SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF ORANGE

BRENDAN SMITH and INSIYAH HAAMID on behalf of themselves, all others similarly situated, and on behalf of the general public, Plaintiffs, v. NORTH AMERICAN VIDEO CORPORATION; and DOES 1-100, Defendants	Case No. 30-2022-01277227-CU-OE-CXC (Consolidated with Case No. 30-2022-01277262) **REVISED [PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF CLASS AND PAGA ACTION SETTLEMENT, CONDITIONAL CERTIFICATION, APPROVAL OF CLASS NOTICE, SETTING OF FINAL APPROVAL HEARING DATE** Date: November 19, 2026 Time: 2:00 p.m. Judge: Hon. Layne H. Melzer Dept.: CX102 Reservation No.: 74884848 Action Filed: August 24, 2022 Trial Date: None Set

I. RECITALS

This action is currently pending before this Court as a putative class action and representative action (the "Action"). Plaintiffs Brendan Smith and Insiyah Haamid have applied to this Court for an order preliminarily approving the settlement of the Action in accordance with the Joint Stipulation and Settlement Agreement (the "Agreement"), which together with the exhibits annexed thereto, sets forth the terms and conditions for a proposed settlement and entry of judgment upon the terms and conditions set forth therein. The Parties' Agreement is attached hereto as **Exhibit 1** and is also attached to the Declaration of David Mara, Esq., in Support of Plaintiffs' Motion for Preliminary Approval of Class and PAGA Action Settlement. (ROA No. 266). The Parties' Addendum to the Agreement is attached hereto as **Exhibit 2** and is attached to the Declaration of Jill Vecchi, Esq., in Support of Plaintiffs' Supplemental Brief. (ROA No. 291). The Court has read and considered the Memorandum of Points and Authorities in support of Plaintiffs' Motion for Preliminary Approval of Class and PAGA Action Settlement, Conditional Certification, Approval of Class Notice, Setting of Final Approval Hearing Date and the declarations submitted therewith. (ROA Nos. 264-270). The Court has also read and considered Plaintiffs' Supplemental Brief in Support of Their Motion for Preliminary Approval of Class and PAGA Action Settlement and the declaration submitted therewith. (ROA Nos. 287, 291). For purposes of this Order, the Court adopts all defined terms as set forth in the Agreement.

II. FINDINGS

After review and consideration of the Agreement and Plaintiffs' motion for preliminary approval and the papers in support thereof, the Court hereby finds and orders as follows:

1. The Agreement falls within the range of reasonableness meriting possible final approval.

2. The certification of the Class solely for purposes of settlement is appropriate in that: (1) the Class Members are ascertainable and so numerous that joinder of all Class Members is impracticable; (2) there are questions of law and fact common to the Class which predominate over any individual questions; (3) Plaintiffs' claims are typical of the claims of the Class; (4)

Plaintiffs and their Counsel have fairly and adequately represented and protected the interests of the Class; and (5) a class action, and class-wide resolution of the action via class settlement procedures is superior to other available methods for the fair and efficient adjudication of the controversy.

3. The Agreement, and the obligations of the Parties as set forth therein, is fair, reasonable, and is an adequate settlement of this case and is in the best interests of the Class in light of the factual, legal, practical, and procedural considerations raised by this case.

4. Plaintiffs do not have any conflicts that would preclude them from serving as Class Representatives, and their appointment comports with the requirements of due process.

5. David Mara, Esq., and Jill Vecchi, Esq. of Mara Law Firm, PC, do not have any conflicts that would preclude them from acting as Class Counsel, and they meet the requirements for appointment as Class Counsel and the requirements of due process.

6. The notice of proposed class and PAGA action settlement attached as **Exhibit 3** hereto complies with due process because the notice of proposed class and PAGA action settlement is reasonably calculated to adequately apprise Class Members of: (i) the pending lawsuit; (ii) the terms of the proposed Agreement; and (iii) their rights, including the right to either participate in the settlement, exclude themselves from the settlement, or object to the settlement. Plaintiffs' proposed plan for class notice and settlement administration is the best notice practicable under the circumstances.

