

1 *[Counsel listed on next page]*

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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF LOS ANGELES
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11 ABEL YOUNG, an individual, on behalf of
12 himself and on behalf of all persons similarly
situated,

13 Plaintiff,

14 vs.

15 TABC, INC., a Corporation; and DOES 1
16 through 50, inclusive,

17 Defendants.
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Case No. 22STCV25696

[PROPOSED] ORDER:

**(1) PRELIMINARILY APPROVING
PROPOSED SETTLEMENT;**

**(2) CONDITIONALLY CERTIFYING
SETTLEMENT CLASS;**

**(3) APPOINTING CLASS
REPRESENTATIVE, CLASS COUNSEL,
AND SETTLEMENT ADMINISTRATOR;**

**(4) APPROVING CLASS NOTICE AND
RELATED MATERIALS; AND**

**(5) SETTING HEARING FOR FINAL
APPROVAL OF SETTLEMENT**

Judge: Hon. Lawrence P. Riff

Dept.: 7

Hearing Date: July 27, 2023

Hearing Time: 10:00 a.m.

Complaint filed: August 9, 2022

FAC filed: November 9, 2022

Trial date: None set

1 BLUMENTHAL NORDREHAUG BHOWMIK DE BLOUW LLP
2 NORMAN B. BLUMENTHAL (SB# 068687)

3 Norm@bamlawca.com

4 KYLE R. NORDREHAUG (SB# 205975)

5 kyle@bamlawca.com

6 APARAJIT BHOWMIK (SB# 248066)

7 AJ@bamlawca.com

8 NICHOLAS J. DE BLOUW (SB# 280922)

9 nick@bamlawca.com

10 2255 Calle Clara

11 La Jolla, CA 92037

12 Telephone: 1(858) 551-1223

13 Facsimile: 1(858) 551-1232

14 *Attorneys for Plaintiff Abel Young*

15 PAUL HASTINGS LLP

16 ZACHARY P. HUTTON (SB# 234737)

17 zachhutton@paulhastings.com

18 ANNA M. SKAGGS (SB# 319179)

19 annaskaggs@paulhastings.com

20 101 California Street

21 Forty-Eighth Floor

22 San Francisco, California 94111

23 Telephone: 1(415) 856-7000

24 Facsimile: 1(415) 856-7100

25 *Attorneys for Defendant TABC Inc.*

1 The joint motion of plaintiff Abel Young (“Plaintiff”) and defendant TABC Inc.
2 (“Defendant” or “TABC”) (together, the “Parties”) for Preliminary Approval of Class Action
3 Settlement (the “Motion”) came on regularly for hearing before this Court on July 27, 2023 at
4 10:00 a.m. The Court, having considered the proposed Settlement Agreement (the “Settlement”),
5 attached as Exhibit 1 to the Declaration of Kyle Nordrehaug filed concurrently with the Motion;
6 having considered the Motion, Memorandum of Points and Authorities in support thereof, and
7 supporting declarations filed therewith, and any argument presented at the hearing on the Motion;
8 and good cause appearing, HEREBY ORDERS THE FOLLOWING:

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

16 All current and former employees who worked for TABC in a non-exempt
17 position in California at any time from August 9, 2018 through April 7, 2023.

18 2. For purposes of the Settlement, the Court designates plaintiff Abel Young as Class
19 Representative, and designates Norman B. Blumenthal, Kyle R. Nordrehaug, Aparajit Bhowmik,
20 Nicholas J. De Blouw and Christine LeVu of Blumenthal Nordrehaug Bhowmik De Blouw LLP
21 as Class Counsel.

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

24 4. The Court approves, as to form and content, the Court-Approved Notice of Class
25 Action Settlement and Hearing Date for Final Court Approval attached as Exhibit A to the
26 Settlement (the “Class Notice”).

27 5. The Court finds that the form of notice to the Class Members regarding the
28 pendency of the action and of the Settlement, and the methods of giving notice to Class Members,

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

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

7 7. The procedures and requirements for filing objections in connection with the Final
8 Approval 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 8. The Court directs the Settlement Administrator to mail the Class Notice to the Class
12 Members in accordance with the terms of the Settlement.

13 9. The Notice shall provide at least 45 calendar days' notice from the date of initial
14 mailing for Class Members to opt out of the Settlement or submit disputes regarding the
15 information shown on their Notices of Estimated Settlement Share.

16 10. The Notice shall provide at least 60 calendar days' notice from the date of initial
17 mailing for Class Members to object to the Settlement.

18 11. The Final Approval Hearing on the question of whether the Settlement should be
19 finally approved as fair, reasonable, and adequate is scheduled in Department 7 of this Court,
20 located at 312 North Spring Street, Los Angeles, California 90012, on _____,
21 2023 at ____:____ a.m. / p.m.

22 12. At the Final Approval Hearing, the Court will consider: (a) whether the Settlement
23 should be finally approved as fair, reasonable, and adequate for the Class; (b) whether a judgment
24 granting final approval of the Settlement should be entered; and (c) whether Plaintiff's application
25 for reasonable attorneys' fees, reimbursement of litigation expenses, representative payment to
26 Plaintiff, and settlement administration costs should be granted.

27 13. Counsel for the Parties shall file memoranda, declarations, or other statements and
28 materials in support of their request for final approval of the Settlement, attorneys' fees, litigation

1 expenses, Plaintiff's representative payment, and settlement administration costs prior to the Final
2 Approval Hearing according to the time limits set by the Code of Civil Procedure and the
3 California Rules of Court.

4 14. An implementation schedule is below:

5 Event	Date
6 TABC to provide Class Member Data to Settlement 7 Administrator no later than [30 days after preliminary 8 approval]:	_____, 2023
9 Settlement Administrator to mail Class Notice to Class 10 Members no later than [15 days after receiving Class 11 Member Information]:	_____, 2023
12 Deadline for Class Members to opt out of the Settlement or 13 submit disputes to the Settlement Administrator regarding 14 Class Workweeks and/or PAGA Pay Periods information 15 shown on Class Notices [45 days after mailing of Class 16 Notice]:	_____, 2023
17 Deadline for Class Members to object to the Settlement 18 [60 days after mailing of Class Notice]:	_____, 2023
19 Deadline for Parties to jointly file Motion for Final 20 Approval of Class Action Settlement:	_____, 2023
21 Final Approval Hearing:	_____, 2023

22 15. Pending the Final Approval Hearing, all proceedings in this action, other than
23 proceedings necessary to carry out or enforce the terms and conditions of the Settlement and this
24 Order, are stayed.

25 16. Counsel for the Parties are hereby authorized to utilize all reasonable procedures in
26 connection with the administration of the Settlement which are not materially inconsistent with
27 either this Order or the terms of the Settlement.

28 **IT IS SO ORDERED.**

Dated: _____, 2023

The Honorable Lawrence P. Riff
Judge of the Superior Court