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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF TULARE**

ADRIANA MUNOZ, on behalf of herself
and all "aggrieved employees" pursuant to
Labor Code § 2698 et seq.,

Plaintiffs,

v.

SONOCO PLASTICS, INC., a Delaware
corporation, PENINSULA PACKAGING,
LLC, a California limited liability
company, and DOES 1 through 10,
inclusive,

Defendants.

CASE NO: VCU292220

Assigned to Hon. John P. Bianco, Dept. 2

CLASS ACTION

**[PROPOSED] ORDER GRANTING
PRELIMINARY APPROVAL OF CLASS AND
REPRESENTATIVE ACTION SETTLEMENT
AND LEAVE TO FILE SECOND AMENDED
COMPLAINT**

Date: October 23, 2023

Time: 8:30 a.m.

Dept.: 2

Complaint Filed: June 23, 2022

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16 and Proposed Class Counsel
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1 The unopposed motion of proposed Plaintiffs Adrianna Munoz and Samuel Aguirre
2 (together, "Plaintiffs") for Preliminary Approval of Class and Representative Action Settlement
3 and for Leave to File a Second Amended Complaint came on for hearing before this Court in
4 Department 2, Judge John P. Bianco presiding, on October 23, 2023. The Court, having considered
5 the papers submitted in support of the motion and having heard oral argument of the parties,
6 **HEREBY ORDERS THE FOLLOWING:**

7 1. The Court grants preliminary approval of the settlement based upon the terms set
8 forth in the proposed Joint Stipulation of Class Action Settlement and Release Between Plaintiffs,
9 on Behalf of Themselves and All Others Similarly Situated and Aggrieved, and Defendants (the
10 "Settlement") filed with the Court. The settlement appears to be fair, adequate, and reasonable to
11 the Class;

12 2. The Court finds that the settlement falls within the range of reasonableness and
13 appears to be presumptively valid, subject only to any objections that may be raised at the final
14 hearing;

15 3. The Court approves, as to form and content, the Notice of Pendency of Proposed
16 Class Action Settlement and Final Hearing ("Notice"), attached to the Settlement as Exhibit A;

17 4. The Court directs the mailing of the Notice by first class mail to the Settlement Class
18 Members in accordance with the schedule set forth below. The Court finds that the dates selected
19 for the mailing and distribution of the Notice, as set forth herein, meet the requirements of due
20 process and provide the best notice practicable under the circumstances and shall constitute due
21 and sufficient notice to all persons entitled thereto;

22 5. It is ordered that the Settlement Class is preliminarily certified for settlement
23 purposes only. The Settlement Class is defined as follows: all persons employed in California by
24 Defendants, Sonoco Plastics, Inc. and Peninsula Packaging, LLC, as current or former hourly-paid
25 or non-exempt employees at any time during the period between June 23, 2018, through May 26,
26 2023. The Aggrieved Employees are defined all Class Members employed by Defendants during
27 the PAGA Period (from April 8, 2021 through May 26, 2023);

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1 6. The Court approves and appoints Gaines & Gaines, APLC, Falakassa Law, P.C.,
2 and Bokhour Law Group, P.C. as Class Counsel, and grants preliminary approval of an award of
3 attorneys' fees of up to 35% of the Maximum Settlement Amount (or \$231,000) and documented
4 litigation costs of up to \$15,000 to Class Counsel, subject to final approval by the Court following
5 a further motion by Class Counsel;

6 7. The Court approves and appoints Plaintiffs Adriana Munoz and Samuel Aguirre as
7 the Class representative and grants preliminary approval to proposed Enhancement Awards to
8 Plaintiffs Adriana Munoz and Samuel Aguirre in an amount not to exceed \$15,000 each (for a total
9 of \$30,000), subject to final approval by the Court following a further motion by the Class
10 Representatives;

11 8. The Court grants preliminary approval of the allocation of \$20,000 to settle the
12 representative claims under the Private Attorneys General Act (Labor Code §§ 2698 et seq.), of
13 which 75% (\$15,000) shall be paid directly to the LWDA and 25% (\$5,000) will be distributed
14 proportionately among all Aggrieved Employees;

15 9. The Court hereby approves and appoints Phoenix Settlement Administrators as the
16 Settlement Administrator and grants preliminary approval of the payment of fees and other charges
17 of the Settlement Administrator in an amount not to exceed \$12,000;

18 10. The Court directs Plaintiffs to file, for settlement purposes only, the Second
19 Amended Complaint attached as Exhibit B to the Settlement within ten (10) calendar days after
20 notice of entry of this Order, and suspends any obligation of Defendants to file a responsive
21 pleading thereto; and

22 11. The Court orders the following schedule of dates for the specified actions/further
23 proceedings:

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<u>EVENT</u>	<u>TIMING</u>
Last day for Defendant to provide to the Settlement Administrator a readable Microsoft Office Excel spreadsheet and that includes Class Members' names, last-known addresses, last-known telephone numbers, social security numbers, and workweek data (i.e., the start and end dates of employment for each class member for the Settlement Administrator to use in calculating the workweeks) during the Class Period ("Class List")	15 calendar days after entry of Court's Order granting preliminary approval of Settlement
Last day for Settlement Administrator to mail Notice to Class Members	28 calendar days after entry of Court's Order granting preliminary approval of Settlement
Last day for Class Members to submit a written exclusion form to the Settlement Administrator	45 calendar days after the initial mailing of the Notice to Class Members
Last day for Class Members to submit an objection to the Settlement Administrator	45 calendar days after the initial mailing of the Notice to Class Members
Last day for Class Counsel to file and serve moving papers in support of final settlement approval and request for attorneys' fees and costs	10 calendar days before the final settlement approval hearing date
Last day for Class Counsel to file with the Court and serve declaration by Settlement Administrator specifying the due diligence undertaken with regard to the mailing of the Notice	10 calendar days before the final settlement approval hearing date
Final settlement approval hearing	_____, 2024, at _____.m. (approximately 100 days after entry of this Order)

IT IS SO ORDERED.

Dated: _____

JUDGE OF THE SUPERIOR COURT