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FILED
San Diego Superior Court

SEP 25 2025

By: S. Christensen, Deputy

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15 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
16 **FOR THE COUNTY OF SAN DIEGO**

17 HEATHER BEGLEY, individually, and on
18 behalf of all others similarly situated,

19 *Plaintiff,*

20 v.

21 GENEWIZ, LLC, a Delaware corporation; and
22 DOES 1 through 10, inclusive,

23 *Defendants.*

Case No.: 37-2022-00038762-CU-OE-CTL

CLASS & REPRESENTATIVE ACTION

[Assigned for all purposes to: Hon. Judy S.
Bae, Dept. C-62]

[PROPOSED] REVISED ORDER
GRANTING PLAINTIFF'S MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT

PRELIMINARY APPROVAL HEARING

Date: September 25, 2025

Time: 9:10 a.m.

Dept: C-62

Complaint filed: September 28, 2022

FAC filed: February 10, 2025

Trial date: Not set

1 The Court has before it Plaintiff Heather Begley's ("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 Alan Wilcox, the Joint Stipulation of Class
4 Action and PAGA Settlement and Release (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 and Defendant Genewiz, LLC
10 ("Defendant"), attached to the Declaration of Alan Wilcox in Support of Plaintiff's Motion for
11 Preliminary Approval of Class Action Settlement as Exhibit 1.

12 2. The Settlement falls within the range of reasonableness of a settlement which
13 could ultimately be given final approval by this Court, and appears to be presumptively valid,
14 subject only to any objections that may be raised at the Final Approval Hearing and final
15 approval by this Court. The Court notes that Defendant has agreed to create a common fund of
16 \$343,200.00 to cover (a) settlement payments to class members who do not validly opt out; (b)
17 a \$20,000.00 payment to the State of California, Labor & Workforce Development Agency for
18 its share of the settlement of claims for penalties under the Private Attorneys General Act, with
19 75% of which (\$15,000.00) will be paid to the LWDA and 25% (\$5,000.00) will be paid to
20 eligible Aggrieved Employees; (c) Class Representative service payment of up to \$10,000.00
21 for Plaintiff Heather Begley; (d) Class Counsel's attorneys' fees, not to exceed one-third of the
22 Gross Settlement Amount (\$114,400.00), and up to \$30,000.00 in costs for actual litigation
23 expenses incurred by Class Counsel; and (e) Settlement Administration Costs of up to
24 \$8,650.00.

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 question of whether the proposed settlement,
10 attorneys' fees and costs to Class Counsel, payment to the State of California, Labor &
11 Workforce Development Agency for its share of the settlement of claims for penalties under the
12 Private Attorneys General Act, and the class representative's enhancement award should be
13 finally approved as fair, reasonable and adequate as to the members of the class is hereby set in
14 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 who are employed or have been employed by GENEWIZ,
17 LLC in the State of California as hourly and/or other non-exempt employees during the Class
18 Period."

19 6. "Class Period" means the period from September 28, 2018, through December
20 16, 2024.

21 7. "PAGA Members" means all past and present non-exempt employees of
22 Defendant in the state of California during the PAGA Period

23 8. "PAGA Period" means the period of time beginning on September 29, 2021, and
24 December 16, 2024.

25 9. The Court finds, for settlement purposes only, that the Settlement Class meets the
26 requirements for certification under California Code of Civil Procedure § 382 in that: (1) the
27 Settlement Class Members are so numerous that joinder is impractical; (2) there are questions
28 of law and fact that are common, or of general interest, to all Settlement Class Members, which

predominate over individual issues; (3) Plaintiff's claims are typical of the claims of the Settlement Class Members; (4) Plaintiff and Class Counsel will fairly and adequately protect the interests of the Settlement Class Members; and (5) a class action is superior to other available methods for the fair and efficient adjudication of the controversy.

10. The Court appoints as Class Representative, for settlement purposes only, Plaintiff Heather Begley. The Court further preliminarily approves Plaintiff's ability to request an incentive award up to \$10,000.00.

11. The Court appoints, for settlement purposes only, Tyler Woods, Alan Wilcox, and Bradford Smith 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 (\$114,400.00), and costs not to exceed \$30,000.00.

12. The Court appoints ILYM Group, Inc. as the Settlement Administrator with reasonable administration costs estimated not to exceed \$8,650.00.

13. The Court approves, as to form and content the Class Notice, attached to the Settlement Agreement. The Court finds on a preliminary basis that 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.

14. The parties are ordered to carry out the Settlement according to the terms of the Settlement Agreement.

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

16. The Court orders the following Implementation Schedule:

Defendant to provide Class List to the Settlement Administrator	21 days after notice of entry of the Court's order granting Motion for Preliminary Approval
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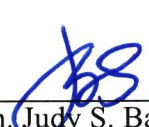
Settlement Administrator to mail the Notice Packets	14 days after receipt of the Class List from the Defendant
Response Deadline	45 days after Notice is mailed out by the Settlement Administrator
Deadline to Provide Written Objections, if any	45 days after Notice is mailed out by the Settlement Administrator
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
Final Approval Hearing	April 3, 2026 at 9:10 a.m., in Department C- 62. The hearing may be continued to another date without further notice to the Class Members.

17. 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:

9/25/2025


Hon. Judy S. Bae

San Diego County Superior Court