlement
23 represents a compromise of the Parties' respective positions. The Court further preliminarily
24 finds that the terms of the Settlement have no obvious deficiencies and do not improperly grant
25 preferential treatment to any individual Class Member. Accordingly, the Court preliminarily
26 finds that the Settlement was entered into in good faith.

27 4. The Court finds that the dates set forth in the Settlement for mailing and
28 distribution of the Notice of Pendency of Proposed Class Action Settlement and Final Hearing

1 (the “Notice”) meets the requirements of due process and provide the best notice practicable
2 under the circumstances, and constitute due and sufficient notice to all persons entitled thereto,
3 and directs the mailing of the Notice by first class mail to the Settlement Class as set forth in the
4 Settlement. Accordingly, the Court orders the following implementation schedule for further
5 proceedings:

6 a. Within fifteen (15) business days following the date of this Preliminary
7 Approval Order, Defendants shall provide Phoenix Settlement Administrators, the appointed
8 Settlement Administrator, the Class Data in the form of a Microsoft Excel spreadsheet,
9 consisting of the names, last known home addresses, social security numbers, and the total
10 number of Class Period Work Shifts and PAGA Pay Periods for all Class Members during the
11 Settlement Period.

12 b. Within three (3) business days after receipt of the Class Data, the
13 Settlement Administrator shall notify Class Counsel that the list has been received and state the
14 number of Class Members, PAGA Members, Workweeks, and Pay Periods in the Class Period.

15 c. Within fourteen (14) days after receiving the Class Data, the Settlement
16 Administrator shall mail the Notice along with a pre-printed postage paid return envelope, to all
17 Class Members pursuant to the terms of the Settlement, by First Class U.S. Mail, postage
18 prepaid using the most current mailing address information available.

19 c. Within sixty (60) days following the mailing of the Notice, all written
20 objections, Challenges to Workweeks and/or Pay Periods, and Requests for Exclusion from the
21 Settlement must be returned to the Settlement Administrator postmarked by U.S. Mail, as set
22 forth in the Settlement.

23 d. The Court will consider any written or oral objections or comments from
24 Class Members at the time of the Final Approval Hearing, as set forth in the Notice. Written
25 objections to the proposed settlement should state the basis for the objection and be mailed
26 together with copies of all papers and briefs in support thereof to the Settlement Administrator
27 within sixty (60) days following the mailing of the Notice.

28 5. The Court approves, as to form and content, the Notice (in substantially the form

1 attached as Exhibit A to the Settlement). The Court also approves the procedure for members of
2 the Settlement Class to object to the Settlement set forth in the Notice.

3 6. The Court approves, for settlement purposes only, Harout Messrelian of
4 Messrelian Law Inc. as Class Counsel.

5 7. The Court approves, for settlement purposes only, Mario Cabral as the class
6 representative.

7 8. The Court approves Phoenix Settlement Administrators as the Settlement
8 Administrator.

9 9. A Final Approval Hearing shall be held at _____m. on
10 _____, 2024 in Department 54 of the Superior Court for the State of California,
11 County of Los Angeles, located at 111 N. Hill St., Los Angeles, CA 90012, to consider the
12 fairness, adequacy and reasonableness of the proposed Settlement preliminarily approved by
13 this Order, and to consider the application of Class Counsel for an award of reasonable
14 attorneys' fees and costs incurred and the Enhancement to the Named Plaintiff. All briefs and
15 materials in support of the motion for final approval of class action settlement shall be filed with
16 this Court at least sixteen (16) court days prior to the Final Approval Hearing.

17 10. If for any reason the Court does not execute and file an Order of Final Approval
18 and Judgment, or if the Effective Date, as defined in the Settlement, does not occur for any
19 reason, the proposed Settlement that is the subject of this Order, and all evidence and
20 proceedings had in connection therewith, shall be without prejudice to the status quo ante rights
21 of the Parties to the litigation, as more specifically set forth in the Settlement.

22 11. The Court expressly reserves the right to adjourn or continue the Final Approval
23 Hearing from time to time without further notice to members of the Class. The Plaintiff shall
24 give prompt notice of any continuance to Settlement Class Members who object to the
25 Settlement.

26 **IT IS SO ORDERED.**

27 Date: _____

28 Honorable Maurice A. Leiter
Judge of the Los Angeles County Superior Court