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Attorneys for Plaintiffs, the Proposed Class, and all Aggrieved Employees

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

JUANITA VILLA; JESSICA LESHER;
SHERI AMIES, as individuals, on behalf of
the State of California, as a private attorney
general,

PLAINTIFF,

v.

DOLGEN CALIFORNIA, LLC; and DOES 1
thru 50, inclusive,

DEFENDANTS.

CASE NO. 22STCV34189

[Case Assigned for All Purposes to Hon. Elihu
M. Berle in Dept. 6]

**[PROPOSED] AMENDED ORDER
GRANTING PRELIMINARY APPROVAL
OF CLASS ACTION SETTLEMENT**

Complaint Filed: October 24, 2022
Trial Date: None Set

1 The Motion for Preliminary Approval of the Class Settlement came before this Court on
2 October 2, 2024, the Honorable Elihu M. Berle, presiding.

3 The Court, having considered the papers submitted in support of the motion of the parties,
4 **HEREBY ORDERS THE FOLLOWING:**

5 1. The Court grants preliminary approval of the proposed settlement based upon the
6 terms set forth in the Class Action and PAGA Settlement Agreement (“Agreement”) filed
7 herewith. The Agreement appears to be fair, adequate, and reasonable to the Class. The Court finds
8 that: (a) the Agreement resulted from extensive arm’s length negotiations; and (b) the Agreement
9 is sufficient to warrant notice of the Agreement to persons in the Class and a full hearing regarding
10 final approval of the Agreement.

11 2. For purposes of this Order, the proposed Class is defined as follows:

12 “All employees who are or were Key Carriers for DOLLAR
13 GENERAL in the state of California who worked as a Key Carrier
14 one or more pay periods during the Class Period.” (“Class”)

15 3. The Class Period is the period from July 6, 2016 to the date the preliminary approval
16 order is entered by the Court.

17 4. For purposes of this Order, the Aggrieved Employees are defined as follows:

18 “Any employee who is or was a Key Carrier for Defendant in the
19 state of California who worked one or more PAGA Pay Periods.”
20 (“Aggrieved Employees”)

21 5. The PAGA Period is the period from June 22, 2017 to the date the preliminary
22 approval order is entered by the Court.

23 6. The Agreement falls within the range of reasonableness and appears to be
24 presumptively valid, subject only to any objections that may be raised at the final fairness hearing
25 and final approval by this Court.

26 7. The Court makes the following preliminary findings for settlement purposes only:
27
28

- 1 A. The Class is so numerous that joinder of all members is impracticable;
- 2 B. There appear to be questions of law or fact common to the Class for
- 3 C. Plaintiffs' claims appear to be typical of the claims being resolved through
- 4 the proposed settlement;
- 5 D. Plaintiffs appear to be capable of fairly and adequately protecting the
- 6 interests of the Class members in connection with the proposed settlement;
- 7 E. Common questions of law and fact appear to predominate over questions
- 8 affecting only individual persons in the Class. Accordingly, the Class
- 9 appears to be sufficiently cohesive to warrant settlement by representation;
- 10 and
- 11 F. Certification of the Class appears to be superior to other available methods
- 12 for the fair and efficient resolution of the claims of the Class.

13 8. The Court approves, as to form and content, the Notice of Class Action Settlement

14 to Class members in substantially the form attached to the Agreement as Exhibit "A".

15 9. The Court approves the procedure for Class members to opt out to the Agreement

16 as set forth in the Agreement and the Notice of Class Action Settlement.

17 10. The Court approves the procedure for Class members to object to the Agreement

18 as set forth in the Agreement and the Notice of Class Action Settlement.

19 11. The Court directs the mailing of the Notice of Class Action Settlement and related

20 documents to members of the Class by first class mail in accordance with the Agreement and the

21 implementation schedule set forth below. The Court finds that the dates selected for the mailing

22 and distribution of the notice, as set forth in the following implementation schedule, meet the

23 requirements of due process and provide the best notice practicable under the circumstances and

24 shall constitute due and sufficient notice to all persons entitled thereto.

