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Attorneys for Plaintiff RENE RAYGOZA,
on behalf of himself and others similarly situated

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO**

RENE RAYGOZA, on behalf of himself and
others similarly situated,

Plaintiff,

vs.

RAVEN INDUSTRIES, INC.; RAVEN
ENGINEERED FILMS, INC.; and DOES 1 to
100, inclusive,

Defendants.

Case No.: CIVSB2211390

CLASS ACTION

*[Assigned for all purposes to the Hon. Joseph
Ortiz, Dept. S-17]*

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

*[Filed concurrently with Notice of Motion and
Motion for Preliminary Approval of Class Action
Settlement; Declaration of Eve Howe in Support
Thereof]*

Hearing Information:

Date: May 10, 2024

Time: 1:30 p.m.

Dept.: S-17

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

JUL 15 2024

BY Jessica Garcez
JESSICA GARCEZ, DEPUTY

1 The Motion for Preliminary Approval of Class Action and PAGA Settlement came before
2 this Court on May 10, 2024 at 1:30 p.m. in Department S-17 of San Bernardino County Superior
3 Court located at 247 West Third St., San Bernardino, California 92415. The Court, having
4 considered the proposed Joint Stipulation of Settlement and Release attached as **Exhibit 1** to the
5 Declaration of Eve Howe in Support of Plaintiff's Motion for Preliminary Approval of Class Action
6 and PAGA Settlement, and the Exhibits attached thereto (hereafter collectively, the "Settlement" or
7 "Settlement Agreement"); having considered the Motion for Preliminary Approval of Class Action
8 and PAGA Settlement filed by the parties; having considered the respective points and authorities
9 and declarations submitted by the parties in support thereof; and good cause appearing, HEREBY
10 ORDERS THE FOLLOWING:

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

18 All current and former hourly-paid or non-exempt employees employed
19 by Defendants, their predecessors, and/or Viaflex, Inc., within the state of
20 California at any time during the Class Period. The "Class Period" means
21 the time between June 6, 2018, through May 21, 2023.

22 1. For purposes of the Settlement, the Court further designates named Plaintiff Rene
23 Raygoza as Class Representative, and Joseph Lavi, Esq., Vincent C. Granberry, Esq., Cassandra A.
24 Castro, Esq., and Eve Howe, Esq. of Lavi & Ebrahimian, LLP as Class Counsel.

25 2. The Court appoints CPT Group, Inc. as the Settlement Administrator.

26 3. A final fairness hearing on the question of whether the proposed Settlement should
27 be finally approved as fair, reasonable and adequate as to the members of the Settlement Class is
28 scheduled in Department S-17 of this Court, located at 247 W. Third St., San Bernardino, California

92415, on _____, 2024, at _____ a.m./p.m. ("Final Hearing").

4. At the Final Hearing, the Court will consider: (a) whether the Settlement should be approved as fair, reasonable, and adequate for the class; (b) whether a judgment granting approval of the Settlement should be entered; and (c) whether Plaintiff's application for an award of attorneys' fees, reimbursement of litigation expenses, and class representative enhancement should be granted.

5. Counsel for the parties shall file memoranda, declarations, or other statements and materials in support of their request for final approval by no later than 16 court days prior the Final Hearing.

6. Class Counsel shall file a motion for an award of attorneys' fees, reimbursement of litigation expenses and class representative enhancement by no later than 16 court days prior to the Final Hearing.

7. The Court approves, as to form and content, the Class Notice which is attached to the Settlement Agreement as **Exhibit A.**

8. Within fifteen (15) business days after the entry of this Order, Defendants shall provide the Settlement Administrator the name, last known address, and Social Security number of each Settlement Class Member, along their dates of employment and any other information needed to calculate Individual Settlement Payments and Individual PAGA Payments ("Class Payment Data").

9. Within fifteen (15) calendar days of receipt of the Class Payment Data from Defendants, the Settlement Administrator shall mail the Class Notice to all Settlement Class Members via first-class U.S. mail.

10. Settlement Class Members shall have forty-five (45) calendar days from the date of the postmark on the Class Notice, to return to the Settlement Administrator, Requests for Exclusion, disputes, or Objections ("Response Deadline"), or within fifteen (15) calendar days after the postmark of a Class Notice re-mailed to a corrected address for that Settlement Class Member, whichever is later.

