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13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

14 **FOR THE COUNTY OF LOS ANGELES**

15 JUAN DAVID ARREOLA CARRILLO, as
16 an individual and on behalf of all others
17 similarly situated,

18 Plaintiff,

19 vs.

20 KPS GLOBAL, LLC, a Delaware
21 corporation; and DOES 1 through 100,

22 Defendants.
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CASE NO. 22STCV19527

*[Case assigned for all purposes to the Hon.
Kenneth R. Freeman, Dept. 14]*

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

Date: February 1, 2024

Time: 10:00 a.m.

Dept.: 14

Action Filed: June 15, 2022

Trial Date: None Set

1 Plaintiff Juan David Arreola Carrillo (“Plaintiff”) Motion for Preliminary Approval of
2 Class Action Settlement came regularly for hearing before this Court on February 1, 2024 at 10:00
3 a.m. The Court, having considered the proposed Class Action and PAGA Settlement Agreement
4 (the “Settlement Agreement”), attached as Exhibit 1 to the Declaration of Fletcher W. Schmidt
5 filed concurrently herewith; having considered Plaintiff’s Motion for Preliminary Approval of
6 Class Action Settlement, Memorandum of Points and Authorities in support thereof, and
7 supporting declarations filed therewith; and good cause appearing, HEREBY ORDERS THE
8 FOLLOWING:

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

16 All current and former nonexempt employees of KPS Global, LLC
17 (“Defendant”) in California who worked at any time between June
18 15, 2018, and the date of preliminary approval.

19 2. For purposes of the Settlement, the Court designates named Plaintiff Juan David
20 Arreola Carrillo as Class Representative and designates Fletcher W. Schmidt, Paul K. Haines,
21 Andrew J. Rowbotham, and Susan J. Perez of Haines Law Group, APC as Class Counsel.

22 4. The Court designates CPT Group, Inc. as the third-party Settlement Administrator
23 for mailing notices.

24 5. The Court approves, as to form and content, the Notice of Proposed Class Action
25 Settlement (“Class Notice”) attached as Exhibit A to the Settlement Agreement.

26 6. The Court finds that the form of notice to the Settlement Class regarding the
27 pendency of the action and of the Settlement, and the methods of giving notice to members of the
28 Settlement Class constitute the best notice practicable under the circumstances, and constitute

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

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

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

11 9. The Court directs the Settlement Administrator to mail the Class Notice to the
12 members of the Settlement Class in accordance with the terms of the Settlement. The Court directs
13 the Settlement Administrator to carry out all duties as required by the Settlement.

14 10. The Class Notice shall provide at least 60 calendar days' notice for members of
15 the Settlement Class to opt out of, or object to the Settlement. Any Request for Exclusion or
16 Objection shall be submitted directly to the Settlement Administrator and not filed with the Court.
17 Upon receipt of any Requests for Exclusion or Objections, the Settlement Administrator shall
18 forward copies of all Requests for Exclusion and Objections to counsel for all parties. The
19 Settlement Administrator shall file a declaration concurrently with the filing of the Motion for
20 Final Approval of Class Action Settlement which authenticates a copy of every Request for
21 Exclusion and Objection received by the Settlement Administrator. The Settlement Administrator
22 shall give notice to any objecting Settlement Class member of any continuance of the hearing on
23 Plaintiff's Motion for Final Approval of Class Action Settlement.

24 11. The Final Fairness Hearing on the question of whether the Settlement should be
25 finally approved as fair, reasonable, and adequate is scheduled in Department 14 of this Court,
26 located at 312 North Spring Street, Los Angeles, CA 90012 on _____, at
27 _____ a.m./p.m.
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12. At the Final Fairness Hearing, the Court will consider: (a) whether the Settlement should be finally approved as fair, reasonable, and adequate for the Settlement Class; (b) whether a judgment granting final approval of the Settlement should be entered; and (c) whether Plaintiff's application for reasonable attorneys' fees, reimbursement of litigation expenses, service payment to Plaintiff, settlement administration costs, and payment to the Labor and Workforce Development Agency ("LWDA") for penalties under the Private Attorneys General Act ("PAGA") should be granted.

13. Counsel for the parties shall file memoranda, declarations, or other statements and materials in support of their request for final approval of the Settlement, attorneys' fees, litigation 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 (assuming the Court signs this Order on February 1, 2024):

Event	Date
Defendant to provide Class Member information to the Settlement Administrator no later than [10 business days after preliminary approval]:	February 15, 2024
Settlement Administrator to mail Class Notice to Class Members no later than [10 business days from receipt of Class Member information]:	March 1, 2024
Deadline for Class Members to request exclusion from, submit dispute, or object to the Settlement [60 calendar days from mailing of Class Notice]:	April 30, 2024
Deadline for Plaintiff to file Motion for Final Approval of Class Action Settlement:	At least 30 days prior to Final Fairness Hearing
Final Fairness Hearing [on or after July 11, 2024]:	_____, 2024 at _____ a.m. / p.m.

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.

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

4 **IT IS SO ORDERED.**

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6 Dated: _____, 2024

Honorable Kenneth R. Freeman
Judge of the Superior Court