7. The notice of proposed class and PAGA action settlement will provide for the following procedures:

a. The Class Notice will provide that Class Members who wish to exclude themselves from the settlement must mail, email, or fax to the Settlement Administrator a written request for exclusion. The written request for exclusion must: (a) state the Class Member's name, address, telephone number, and the last four digits of the Class Member's social security number or employee identification number; (b) state the Class Member's

intention to exclude themselves from or opt-out of the Settlement; (c) be addressed to the Settlement Administrator; (d) be signed by the Class Member or his or her lawful representative; and (e) be postmarked no later than the Response Deadline. The Class Notice will include a Request for Exclusion Form that Class Members can submit.

b. The Class Notice will provide that the Class Members who wish to object to the settlement must do so in writing, signed, dated, and mailed, emailed, or faxed to the Settlement Administrator postmarked no later than the Response Deadline. The Class Notice will include an Objection Form that Class Members can submit. The Settlement Administrator will provide any objections submitted by Class Members to the Parties' Counsel. In connection with the filing of the final approval motion, Class Counsel will submit any objections from Class Members to the Court. Any Objections shall state: (a) the objecting person's full name, address, and telephone number; (b) the words "Notice of Objection" or "Formal Objection;" (c) describe, in clear and concise terms, the legal and factual arguments supporting the objection; (d) list identifying witness(es) the objector may call to testify at the Final Approval hearing; and (e) provide true and correct copies of any exhibit(s) the objector intends to offer at the Final Approval hearing. Objecting Class Members may (though are not required to) appear at the Final Approval Hearing, either in person or through the objector's own counsel. Objecting Class Members are permitted to appear regardless of whether they submitted a written objection.

c. If a Class Member or PAGA Member who receives a Class Notice wishes to dispute the number of work weeks listed on the Class Notice, the Class Member or PAGA Member may notify the Settlement Administrator by mail, email, fax, or telephone no later than the Response Deadline and

should produce any available supporting evidence, such as wage statements, offers of employment, termination letters, and/or other employment records, to the Settlement Administrator. The Class Notice will include a Dispute Form that Class Members can submit. The documentation should provide evidence of the dates the Class Member or PAGA Member contends he or she worked for Defendant during the Class or PAGA Period. The Settlement Administrator shall then provide the documentation provided by the Class Member or PAGA Member to Defendant. Defendant shall review its records, the documentation provided by the Class Member or PAGA Member, and shall provide information to the Settlement Administrator in response to any such disputed claim. Defendant shall respond within seven (7) business days of the Settlement Administrator reaching out to Defendant. Defendant's records shall be presumed to be determinative, but the Settlement Administrator shall evaluate the evidence submitted by the Class Member or PAGA Member and make the decision as to which dates should be applied. While the Settlement Administrator may make the initial determination regarding disputes, the Court may review any decision made by the Settlement Administrator regarding any disputes submitted.

III. ORDER

The Court having considered the papers submitted in support of the motion for preliminary approval, HEREBY ORDERS THE FOLLOWING:

1. The Court finds on a preliminary basis that the provisions of the Agreement are fair, just, reasonable, and adequate and, therefore, meet the requirements for preliminary approval.

2. The following Class is conditionally certified for purposes of settlement only: All individuals who performed work for Defendant in California as independent contractors at any time from August 24, 2018, through March 10, 2026.

3. The Agreement provides for the following release as to Participating Class Members,[1] which is hereby approved conditionally: All Participating Class Members will release and discharge the Released Parties from any and all claims pled in the operative complaint or claims that reasonably could have been pled based on the factual allegations pled in the operative complaint, which includes Plaintiffs' Notice of Violations Letter to the LWDA. The Released Claims shall be for the Class Period.

4. This settlement also releases claims under the Private Attorneys General Act of 2004 ("PAGA"). These claims are asserted on behalf of PAGA Members defined as: All Class Members who worked for Defendant at any time from May 23, 2021, through March 10, 2026.

5. The Agreement provides for the following release as to PAGA Members, which is hereby approved conditionally: PAGA Members shall release Defendant and the Released Parties from any and all claims for civil penalties under the California Labor Code and the Private Attorneys General Act of 2004 pled or claims that reasonably could have been pled based on the factual allegations pled in the operative Notice to the LWDA and the operative complaint. The PAGA Released Claims shall be for the PAGA Period.

6. The settlement appears to be fair, adequate and reasonable to the Class. The settlement falls within the range of reasonableness and appears to be presumptively valid, subject only to any objections that may be raised at the final approval hearing and final approval by this Court.

7. Plaintiffs Brendan Smith and Insiyah Haamid are conditionally approved as the Class Representatives for the Class.

8. The Court acknowledges the request for Class Representative Enhancement Payments of $15,000, each, to Plaintiffs Brendan Smith and Insiyah Haamid for their service as class representatives which will be decided at the time of final approval.

