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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SONOMA

SEP 25 2024

BY 
Deputy Clerk

8 Attorneys for Plaintiff CHRISTOPHER ATKINS,
9 on behalf of himself and others similarly situated

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **FOR THE COUNTY OF SONOMA**

12 CHRISTOPHER ATKINS, on behalf of
13 herself and others similarly situated,

14 Plaintiff,

15 vs.

16 TELRITE WIRELESS HOLDINGS, LLC;
17 TELRITE CORPORATION dba LIFE
18 WIRELESS HOLDINGS, LLC and DOES 1 to
19 100, inclusive,

20 Defendants.

Case No.: SCV-272032

CLASS ACTION

[Assigned for all purposes to the Hon. Patrick Broderick, Dept. 16]

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

*[Filed concurrently with Notice of Motion and
Motion for Preliminary Approval of Class Action
Settlement; Declaration of Arthur Adamian in
Support Thereof]*

Hearing Information:

Date: , 2024 9/25/2024

Time: 3:00 pm

Dept.: 16

25
26 The Motion for Preliminary Approval of a Settlement came before this Court on
27 9-25, 2024 at 3 pm/p.m. in Department 16 of Sonoma County Superior Court
28 located at Empire College Annex 3035 Cleveland Avenue, Suite 200, Santa Rosa, CA, 95403. The
Court, having considered the proposed Class Action and PAGA Settlement Agreement and Class

[PROPOSED] ORDER

1 Notice entered into by and between Plaintiff Christopher Atkins ("Plaintiff") and Life Wireless
2 Holdings, LLC; Telrite Corporation, dba Life Wireless Holdings ("Defendants"), attached as Exhibit
3 1 to the Declaration of Arthur Adamian in Support of Plaintiff's Motion for Preliminary Approval of
4 Class Action Settlement, and the Exhibits attached thereto (hereafter collectively, the "Settlement"
5 or "Settlement Agreement"); having considered the Motion for Preliminary Approval of Class Action
6 Settlement filed by the parties; having considered the respective points and authorities and
7 declarations submitted by the parties in support thereof; and good cause appearing, HEREBY
8 ORDERS THE FOLLOWING:

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

15 [A] person employed by Defendant in California and classified as an hourly,
16 non-exempt employee who worked for Defendant during the Class Period.

17 The "Class Period" is the period from March 1, 2021, through December
18 31, 2023.

19 1. For purposes of the Settlement only, the Court further designates named Plaintiff
20 Christopher Atkins as Class Representative, and Joseph Lavi, Esq. and Vincent C. Granberry, Esq.,
21 Antonia McKee, Esq. and Arthur Adamian, Esq., of Lavi & Ebrahimian, LLP as Class Counsel.

22 2. The Court appoints CPT Group, Inc., as the Settlement Administrator.

23 3. A final fairness hearing on the question of whether the proposed Settlement should be
24 finally approved as fair, reasonable, and adequate as to the members of the Class is scheduled in
25 Department 16 of this Court, located at 3035 Cleveland Avenue, Suite 200, Santa Rosa, CA 95403
26 on 1-29, 2024, at 3 a.m./p.m.

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1 4. At the final fairness hearing, the Court will consider: (a) whether the Settlement should
2 be approved as fair, reasonable, and adequate for the Class; (b) whether a judgment granting approval
3 of the Settlement should be entered; and (c) whether Plaintiff's application for an award of Class
4 Counsel Fees Payment, Class Counsel Expenses Payment, and Class Representative Service Payment
5 should be granted.

6 5. Counsel for the Parties shall file memoranda, declarations, or other statements and
7 materials in support of their request for final approval by no later than 16 court days prior to the final
8 fairness hearing.

9 6. Class Counsel shall file a motion for an award of Class Counsel Fees Payment, Class
10 Counsel Litigation Expenses Payment, and Class Representative Service Payment no later than 16
11 court days prior to the final fairness hearing.

12 7. The Court approves, as to form and content, the Class Notice which is appended to
13 the Settlement Agreement.

14 8. No later than fifteen (21) calendar days following the date the Court enters this order,
15 Defendant shall provide the following information to the Settlement Administrator: Class Member
16 identifying information in Defendant's possession including the Class Member's name, last-known
17 mailing address, Social Security number, all start and end dates of employment, and all start and end
18 dates for periods on leave of absence (that is, periods involving 5 consecutive non-work days for such
19 reasons as, for example, leave under the Family and Medical Leave Act, disability leave, pregnancy
20 leave) ("Class Data").

