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FILED
 Superior Court of California
 County of Sacramento
05/23/2025
 V. Aleman, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SACRAMENTO

JAIME FARIAS, individually, and on behalf of
 all others similarly situated,

Plaintiff,

v.

LABOR RESOURCE GROUP, INC., a
 California corporation, CEMCO, INC., a
 California corporation; and DOES 1 through 10,
 inclusive,

Defendants.

Case No.: 34-2022-00324254-CU-OE-GDS
 Consolidated with 34-2022-00327461-CU-OE-GDS

CLASS ACTION

[Assigned for all purposes to: Hon. Lauri A.
 Damrell, Dept. 28]

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

[Filed with Notice of Motion and Motion,
 Memorandum of Points and Authorities, the
 Declaration of Peter Horton, and the
 Declaration of Jaime Farias]

PRELIMINARY APPROVAL HEARING

Date: May 23, 2025

Time: 9:00 a.m.

Dept: 22

Complaint filed:	July 26, 2022
FAC filed:	June 24, 2024
SAC filed:	February 5, 2025
Trial date:	Not set

1 The Court has before it Plaintiff Jaime Farias’ (“Plaintiff”) Motion for Preliminary
2 Approval of Class Action Settlement. Having reviewed the Motion for Preliminary Approval
3 of Class Action Settlement, the Declaration of Peter Horton, the Class Action and PAGA
4 Settlement Agreement and Class Notice (which is referred to here as the “Settlement
5 Agreement”), and good cause appearing, the Court hereby finds and orders as follows:

6 1. The Court finds on a preliminary basis that the Settlement Agreement appears to
7 be fair, adequate, and reasonable and therefore meets the requirements for preliminary approval.
8 The Court grants preliminary approval of the Settlement and the Settlement Class based upon
9 the terms set forth in the Settlement Agreement between Plaintiff Jaime Farias and Defendants
10 Labor Resource Group, Inc. and Cemco, Inc. (collectively, “Defendants”), attached to the
11 Declaration of Peter Horton in Support of Plaintiff’s Motion for Preliminary Approval of Class
12 Action Settlement as Exhibit 1.

13 2. The Settlement falls within the range of reasonableness of a settlement which
14 could ultimately be given final approval by this Court, and appears to be presumptively valid,
15 subject only to any objections that may be raised at the Final Approval Hearing and final
16 approval by this Court. The Court notes that Defendants have agreed to create a total common
17 fund of \$850,000.00 to cover (a) settlement payments to class members who do not validly opt
18 out; (b) a \$30,000.00 payment for the settlement of claims for penalties under the Private
19 Attorneys General Act, with 75% of which (\$22,500.00) being paid to the Labor & Workforce
20 Development Agency and 25% (\$7,500.00) being paid to eligible Aggrieved Employees; (c)
21 Class Representative service payment of up to \$10,000.00 for Plaintiff Jaime Farias; (d) Class
22 Counsel’s attorneys’ fees, not to exceed 33 1/3% of the Gross Settlement Amount
23 (\$283,333.33), and up to \$25,000.00 in costs for actual litigation expenses incurred by Class
24 Counsel; and (e) Settlement Administration Costs of up to \$15,000.00.

25 3. The Court preliminarily finds that the terms of the Settlement appear to be within
26 the range of possible approval, pursuant to California Code of Civil Procedure § 382 and
27 applicable law. The Court finds on a preliminary basis that: (1) the settlement amount is fair
28 and reasonable to the class members when balanced against the probable outcome of further

1 litigation relating to class certification, liability and damages issues, and potential appeals; (2)
2 significant informal discovery, investigation, research, and litigation have been conducted such
3 that counsel for the Parties at this time are able to reasonably evaluate their respective positions;
4 (3) settlement at this time will avoid substantial costs, delay, and risks that would be presented
5 by the further prosecution of the litigation; and (4) the proposed settlement has been reached as
6 the result of intensive, serious, and non-collusive negotiations between the Parties with the
7 assistance of a well-respected class action mediator. Accordingly, the Court preliminarily finds
8 that the Settlement Agreement was entered into in good faith.