1 11. The Court finds that the forms of Class Notice to the Settlement Class regarding
2 the pendency of the action and of this Settlement, and the methods of giving notice to members of
3 the Settlement Class constitute the best notice practicable under the circumstances and constitute
4 valid, due, and sufficient notice to all members of the Settlement Class. They comply fully with
5 the requirements of California Code of Civil Procedure section 382, California Civil Code section
6 1781, California Rules of Court 3.766 and 3.769, the California and United States Constitutions,
7 and other applicable law.

8 12. The Court further approves the procedures for Settlement Class Members to
9 participate in, opt out of, or object to the Settlement, as set forth in the Settlement Agreement and
10 Class Notice.

11 13. Any Participating Class Member who wishes to object to the Settlement must do so
12 in writing. To be valid, the Objection must: (1) contain the name, address, and the last four digits
13 of the Social Security number of the person objecting; (2) be signed by the Participating Class
14 Member; (3) state the grounds on which the Participating Class Member is objecting as well as any
15 documents or evidence supporting his or her objection(s); and (4) be postmarked or fax stamped by
16 the Response Deadline and returned to the Settlement Administrator at the specified address or fax
17 telephone number stated in the Class Notice. If no written objection is submitted, the Participating
18 Class Member may still appear at the Final Hearing to object.

19 14. Settlement Class Members who wish to exclude themselves from the Settlement
20 must mail a written Request for Exclusion from the Settlement to the Settlement Administrator.
21 The written Request for Exclusion shall: (1) make a statement clearly indicating that the
22 Settlement Class Member wishes to be excluded; (2) contain the name, address, and the last four
23 digits of the Social Security number of the person requesting exclusion; (3) be signed by the
24 Settlement Class Member; and (4) be postmarked or fax stamped by the Response Deadline and
25 returned to the Settlement Administrator at the specified address or fax telephone number stated
26 in the Class Notice. However, the Request for Exclusion will be valid unless it is not timely
27 submitted, is not signed by the Settlement Class Member, or does not contain the name and
28 address of the Settlement Class Member. The date of the postmark on the return mailing envelope

or fax stamp on the Request for Exclusion shall be the exclusive means used to determine whether the Request for Exclusion was timely submitted. Any Settlement Class Member who requests to be excluded from the Settlement Class will not be entitled to any recovery under the Settlement, will not be bound by the terms of the Settlement, and will not have any right to object, appeal, or comment thereon, except he or she shall receive his or her PAGA share of the settlement if he or she is a PAGA Employee (since he or she cannot opt out of the PAGA settlement).

15. Pending the Final Hearing, all proceedings in this action, other than proceedings necessary to carry out or enforce the terms and conditions of the Settlement Agreement 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 Agreement.

17. The Court orders the following Implementation Schedule for further proceedings:

Event	Timing
Class Payment Data: Last day for Defendants to provide the Settlement Administrator the Class Payment Data	15 business days after the Court's entry of this Order
Notice Date: last day for Settlement Administrator to mail Class Notice to Settlement Class Members.	15 calendar days after receipt of the Class Payment Data from Defendants
Response Deadline: (i) last day for Settlement Class Members to submit Requests for Exclusion; and (ii) last day for class members to submit Objections.	45 calendar days after the Settlement Administrator has postmarked the Class Notice for mailing to Settlement Class Members, or within 15 calendar days after the postmark of a Class Notice re-mailed to a corrected address for a Settlement Class Member, whichever is later
Last day for class counsel to file motion for award of attorneys' fees, reimbursement of litigation expenses and class representative enhancement.	16 court days prior to the Final Hearing
Last day for parties to file motion and supporting documents for final approval of class action settlement.	16 court days prior to the Final Hearing
Final Hearing on final approval of class action settlement.	Department S-17 of this Court, located at 247 W. Third St., San Bernardino, California 92415, on _____, 2024, at _____ a.m./p.m.

1 18. The Final Hearing and related prior deadlines set forth above may, from time to time
2 and without further notice to the Settlement Class (except those who have filed timely and valid
3 objections), be continued or adjourned by Order of the Court.

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5 **IT IS SO ORDERED.**

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7 Dated: July 15, 2024

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9 _____
10 Hon. Joseph Ortiz
11 Judge of the Superior Court
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