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FILED
Superior Court of California
County of Los Angeles
02/13/2024

David W. Slayton, Executive Officer / Clerk of Court
By: T. Lewis Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE

PATRICIA MICHEL, individually, and on
behalf of all others similarly situated,

Plaintiff,

v.

M&M THRIFT MANAGEMENT COMPANY,
LLC, a limited liability company;
COMMUNITY THRIFT STORE, LLC, a
limited liability company; VALLEY THRIFT
STORE, LLC, a limited liability company;
JOSEPH MARK ELLISON, an individual; and
DOES 1 through 10, inclusive,

Defendants.

Case No.: 22STCV23755

[Hon. David S. Cunningham III]

**~~[PROPOSED]~~ PRELIMINARY APPROVAL
ORDER**

Date: November 26, 2023
Time: 10:00 a.m.
Dept.: 11

Action Filed: July 22, 2022
Trial Date: None Set

1
2 **[PROPOSED] PRELIMINARY APPROVAL ORDER**

3 Pending before the Court is Plaintiff Patricia Michel's ("Plaintiff") unopposed Motion for
4 Preliminary Approval of Class Action Settlement ("Motion"). After reviewing the Motion, the Class
5 Action Settlement Agreement and Release ("Settlement Agreement")¹ and exhibits attached thereto, and
6 good cause appearing therefore, the Court hereby finds and orders as follows:

7 1. The Court finds on a preliminary basis that the settlement memorialized in the Settlement
8 Agreement appears to be fair and adequate, and falls within the range of reasonableness, and therefore
9 meets the requirement for preliminary approval.

10 2. The Court conditionally certifies for settlement purposes the following Class:

11 All persons currently and formerly employed by Defendants as non-exempt employees in the
12 State of California between February 9, 2022 and August 9, 2023.

13 3. The Court finds, for settlement purposes, that the Class meets the requirements for
14 certification under California Code of Civil Procedure § 382 in that: (a) the Class is so numerous that
15 joinder is impractical; (b) there are questions of law and fact that are common, or of general interest, to
16 the Class, which predominate over any individual issues; (c) Plaintiff's claims are typical of the claims of
17 the Class; (d) Plaintiff and her counsel will fairly and adequately protect the interests of the Class; and (e)
18 a class action is superior to other available methods for the fair and efficient adjudication of the
19 controversy.

20 4. The Court appoints, for settlement purposes, Plaintiff as Representative for the Class.

21 5. The Court appoints, for settlement purposes, the Wand Law Firm, P.C. and the Law Office
22 of Scott E. Wheeler, as Counsel for the Class.

23 6. The Court appoints Phoenix as the Settlement Administrator.

24 7. The Parties are ordered to carry out the Settlement according to the following
25 implementation schedule:
26
27

28 ¹ All capitalized terms have the same meaning as defined in the Settlement Agreement unless otherwise indicated.

Event	Date
Last day for Defendants to provide the Settlement Administrator with the Class information	February 16, 2024
Last day for Settlement Administrator to mail Class Notice	February 27, 2024
Last day for Class Members to submit a dispute re. Workweeks, Pay Periods, Request for Exclusion, or written Objection	April 12, 2024
Last Day for Plaintiff to file Motion for Final Approval and Motion for Attorneys' Fees and Costs and Class Representative Service Award	Per Code
Final Approval Hearing	June 17, 2024 at 9:30 <u> </u> at a.m. / p.m.

8. The Court approves as to form and content the Class Notice (attached as Exhibit A to the Settlement Agreement).

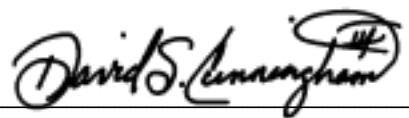
9. The Court finds that the method of giving notice to the Class constitutes the best means practicable of providing notice under the circumstances. The Court further finds that the Class Notice and the method of giving notice to the Class meet the requirements of California Code of Civil Procedure § 382, California Rules of Court, Rules 3.766 and 3.769, and due process under the California and United States Constitutions, and other applicable law.

10. At the Final Approval Hearing, the Court will consider, *inter alia*, whether the Settlement should be finally approved as fair, reasonable and adequate, whether a final judgment should be entered in favor of Plaintiff, and whether the payments provided for under the Settlement, including attorneys' fees and costs and class representative service award, should be finally approved and granted.

11. Pending the Final Approval Hearing, all proceedings in this Action, other than proceedings necessary to implement the Settlement and this Order, are stayed.

IT IS SO ORDERED.

DATED: 02/13/2024


Honorable David S. Cunningham III
Judge of the Superior Court