

1 Raul Perez (SBN 174687)
Raul.Perez@capstonelawyers.com
2 Robert J. Drexler, Jr. (SBN 119119)
Robert.Drexler@capstonelawyers.com
3 Jonathan Lee (SBN 267146)
Jonathan.Lee @capstonelawyers.com
4 CAPSTONE LAW APC
1875 Century Park East, Suite 1000
5 Los Angeles, California 90067
Telephone: (310) 556-4811
6 Facsimile: (310) 943-0396

7 Attorneys for Plaintiff Tannia Ayala

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

9 **FOR THE COUNTY OF SAN MATEO**

11 TANNIA AYALA, individually, and on behalf
12 of other members of the general public similarly
situated,

13 Plaintiff,

14 v.

15 RHR CALIFORNIA SERVICES, L.L.C., a
California limited liability company;
16 ROSEWOOD HOTELS AND RESORTS,
LLC, a Delaware limited liability company; and
DOES 1 through 10, inclusive,

17
18 Defendants.

Case No.: 23-CIV-02830

Assigned to the Hon. V. Raymond Swope

**[PROPOSED] ORDER GRANTING MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION AND PAGA SETTLEMENT**

Date: August 12, 2024

Time: 3:00 p.m.

Place: Department 23

Complaint Filed: December 13, 2022

Trial Date: None Set

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1. This Order incorporates by reference the Settlement Agreement, and unless indicated otherwise, all capitalized terms used herein will have the same meaning as set forth in the Settlement Agreement.

3. The class action settlement set forth in the Settlement Agreement, entered into among the Parties and their counsel, is preliminarily approved as it appears to be proper, to fall within the range of reasonableness, to be the product of arm's-length and informed negotiations, to treat all Class Members fairly, and to be presumptively valid, subject only to any objections that may be raised at or before the final approval hearing.

5. The Court also finds that settlement now will avoid additional and potentially substantial litigation costs, as well as delay and risks if the Parties were to continue to litigate the Action.

6. The Court preliminarily approves the Settlement Agreement, including all the terms and conditions set forth therein and the Gross Settlement Amount and allocation of payments.

7. The rights of any potential dissenters to the proposed Settlement are adequately protected in that they may exclude themselves from the Settlement and proceed with any alleged claims they may have against Defendants, or they may object to the Settlement and appear before this Court. However, to do so they must follow the procedures outlined in the Settlement Agreement and Notice of Class Action Settlement.

8. The Court approves, as to form and content, the proposed Notice of Class Action Settlement (“Class Notice”).

9. The Court directs the mailing, by First-Class U.S. mail, of the Class Notices to Class Members in accordance with the schedule set forth below and the other procedures described in the Settlement Agreement. The Court finds that the method selected for communicating the preliminary approval of the Settlement Agreement to Class Members is the best notice practicable under the circumstances, constitutes due and sufficient notice to all persons entitled to notice, and thereby satisfies due process.

10. The Court appoints Plaintiffs Tannia Ayala, Angel Gutierrez, and Jesus Martinez-Arisceta as the representatives for the Settlement Class conditionally certified by this Order.

11. The Court appoints Capstone Law APC and Messrelian Law Inc. as Class Counsel. The Court finds that counsel have demonstrable experience litigating, certifying, and settling class actions, and will serve as adequate counsel for the Class conditionally certified by this Order.

12. The Court approves and appoints CPT Group, Inc. as the Settlement Administrator.

13. The following dates shall govern for purposes of this Settlement:

Date	Event
September 11, 2024 (or not later than 30 calendar days after the Court grants preliminary approval of the Settlement Agreement, if later)	Last day for Defendants to produce the Class List to the Settlement Administrator.
September 23, 2024 (or not later than 10 calendar days after Defendants produce the Class List, if later)	Last day for the Settlement Administrator to mail Class Notices to all Class Members.
November 7, 2024 (or not later than 45 calendar days after the Settlement Administrator mails the Class Notices, if later)	Last day for Class Members to submit Requests for Exclusion or Objections to the Settlement.

Date	Event
No later than 16 court days prior to the Final Approval Hearing	Last day for Plaintiffs to file and serve the: (1) Motion for Final Approval of Class Action Settlement and (2) Motion for Attorneys' Fees, Costs, and Class Representative Enhancement Payments.
December 23, 2024 at 3:00 p.m.	Hearing on the: (1) Motion for Final Approval of Class Action Settlement and (2) Motion for Attorneys' Fees, Costs, and Class Representative Enhancement Payments.

14. The Court expressly reserves the right to continue or adjourn the final approval hearing without further notice to the Class Members.

IT IS SO ORDERED.

Dated: _____

Hon. V. Raymond Swope
San Mateo County Superior Court Judge