9 4. A final fairness hearing on the questions of whether the proposed settlement,
10 attorneys' fees and costs to Class Counsel, payment to the State of California, Labor &
11 Workforce Development Agency and allegedly aggrieved employees for the settlement of
12 claims for penalties under the Private Attorneys General Act, and the class representative's
13 enhancement award should be finally approved as fair, reasonable, and adequate is hereby set
14 in accordance with the Implementation Schedule set forth below.

15 5. The Court provisionally certifies for settlement purposes only the following class
16 (the "Settlement Class"): "all persons employed by Defendants in California and classified as
17 hourly-paid or non-exempt employees who worked for Defendants during the Class Period."

18 6. "Class Period" means the period from July 26, 2018 to October 31, 2023.

19 7. The Court finds, for settlement purposes only, that the Settlement Class meets the
20 requirements for certification under California Code of Civil Procedure § 382 in that: (1) the
21 Settlement Class Members are so numerous that joinder is impractical; (2) there are questions
22 of law and fact that are common, or of general interest, to all Settlement Class Members, which
23 predominate over individual issues; (3) Plaintiff's claims are typical of the claims of the
24 Settlement Class Members; (4) Plaintiff and Class Counsel will fairly and adequately protect
25 the interests of the Settlement Class Members; and (5) a class action is superior to other
26 available methods for the fair and efficient adjudication of the controversy.

27 8. The Court appoints as Class Representative, for settlement purposes only,
28 Plaintiff Jaime Farias. The Court further preliminarily approves Plaintiff's ability to request an

incentive award up to \$10,000.00.

9. The Court appoints, for settlement purposes only, Tyler Woods and Peter Horton of Wilshire Law Firm, PLC as Class Counsel. The Court further preliminarily approves Class Counsel's ability to request attorneys' fees of up to one-third of the Total Settlement Amount (\$283,333.33), and costs not to exceed \$25,000.00.

10. The Court appoints CPT Group, Inc. as the Settlement Administrator with reasonable administration costs estimated not to exceed \$15,000.00.

11. The Court approves, as to form and content the Class Notice, attached to the Settlement Agreement. The Court finds on a preliminary basis that the plan for distribution of the Notice to Settlement Class Members satisfies due process, provides the best notice practicable under the circumstances, and shall constitute due and sufficient notice to all persons entitled thereto.

12. The Parties are ordered to carry out the Settlement according to the terms of the Settlement Agreement.

13. Any class member who does not timely and validly request exclusion from the settlement may object to the Settlement Agreement.

14. The Court orders the following Implementation Schedule:

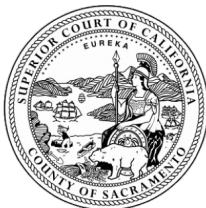
Defendants to provide Class List to the Settlement Administrator	15 days after notice of entry of the Court's order granting Motion for Preliminary Approval
Settlement Administrator to mail the Notice Packets	14 days after receipt of the Class List from the Defendant
Response Deadline	60 days after Notice is mailed out by the Settlement Administrator
Deadline to Provide Written Objections, if any	60 days after Notice is mailed out by the Settlement Administrator

Deadline to file Motion for Final Approval, Request for Attorney's Fees and Costs, and Service Award to Plaintiff	16 court days before hearing on Motion for Final Approval, which is _____;
Final Approval Hearing	<u>10/24/25</u> at <u>9:00</u> a.m./ p.m. , or first available date thereafter, in Department 22. The hearing may be continued to another date without further notice to the Class Members.

15. The Court further ORDERS that, pending further order of this Court, all proceedings in this lawsuit, except those contemplated herein and in the settlement, are stayed.

IT IS SO ORDERED.

DATE: 5/23/25



Hon. Lauri A. Damrell
Sacramento County Superior Court