21 9. Within fourteen (14) calendar days after receiving the Class Data, the Settlement
22 Administrator shall disseminate the Class Notice to all the Class Members identified in the Class Data
23 by first-class U.S. Mail.

24 10. Class Members shall have sixty (60) calendar days from the date the Settlement
25 Administrator mails Notice to the Class Members to fax, email, or mail Requests for Exclusion
26 from the Settlement or fax, email, or mail an Objection to the Settlement ("Response Deadline").
27 Class Members to whom Notice Packets are resent after having been returned undeliverable to the
28

1 Administrator shall have an additional fourteen (14) calendar days after the Response Deadline has
2 expired.

3 11. The Court finds that the forms of Class Notice to the Class regarding the pendency
4 of the action and of this Settlement, and the methods of giving notice to members of the Settlement
5 Class constitute the best notice practicable under the circumstances and constitute valid, due, and
6 sufficient notice to all members of the Class. They comply fully with the requirements of California
7 Code of Civil Procedure section 382, California Civil Code section 1781, California Rules of Court
8 3.766 and 3.769, the California and United States Constitutions, and other applicable law.

9 12. The Court further approves the procedures for Class Members to participate in, opt
10 out of, or object to the Settlement, as set forth in the Settlement Agreement and Class Notice.

11 13. Class Members who wish to exclude themselves from (opt-out of) the Class
12 Settlement must send the Administrator, by fax, email, or mail, a signed written Request for
13 Exclusion not later than 60 days after the Administrator mails the Class Notice (plus an additional
14 14 days for Class Members whose Class Notice is re-mailed). A Request for Exclusion is a letter
15 from a Class Member or the Class Member's representative that reasonably communicates the Class
16 Member's election to be excluded from the Settlement and includes the Class Member's name,
17 address and email address or telephone number. To be valid, a Request for Exclusion must be timely
18 faxed, emailed, or postmarked by the Response Deadline.

19 14. Participating Class Members may send written objections to the Administrator, by
20 fax, email, or mail. In the alternative, Participating Class Members may appear in Court (or hire an
21 attorney to appear in Court) to present verbal objections at the Final Approval Hearing. A
22 Participating Class Member who elects to send a written objection to the Administrator must do so
23 not later than 60 days after the Administrator's mailing of the Class Notice (plus an additional 14
24 days for Class Members whose Class Notice was re-mailed).

25 15. Pending the Fairness Hearing, all proceedings in this action, other than proceedings
26 necessary to carry out or enforce the terms and conditions of the Settlement Agreement and this
27 Order, are stayed.

1 16. Counsel for the parties are hereby authorized to utilize all reasonable procedures in
2 connection with the administration of the Settlement, which are not materially inconsistent with
3 either this Order or the terms of the Settlement.

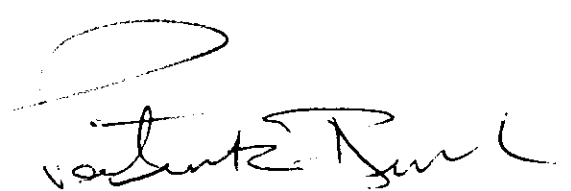
4 17. The Court orders the following Implementation Schedule for further proceedings:

Event	Timing
Class Data: Last day for Defendant to provide the Settlement Administrator the Class Database	21 calendar days after the Court's entry of this Order
Notice Date: last day for Administrator to mail Class Notice to Class Members.	14 calendar days after receipt of the Class Data
Response Deadline: (i) last day for Settlement Class Members to submit Requests for Exclusion; (ii) last day for class members to submit Objections	60 calendar days after the date of mailing of the Class Notice
Last day for class counsel to file motion for award of attorneys' fees, reimbursement of litigation expenses and class representative enhancement.	16 calendar days prior to the final fairness hearing
Last day for parties to file motion and supporting documents for final approval of class action settlement.	16 calendar days prior to the final fairness hearing
Last day for the Parties to respond to Objections	5 court days prior to the final fairness hearing
Hearing on final approval of class action settlement.	

17 The Fairness Hearing and related prior deadlines set forth above may, from time to time and without
18 further notice to the Class (except those who have filed timely and valid objections), be continued or
19 adjourned by Order of the Court.

20
21 **IT IS SO ORDERED.**

22
23 Dated: 7-25-24


Hon. Patrick Broderick
Judge of the Superior Court