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13 and on behalf of all others similarly situated

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ORIGINAL FILED
Superior Court of California
County of Los Angeles

DEC 20 2017

Sherri R. Carter, Executive Officer/Clerk
By: Jan Josef Manrique, Deputy

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – CENTRAL CIVIL WEST

MARIO MORALES, individually, and on behalf
of all others similarly situated,

Plaintiffs,

vs.

WESTERN PACIFIC PULP AND PAPER, a
California Corporation; and DOES 1 through 100
inclusive,

Defendants.

Case No. BC617544

[Assigned for all purposes to the Hon. Carolyn
B. Kuhl, Dept. 309]

**ORDER GRANTING
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: November 30, 2017

Time: 3:15 p.m.

Dept: 309

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1 The Court has before it Plaintiff Mario Morales's unopposed Motion for Preliminary
2 Approval of Proposed Class Action Settlement and Certification of Provisional Settlement Class
3 ("Motion for Preliminary Approval"). After reviewing the Motion for Preliminary Approval, the
4 Joint Stipulation and Agreement to Settle and Release Claims ("Settlement Agreement"), and the
5 Stipulation to Amend the Joint Stipulation and Agreement to Settle and Release Claims
6 ("Stipulation to Amend") filed with the Court, the Court hereby finds and orders as follows:

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

10 2. The Court conditionally certifies for settlement purposes only the following Class:
11 All current and former hourly, non-exempt employees of Western Pacific Pulp and Paper who
12 worked for Defendant in the State of California at any time between April 19, 2012, to August 1,
13 2017.

14 3. The Court finds, for purposes of settlement only, that the Class meets the
15 requirements for certification under section 382 of the California Code of Civil Procedure in that:
16 (1) the Class is so numerous that joinder is impracticable; (2) there are questions of law and fact
17 that are common, or of general interest, to all members of the Class, which predominate over
18 individual issues; (3) the Named Plaintiff's claims are typical of the claims of the Class; (4) the
19 Named Plaintiff's counsel will fairly and adequately protect the interests of the Class; and (5) a
20 class action is superior to other available methods for the fair and efficient adjudication of the
21 controversy.

22 4. The Court appoints, for settlement purposes only, Named Plaintiff Mario Morales
23 as class representative for the Class.

24 5. The Court appoints, for settlement purposes only, Farzad Rastegar, S. Emi Minne,
25 and Kieran D. Hartley of Rastegar Law Group, APC as counsel for the Class.

26 6. The Court appoints Phoenix Settlement Administrators as the Settlement
27 Administrator.

28 7. The parties are ordered to carry out the settlement according to the terms of the

1 Settlement Agreement.

2 8. The Court orders the following implementation schedule:

3 a. Deadline to mail notices to Settlement Class Members: Jan. 22, 2018

4 (30 days after the date of preliminary approval).

5 b. Deadline for serving and filing Motion for Final Approval: March 13, 2018 (no
6 later than 16 court days before the Final Approval Hearing).

7 c. Final Approval Hearing: April 4, 2018, at 11:00 a.m. to be heard in Department
8 309 of this Court, located at 600 S. Commonwealth Avenue, Los Angeles,
9 California 90005.

10 9. The Court approves, as to the form and content: (1) the Notice of Proposed Class
11 Action Settlement ("Notice"), attached as **Exhibit 1** to this Order, which informs the members of
12 the Class of the terms of the proposed Settlement, the preliminary approval of the Settlement, and
13 the scheduling of the Final Approval Hearing; and (2) the Allocation Form attached as **Exhibit 2**
14 to this Order. The Court finds that the dates selected for the mailing and distribution of the Notice
15 and Allocation Form meet the requirements of due process, provide the best notice practicable
16 under the circumstances, and shall constitute due and sufficient notice to all persons entitled
17 thereto.

18 10. The Notice is hereby found to be the best means practicable of providing notice
19 under the circumstances, and, when completed, shall constitute due and sufficient notice of the
20 class action, proposed settlement, and the Final Approval Hearing to all persons affected by and/or
21 authorized to participate in the settlement, in full compliance with due process and the notice
22 requirements of California Code of Civil Procedure § 877.6.

23 IT IS SO ORDERED.

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25 Dated: Dec. 20, 2017

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^{15/}CAROLYN B. KUHL
ASSISTANT SUPERVISING JUDGE
COMPLEX CIVIL LITIGATION

THE HON. CAROLYN B. KUHL
JUDGE OF THE SUPERIOR COURT