9. David Mara, Esq., and Jill Vecchi, Esq., of Mara Law Firm, PC, are conditionally approved as Class Counsel for the Class.

[1] Participating Class Members are Class Members who do not submit a valid and timely request to exclude themselves from the Settlement.

10. The Court acknowledges the request for awards of up to $263,333 in attorneys' fees and up to $60,000 in actual costs payable to Class Counsel which will be decided at the time of final approval.

11. A final approval hearing on the question of whether the settlement, attorneys' fees and costs to Class Counsel, and the Class Representative Enhancement Payments should be finally approved as fair, reasonable and adequate as to Class Members is scheduled in Department CX102 on the date and time set forth in the Implementation Schedule below.

12. The Court confirms Simpluris as the Settlement Administrator.

13. The proposed payment of up to $25,000 in costs to Simpluris for its services as the Settlement Administrator is conditionally approved.

14. The Court also hereby conditionally approves and orders payment from the Gross Settlement Fund of the PAGA Payment of $50,000 (75% of which shall be paid to the Labor and Workforce Development Agency, and 25% of which shall be distributable to PAGA Members).

15. The Court approves, as to form and content, the notice of class and PAGA action settlement in substantially the form attached as **Exhibit 3** hereto. The Court approves the procedure for Class Members and PAGA Members to participate in, to opt out of, and to object to, the settlement as set forth in the notice.

16. The Court directs the mailing of the notice of class action settlement by first class mail to Class Members in English and Spanish languages in accordance with the Implementation Schedule below. The Court finds the dates selected for the mailing and distribution of the notice, as set forth in the Implementation Schedule, meet the requirements of due process and provide the best notice practicable under the circumstances and shall constitute due and sufficient notice to all persons entitled thereto.

17. The Court shall have continuing jurisdiction pursuant to both California Code of Civil Procedure section 664.6 and California Rules of Court, rule 3.769(h).

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IV. IMPLEMENTATION SCHEDULE

The Court orders the following Implementation Schedule for further proceedings:

Deadline for Defendant to submit Class and PAGA Data to Settlement Administrator:	December 10, 2026 [21 calendar days after entry of this Order]
Deadline for Class Data to be Provided to Class Counsel	December 15, 2026 [5 calendar days after receipt of the Class Data]
Deadline for Settlement Administrator to Send Class Notices to Class Members	December 28, 2026[2] [10 calendar days after receipt of the Class Data]
Deadline for Settlement Administrator to Establish the Settlement Website	December 28, 2026[3] [10 calendar days after receipt of the Class Data]
Deadline for Settlement Administrator to Call Class and PAGA Members to Obtain Social Security Numbers ("SSNs")	December 30, 2026 [15 calendar days after receipt of the Class Data]
Deadline for Class Members to Submit Requests for Exclusion, Disputes, and Objections ("Response Deadline")	February 26, 2027 [60 calendar days after mailing of Notice to Class Members]
Deadline for Settlement Administrator to Send a Reminder Postcard and Email to Class and PAGA Members Without Known SSNs	November 23, 2026 [30 calendar days after mailing of Notice to Class Members]
Deadline for Settlement Administrator to Send a Second Reminder Postcard and Email to Class and PAGA Members Without Known SSNs	January 27, 2026 [60 calendar days after mailing of Notice to Class Members]

[2] This deadline falls on December 25, 2026. It has been moved to the next business day.
[3] This deadline falls on December 25, 2026. It has been moved to the next business day.

Deadline for Class Members with Re-Mailed Class Notices to Submit Requests for Exclusion, Disputes, and Objections	April 13, 2027[4] [45 days after the date of the re-mailing or the Response Deadline, whichever is later]
Deadline for Class Counsel to file a Motion for Final Approval	May 5, 2027 [16 court days before Final Approval Hearing]
Deadline to Provide the Court with the Settlement Administrator's Declaration Outlining Requests for Exclusion, Objections, and Disputes	May 5, 2027 [16 court days before Final Approval Hearing]
Final Approval Hearing and Final Approval	May 27, 2027, at 2:00 p.m.

IT IS SO ORDERED.

Dated: _____

By_____
Honorable Layne H. Melzer
Orange County Superior Court Judge

[4] If the remailed notice is mailed on the last day of the notice period. This date has been adjusted to the next business day.