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Attorneys for Plaintiffs
VALERIA BOLANOS and FANNY THORNG

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ORANGE

VALERIA BOLANOS and FANNY
THORNG, as individuals and on behalf of
themselves and on behalf of all others
similarly situated,

Plaintiff,
vs.

NEWPORT FAB, LLC, a Delaware Limited
Liability Corporation; TOWER
SEMICONDUCTOR NEWPORT BEACH,
INC., a Delaware Corporation; JAZZ
SEMICONDUCTOR TRUSTED
FOUNDRY, INC., a Delaware Corporation;
TOWER SEMICONDUCTOR USA, INC., a
California Corporation; JAZZ
SEMICONDUCTOR, INC., an unknown
entity; and DOES 1 to 100, inclusive,

Defendants.

Case No.: 30-2022-01280696-CU-OE-CXC

Assigned for all purposes to:
Hon. Lon Hurwitz
Dept. CX103

**NOTICE OF ENTRY OF ORDER
GRANTING MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

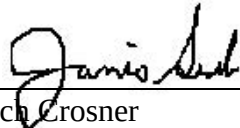
1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE THAT** the Court entered Order Granting Motion For
3 Preliminary Approval Of Class Action and PAGA Settlement on November 11, 2024. A true copy
4 of the minute order is attached hereto as Exhibit A.

5 Respectfully submitted,

6
7 Dated: November 8, 2024

CROSNER LEGAL, P.C.

8
9 By: 

Zach Crosner

Jamie Serb

Sepideh Ardestani

Attorneys for Plaintiffs VALERIA

BOLANOS and FANNY THORNG

Exhibit A

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF ORANGE
CIVIL COMPLEX CENTER**

MINUTE ORDER

DATE: 11/08/2024

TIME: 01:30:00 PM

DEPT: CX103

JUDICIAL OFFICER PRESIDING: Lon F. Hurwitz

CLERK: S. Turner

REPORTER/ERM: None

BAILIFF/COURT ATTENDANT: A. Condaras

CASE NO: **30-2022-01280696-CU-OE-CXC** CASE INIT.DATE: 09/15/2022

CASE TITLE: **BOLANOS vs. NEWPORT FAB, LLC, a Delaware Limited Liability Company**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Other employment

EVENT ID/DOCUMENT ID: 74391459

EVENT TYPE: Motion for Approval of Class Settlement

MOVING PARTY: Valeria Bolanos

CAUSAL DOCUMENT/DATE FILED: Motion - Other For Approval of Class Settlement, 06/12/2024

APPEARANCES

Tentative Ruling posted on the Internet .

01:33 p.m. The Court calls the case. There are no appearances by any party.

The Court does not require any physical or remote appearance at the hearing scheduled for November 8, 2024.

The Court adopts the tentative ruling, modified as follows:

Motion for Preliminary Approval of Class Action and PAGA Settlement

Defendant is a Newport Beach-based company that manufactures electrical equipment and components, and is a subsidiary of an Israel-based company known as Tower Semiconductor. Plaintiff Bolanos was hired by Defendant in July 2020 as a non-exempt Operator Assistant, subsequently promoted to Photo/Fab Operator, and was injured and went on medical leave sometime in 2021. Plaintiff Thorng was hired by Defendant in May 2017 as a non-exempt Fab Operator Assistant, subsequently promoted to a Photo/Fab Operator Assistant, and was terminated in February 2022.

On February 14, 2024, the Court consolidated the Bolanos and Thorng matters, and designed the Bolanos matter as the lead case. (ROA 102.)

On June 12, 2024, Plaintiffs filed the current Motion for Preliminary Approval. (ROA 175.) At the hearing on September 20, 2024, the Court continued the matter so counsel could address several issues. (ROA 185.)

ANALYSIS:

On October 25, 2024, Plaintiffs filed their supplemental papers, including counsel's supplemental declaration, a copy of the fully executed Amended Class Action and PAGA Settlement Agreement, a

redline version of same, and clean and redline versions of the amended Class Notice. (ROA 188.) The remaining issues are as follows:

ISSUE NO. 4: For valuation of claims, counsel must provide information about adjusted exposure amounts and discounts for each category of claims, especially the rounding claims. Also, counsel must provide the total risk-adjusted exposure amount, and the GSA as a percentage of the maximum total exposure and the total risk-adjusted exposure.

RESOLVED IN PART. Counsel attests as follows:

Unpaid Wages – Rounding: Maximum value, \$58,500 (4,414 unpaid hours x \$13.25 per hr. avg. min. wage). No discount applied in light of recent case law holding that rounding accurate time punches is not permitted under California law.

Unpaid Wages – Off the Clock: Maximum value, \$2,372,000 (179,000 workweeks x 1 OTC hr/wk x \$13.25 per hr. avg. min. wage). Discounted 70% for certification risks. Adjusted value, \$700,000.

Meal Period Violations: Maximum value, \$10,022,000 (598,416 eligible shifts x 76.4% unique violation rate x \$21.92 per hr. avg. reg. rate). Discounted for merits risks. Adjusted value, \$1,700,000.

Rest Period Violations: Maximum value, \$13,163,000 (600,487 eligible shifts x 100% violation rate x \$21.92 per hr. avg. reg. rate). Discounted 90% for certification risks. Adjusted value, \$1,300,000.

