

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

DOUGLAS HILL, Individually, and on
behalf of other members of the general public
similarly situated

Plaintiff
v.

GRAND RESTAURANT GROUP, a Nevada
Corporation, GRAND RESTAURANT
GROUP, INC., a Suspended California
Corporation, and DOES 1-10, inclusive

Defendants

CASE NO. 37-2022-00022886-CU-OE-CTL
(Proposed CLASS ACTION)

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

Date: June 23, 2023
Time: 10:30 a.m.
Dept: C-64
Judge: Hon. John S. Meyer

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 Plaintiff DOUGLAS HILL's Unopposed Motion for Conditional Certification of
3 Settlement Class and Preliminary Approval of Class Action Settlement, in the above-captioned
4 matter, came on for hearing before this Court on June 23, 2023 at 10:30 a.m. Sullivan & Yaeckel
5 Law Group, APC appeared on behalf of Plaintiff and the Class; Snell & Wilmer appeared on
6 behalf of Defendant GRAND RESTAURANT GROUP. On good cause shown, and pursuant to the
7 authority of California statutory and case law, this Court finds that the settlement between Plaintiff
8 and Defendant was made in good faith pursuant to California Rules of Court, rules 3.769 and
9 3.770. Accordingly, this Court rules as follows:

10 **IT IS HEREBY ORDERED THAT:**

- 11 1. Plaintiff's Unopposed Motion for Preliminary Approval of Class Action Settlement is
12 hereby granted and the Settlement set forth in the Joint Stipulation of Class and PAGA
13 Action Settlement and Release ("Joint Stipulation") is preliminarily approved.¹
- 14 2. Specifically, the Court orders as follows:
- 15 a. For purposes of settlement only, the following Settlement Class is conditionally
16 certified:
- 17 All current and former nonexempt employees of Defendant and the California
18 locations under Defendant's umbrella – specifically, Nick & G's Restaurant Corp.,
19 Bellamy's Fine Dining Corp., DiCicco's Old Town Clovis LLC, DiCicco's Italian
20 Restaurant & Pizzeria, BCR Steakhouse, Alejandra's Cocina, and Giaola LLC- who
21 were employed between June 14, 2018 through the date of Preliminary Approval of
22 the Settlement or April 9, 2023 and who have not previously released their claims
23 against Defendants.
- 24 b. Plaintiff DOUGLAS HILL is appointed as Class Representative.

25
26 _____

27 ¹ This order incorporates by reference the definitions in the Joint Stipulation and the terms used
28 herein shall have the same meaning as set forth in the Joint Stipulation.

- 1 c. The law firm of Sullivan & Yaeckel Law Group, APC, is appointed as Class
2 Counsel for the Settlement Class.
- 3 d. The proposed Notice of Class Action Settlement, attached as Exhibit A to the Joint
4 Stipulation, is approved as to form and content as is the procedure for Participating
5 Class Members to object to the Joint Stipulation and for Settlement Class Members
6 to request exclusion from the Settlement.
- 7 e. Settlement Class Members who have not requested exclusion by submitting a valid
8 and timely written Request for Exclusion in accordance with the instructions set
9 forth in the Joint Stipulation shall be bound by all determinations of the Court, the
10 Joint Stipulation, including the Releases therein, and any Final Approval Order and
11 Judgment entered by the Court.
- 12 f. Participating Class Members must submit a timely written Notice of Objection as
13 provided in the Joint Stipulation to have a written Notice of Objection considered.
14 However, a Participating Class Member does not waive any and all objections by
15 failing to submit a written notice. The class member may also make an appearance
16 at the Final Approval Hearing to make their objection. The Court will rule on all
17 objections at the Final Approval hearing.
- 18 g. CAC Services, LLC (“CAC”) is appointed to act as the Settlement Administrator.
19 CAC is directed to issue—via first-class United States mail—the Notice of
20 Proposed Class Action Settlement to the Settlement Class Members, as provided in
21 the Joint Stipulation.
- 22 h. The Settlement set forth in the Joint Stipulation is preliminarily approved subject
23 only to the objections of Participating Class Members and final review by the Court.
24
25
26
27
28

///

1 3. The Court will hold a hearing on Plaintiffs' forthcoming motions for: **(1)** Final Approval of
2 the Settlement; **(2)** a Class Representative Enhancement Payment; and **(3)** Attorneys' Fees
3 and Costs, on _____, 2023 at 10:30 a.m. in department C-64.

4 **IT IS SO ORDERED.**

5
6 Dated: _____

7 _____
8 HON. JOHN S. MEYER
9 JUDGE OF THE SUPERIOR COURT
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28