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CHRISTINA WILLIAMS

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

CHRISTINA WILLIAMS, as an individual
and on behalf of all others similarly situated,

Plaintiff,

vs.

AVALONBAY COMMUNITIES, INC., a
Maryland corporation; and DOES 1 through
100, inclusive,

Defendants.

Case No. 22STCV14614

*[Assigned for all purposes to the Hon. Carolyn
B. Kuhl, SSC-12]*

**~~[AMENDED PROPOSED]~~ ORDER
GRANTING PRELIMINARY APPROVAL
OF CLASS ACTION SETTLEMENT**

Date: December 12, 2023
Time: 10:30 a.m.
Dept.: SSC-12

Action filed: May 2, 2022
Trial Date: None set

1 The Motion of Plaintiff Christina Williams (“Plaintiff”) for Preliminary Approval of Class
2 Action Settlement will come on regularly for hearing before this Court on December 12, 2023 at 10:30
3 a.m. The Court, having considered the proposed Class Action and PAGA Settlement Agreement and
4 Class Notice (the “Settlement”), attached as Exhibit 3 to the Declaration of Elizabeth Nguyen and
5 Addendum to the Class Action and PAGA Settlement Agreement and Class Notice, attached as Exhibit
6 A to the Supplemental Declaration of Elizabeth Nguyen filed concurrently with the Motion; having
7 considered Plaintiff’s Motion for Preliminary Approval of Class Action Settlement, Memorandum of
8 Points and Authorities in support thereof, the corresponding Supplemental Briefing, and supporting
9 declarations filed therewith; and good cause appearing, HEREBY ORDERS THE FOLLOWING:

10 1. The Court GRANTS preliminary approval of the class action settlement as set forth in
11 the Settlement and finds its terms to be within the range of reasonableness of a settlement that ultimately
12 could be granted approval by the Court at a Final Fairness Hearing. For purposes of the Settlement,
13 the Court finds that the proposed Settlement Class is ascertainable and that there are a sufficiently well-
14 defined community of interest among the members of the Settlement Class in questions of law and fact.
15 Therefore, for settlement purposes only, the Court grants conditional certification of the following
16 Settlement Class:

17 All current and former non-exempt, hourly employees of AvalonBay who
18 worked in California at any time during the Class Period. Class Period means
the period between May 2, 2018 and July 22, 2023.

19 2. For purposes of the Settlement, the Court designates named Plaintiff Christina Williams
20 as Class Representative, and Scott M. Lidman, Elizabeth Nguyen, and Milan Moore of Lidman Law,
21 APC and Paul Haines of Haines Law Group, APC as Class Counsel.

22 4. The Court designates Phoenix Settlement Administrators as the third-party Settlement
23 Administrator for mailing notices.

24 5. The Court approves, as to form and content, the Class Notice, which means the Court
25 Approved Notice of Class Action Settlement and Hearing Date for Final Court Approval, which is
26 attached to the Addendum to the Settlement as Exhibit A.

27 6. The Court finds that the form of notice to the Settlement Class regarding the pendency of
28 the action and of the Settlement, and the methods of giving notice to members of the Settlement Class,

1 constitutes the best notice practicable under the circumstances, and constitute valid, due, and sufficient
2 notice to all members of the Settlement Class. The form and method of giving notice complies fully
3 with the requirements of California Code of Civil Procedure section 382, California Civil Code section
4 1781, California Rules of Court 3.766 and 3.769, the California and United States Constitutions, and
5 other applicable law.

6 7. The Court further approves the procedures for Settlement Class Members to opt out of or
7 object to the Settlement, as set forth in the Class Notice.

8 8. The procedures and requirements for filing objections in connection with the Final
9 Fairness Hearing are intended to ensure the efficient administration of justice and the orderly
10 presentation of any Settlement Class Member's objection to the Settlement, in accordance with the due
11 process rights of all Settlement Class Members.

12 9. The Court directs the Settlement Administrator to mail the Notice Packet to the members
13 of the Settlement Class in accordance with the terms of the Settlement.

14 10. The Class Notice shall provide at least 60 calendar days' notice for members of the
15 Settlement Class to opt out of, or object to, the Settlement.

16 11. The Final Fairness Hearing on the question of whether the Settlement should be finally
17 approved as fair, reasonable, and adequate is scheduled in Department SSC-12 of this Court, located at
18 312 N. Spring Street, Los Angeles, California 90012 on May 8, 2024 at 10:30 a.m. /
19 p.m.

20 12. At the Final Fairness Hearing, the Court will consider: (a) whether the Settlement should
21 be finally approved as fair, reasonable, and adequate for the Settlement Class; (b) whether a judgment
22 granting final approval of the Settlement should be entered; and (c) whether Plaintiff's application for
23 reasonable attorneys' fees, reimbursement of litigation expenses, service award to Plaintiff, and payment
24 to the Labor and Workforce Development Agency ("LWDA") for penalties under the Labor Code
25 Private Attorneys General Act ("PAGA") should be granted.

26 13. Counsel for the parties shall file memoranda, declarations, or other statements and
27 materials in support of their request for final approval of the Settlement, attorneys' fees, litigation
28 expenses, Plaintiff's service payment, settlement administration costs, and payment to the LWDA for

PAGA penalties prior to the Final Fairness Hearing according to the time limits set by the Code of Civil Procedure and the California Rules of Court.

14. An implementation schedule is below:

Event	Date
Defendant to provide Class Data to Settlement Administrator	20 calendar days after issuance of the preliminary approval order
Settlement Administrator to mail Notice Packets to Class Members	14 calendar days after receiving Class Information from Defendant
Deadline for Class Members to request exclusion from, submit disputes, or object to, the Settlement	60 calendar days after mailing of the Notice by the Settlement Administrator
Deadline for Plaintiff to file Motion for Final Approval of Class Action Settlement:	
Final Fairness Hearing:	May 8, 2024 at 10:30 am _____, 2024

15. 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 Order, are stayed.

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

IT IS SO ORDERED.

Dated: 12/12/2023, 2023



A handwritten signature in cursive script, reading "Carolyn B. Kuhl".

Carolyn B. Kuhl / Judge

Honorable Carolyn B. Kuhl
Judge of the Superior Court