Expense Reimbursement Claims: Maximum value, \$895,000 (179,000 workweeks x. \$5 per week). Discounted 100% for merits risks. Adjusted value, \$0.

Derivative Penalties (Wage Statement Claims and Waiting Time Penalties: Maximum values, \$2,957,000 and \$3,712,000, respectively. Discounted 100% for merits risks. Adjusted values, \$0 for both.

PAGA Penalties: Maximum value, \$18 million. Discounted for risk of Court's discretion to reduce penalties. Adjusted value, \$100,000.

Counsel provides GSA as percentage of each claim instead of total maximum value and total risk-adjusted value. Based on information given, GSA is 11.75% of total maximum value of \$33.18 million, and 101% of total risk-adjusted value of \$3,858,500.

RULING:

The Court has reviewed the supplemental materials submitted by counsel and finds that they address the identified concerns. Accordingly, the Motion for Preliminary Approval is **GRANTED**.

The Motion for Final Approval will be heard on **April 18, 2025**, at 1:30 p.m. in Department CX103. All papers for the Motion for Final Approval are due no later than fourteen (14) calendar days prior to the hearing date. If Plaintiff's counsel cannot meet this deadline, then counsel must request a continuance of the hearing. Failure to do so may result in the issuance of an OSC re Monetary Sanctions.

At the Final Approval hearing, evidence supporting the request for an award of attorneys' fees should be presented in the form of time records, or a summary of time spent on the substantive tasks, to enable the Court to evaluate the lodestar and costs claimed. Counsel should state by declaration whether time records were kept and created contemporaneously or otherwise.

At Final Approval hearing, Plaintiff must provide detailed declarations in support of requested enhancement payment.

At the Final Approval hearing, settlement administrator must provide an invoice of administration fees and costs.

Plaintiff to give notice of this ruling, including to the LWDA, within ten (10) calendar days.

Court Clerk is to give notice.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE

Civil Complex Center
751 W. Santa Ana Blvd
Santa Ana, CA 92701

SHORT TITLE: BOLANOS vs. NEWPORT FAB, LLC, a Delaware Limited Liability Company**CLERK'S CERTIFICATE OF MAILING/ELECTRONIC
SERVICE****CASE NUMBER:**
30-2022-01280696-CU-OE-CXC

I certify that I am not a party to this cause. I certify that a true copy of the above Minute Order dated 11/08/24 has been placed for collection and mailing so as to cause it to be mailed in a sealed envelope with postage fully prepaid pursuant to standard court practice and addressed as indicated below. This certification occurred at Santa Ana, California on 11/8/24. Following standard court practice the mailing will occur at Sacramento, California on 11/12/24.

PAYNE & FEARS LLP
4 PARK PLAZA 1100
IRVINE, CA 92614

Clerk of the Court, by:



, Deputy

I certify that I am not a party to this cause. I certify that that the following document(s), Minute Order dated 11/08/24, was transmitted electronically by an Orange County Superior Court email server on November 8, 2024, at 2:57:26 PM PST. The business mailing address is Orange County Superior Court, 700 Civic Center Dr. W, Santa Ana, California 92701. Pursuant to Code of Civil Procedure section 1013b, I electronically served the document(s) on the persons identified at the email addresses listed below:

CROSNER LEGAL PC
JAMIE@CROSNERLEGAL.COM

CROSNER LEGAL PC
MICHAEL.JONES@CROSNERLEGAL.COM

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PAYNE & FEARS LLP
ARP@PAYNEFEARS.COM

WILSHIRE LAW FIRM, PLC
JYSLAS@WILSHIRELAWFIRM.COM

Clerk of the Court, by:



, Deputy

CLERK'S CERTIFICATE OF MAILING/ELECTRONIC SERVICE

1 PROOF OF SERVICE
2 VALERIA BOLANOS V. NEWPORT FAB, LLC
Orange county Superior Court Case No. 30-2022-01280696-CU-OE-CXC

3 At the time of service, I was over 18 years of age and not a party to this action. I am employed in
4 the County of Los Angeles, State of California. My business address is 9440 Santa Monica Blvd.,
Suite 301, Beverly Hills, CA 90210.

5 On November 8, 2024, I served true copies of the following document(s) described as

6 **NOTICE OF ENTRY OF ORDER GRANTING MOTION FOR PRELIMINARY**
7 **APPROVAL OF CLASS ACTION SETTLEMENT**

8 on the interested parties in this action as follows:

9 SEE ATTACHED

10 ☒ BY ELECTRONIC TRANSMISSION. I transmitted copies of the above-referenced
11 document(s) from the email address mathew@crosnerlegal.com to the interested parties in this
12 action by electronic transmission. Said electronic transmission was reported as complete and
without error. Court at whose direction the service was made.

13 I declare under penalty of perjury under the laws of the United States of America that the foregoing
14 is true and correct and that I am employed in the office of a member of the bar of this Court at
15 whose direction the service was made.

16 Executed on November 8, 2024, at Los Angeles, California.

17 
18 Mathew Adame

SERVICE LIST:

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JAZZ SEMICONDUCTOR TRUSTED
FOUNDRY, INC.
TOWER SEMICONDUCTOR USA, INC.
JAZZ SEMICONDUCTOR, INC.

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