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Attorneys for Plaintiff Lori Dentinger
and Proposed Class Counsel

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN JOAQUIN**

LORI DENTINGER, on behalf of herself
and all "aggrieved employees" pursuant to
Labor Code § 2698 *et seq.*,

Plaintiffs,

v.

PROFESSIONAL EVALUATIONS &
DEVELOPMENTAL SERVICES, LLC, a
California limited liability company, and
DOES 1 through 10, inclusive,

Defendants.

CASE NO: STK-CV-UOE-2022-11016

Assigned to the Hon. Erin Guy Castillo, Dept. 10B

CLASS ACTION

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

**Date: November 2, 2023
November 3, 2023
November 7, 2023**

**Time: 9:00 a.m.
Dept.: 10B**

Complaint Filed: November 30, 2022

1 The unopposed motion of proposed Plaintiff Lori Dentinger ("Plaintiff") for Preliminary
2 Approval of Class and Representative Action Settlement came on for hearing before this Court in
3 Department 10B, Judge Erin Guy Castillo presiding, on November ___, 2023 at 9:00 a.m. The
4 Court, having considered the papers submitted in support of the motion and having heard oral
5 argument of the parties, **HEREBY ORDERS THE FOLLOWING:**

6 1. The Court grants preliminary approval of the settlement based upon the terms set
7 forth in the proposed Settlement Agreement and Release of Claims (the "Settlement") filed with
8 the Court. The settlement appears to be fair, adequate, and reasonable to the Class;

9 2. The Court finds that the settlement falls within the range of reasonableness and
10 appears to be presumptively valid, subject only to any objections that may be raised at the final
11 hearing;

12 3. The Court approves, as to form and content, the Notice of Pendency of Proposed
13 Class Action Settlement and Final Hearing ("Notice"), attached to the Settlement as Exhibit 1, and
14 the Request for Exclusion form ("Exclusion Form"), attached to the Settlement as Exhibit 2;

15 4. The Court directs the mailing of the Notice and Exclusion Form by first class mail
16 to the Settlement Class Members in accordance with the schedule set forth below. The Court finds
17 that the dates selected for the mailing and distribution of the Notice and Exclusion Form, as set
18 forth herein, meet the requirements of due process and provide the best notice practicable under the
19 circumstances and shall constitute due and sufficient notice to all persons entitled thereto;

20 5. It is ordered that the Settlement Class is preliminarily certified for settlement
21 purposes only. The Settlement Class is defined as follows: all non-exempt employees of Defendant
22 Professional Evaluations & Developmental Services, LLC in California at any time between
23 November 30, 2018 and the earlier of (1) the date of preliminary approval of this Settlement or (2)
24 September 26, 2023 (the "Class Period End Date"). The Aggrieved Employees are defined all non-
25 exempt employees of Defendant Professional Evaluations & Developmental Services, LLC in
26 California at any time between September 22, 2021 and the Class Period End Date;

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6. The Court approves and appoints Gaines & Gaines, APLC as Class Counsel, and grants preliminary approval of an award of attorneys' fees of up to 35% of the Gross Settlement Amount (or \$183,750) and documented litigation costs of up to \$12,000 to Class Counsel, subject to final approval by the Court following a further motion by Class Counsel;

7. The Court approves and appoints Plaintiff Lori Dentinger as the Class Representative and grants preliminary approval to proposed Service Payment and General Release Payment to Plaintiff Lori Dentinger in an amount not to exceed \$15,000, subject to final approval by the Court following a further motion by the Class Representative;

8. The Court grants preliminary approval of the allocation of \$40,000 to settle the representative claims under the Private Attorneys General Act (Labor Code §§ 2698 et seq.), of which 75% (\$30,000) shall be paid directly to the LWDA and 25% (\$10,000) shall be paid to Aggrieved Employees as part of the Net Settlement Proceeds;

9. The Court hereby approves and appoints Phoenix Settlement Administrators as the Settlement Administrator and grants preliminary approval of the payment of fees and other charges of the Settlement Administrator in an amount not to exceed \$5,000; and

10. The Court orders the following schedule of dates for the specified actions/further proceedings:

<u>EVENT</u>	<u>TIMING</u>
Last day for Defendant to provide to the Settlement Administrator a list of all Class Members, including their last known addresses, telephone numbers, social security numbers, and their dates of employment, total hours worked in a non-exempt position in California during the Class Period and the total pay periods worked in a non-exempt position in California during the PAGA Period ("Settlement Class Information")	14 calendar days after entry of Court's Order granting preliminary approval of Settlement
Last day for Settlement Administrator to mail Notice to Class Members	20 calendar days after entry of Court's Order granting preliminary approval of Settlement
Last day for Class Members to submit a written exclusion form to the Settlement Administrator	45 calendar days after the initial mailing of the Notice to Class Members

<u>EVENT</u>	<u>TIMING</u>
Last day for Class Members to submit an objection to the Settlement Administrator	45 calendar days after the initial mailing of the Notice to Class Members
Last day for Class Counsel to file and serve moving papers in support of final settlement approval and request for attorneys' fees and costs	10 calendar days before the final settlement approval hearing date
Last day for Class Counsel to file with the Court and serve declaration by Settlement Administrator specifying the due diligence undertaken with regard to the mailing of the Notice	10 calendar days before the final settlement approval hearing date
Final settlement approval hearing	_____, 2024, at _____.m. (approximately 100 days after entry of this Order)

IT IS SO ORDERED.

Dated: _____

JUDGE OF THE SUPERIOR COURT