25 12. It is ordered that the Class is preliminarily certified for settlement purposes only.

26 13. The Court confirms Kingsley Szamet & Ly and Arias Sanguinetti Wang & Torrijos

27 LLP as Class Counsel.

28 14. The Court confirms Juanita Villa, Jessica Leshner, Sheri Amies, and Jessica Leshner

 as Class Representatives.

15. The Court approves Phoenix Claims Administration as the Administrator.

16. The Court orders that pursuant to the California Private Attorneys General Act, Labor Code §§ 2698, et seq. ("PAGA"), statutory notice of this Agreement has been and will continue to be given to the Labor & Workforce Development Agency.

17. A final fairness hearing on the question of whether the proposed Agreement, attorneys' fees and costs to Class Counsel, enhancement service award to the Class Representatives, the PAGA Penalties payment, and the claims administration costs should be finally approved as fair, adequate, and reasonable as to the members of the Class is scheduled for _____ at _____ (Pacific Time), in Department 6.

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

a.	Preliminary Approval Granted	November 7, 2024
b.	Deadline for Defendant to Provide Settlement Class Members' Information to Administrator	November 21, 2024
c.	Administrator Shall Mail Notice to Settlement Class Members	December 5, 2024
d.	Deadline for Postmark of Any Request for Exclusion	February 5, 2025
e.	Deadline for Postmark of Any Objection	February 5, 2025
f.	Deadline for Class Counsel to file Motion for Final Approval of Class Settlement	January 6, 2025
g.	Deadline for Class Counsel to file Motion for Attorneys' Fees	January 6, 2025
h.	Final Approval Hearing	March 5, 2025

19. IT IS FURTHER ORDERED that if the Court does not execute and file an Order of Final Approval and Judgment, or if the Effective Date of Settlement, as defined in the Agreement, does not occur for any reason, the Agreement and the proposed Settlement that is the subject of this Order shall become null, void, unenforceable and inadmissible in any judicial, administrative or arbitral proceeding for any purpose, and all evidence, court orders and proceedings had in connection therewith, shall be without prejudice to the status quo ante rights

1 of the Parties to the litigation, as more specifically set forth in the Agreement.

2 20. IT IS FURTHER ORDERED that, pending further Order of this Court, all
3 proceedings in this matter except those contemplated herein and in the Agreement are hereby
4 stayed.

5 21. The Court expressly reserves the right to adjourn or continue the Final Fairness
6 Hearing from time to time without further notice to members of the Class.

7
8 **DATED:** _____

9 **JUDGE OF THE SUPERIOR COURT**

(PROOF OF SERVICE)
[CCP 1013(a)(3)]
STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is 16133 Ventura Boulevard, Suite 1200, Encino, California 91436.

On November 4, 2024, I served all interested parties in this action the following documents described as: **[PROPOSED] AMENDED ORDER GRANTING PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT AND ENTERING JUDGMENT** by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

Mike Arias
mike@aswtlawyers.com

Craig S. Momita
craig@aswtlawyers.com

**ARIAS SANGUINETTI WANG
& TORRIJOS LLP**
6701 Center Drive West, Suite 1400
Los Angeles, CA 90045

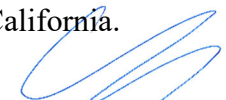
MCGUIREWOODS LLP
Sabrina A. Beldner
Email: sbeldner@mcguirewoods.com
Sarah Y. Oh
Email: soh@mcguirewoods.com
1800 Century Park East, 8th Floor
Los Angeles, CA 90067

[XX] BY ELECTRONIC SERVICE: I caused a true and correct copy thereof to be electronically filed using the Labor and Workforce Development Agency Electronic Filing ("EF") System (<https://dir.tfaforms.net/315>) and service was completed by electronic means by transmittal of the documents referenced herein on the EF System.

[XX] BY ELECTRONIC MAIL TRANSMISSION: I caused the document to be send to the persons at the e-mail address(es) listed on the attached service list. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful. A pdf copy of which was sent via email to the below email address(es).

[XX] (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on November 4, 2024, at Woodland Hills, California.



Michelle Tanzer

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