

1 **HAIG B. KAZANDJIAN LAWYERS, APC**
2 Haig B. Kazandjian, Esq. Bar No.: 278622
3 haig@hbklawyers.com
4 Cathy Gonzalez, Esq. Bar No.: 310625
5 cathy@hbklawyers.com
6 801 North Brand Boulevard, Suite 970
7 Glendale, California 91203
8 Telephone: 1-818-696-2306
9 Facsimile: 1-818-696-2307

FILED
Superior Court of California
County of Los Angeles

FEB 23 2024

David W. Slayton, Executive Officer/Clerk of Court

By: C. King, Deputy

6 Attorneys for Plaintiff PATRIA SOSA,
7 individually and on behalf of all other Aggrieved Employees

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF LOS ANGELES – INGLEWOOD COURTHOUSE**

10
11 PATRIA SOSA, individually and on behalf
12 of all other Aggrieved Employees;

13 Plaintiff,

14 vs.

15 THE SUNRIDER CORPORATION, a
16 Utah corporation; SUNRIDER
17 MANUFACTURING, L.P., a California
18 limited partnership; SUNLIFE HERBAL
19 COMPANY, INC., a California
20 corporation, and DOES 1 through 50,
21 inclusive,

22 Defendants.

Case No. 23TRCV01299

*[Assigned for all purposes to Honorable Ronald
F. Frank, Dept. 8]*

CLASS ACTION

**~~PROPOSED~~ ORDER GRANTING
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

*[Filed concurrently with Notice of Motion; and
Memorandum of Points and Authorities;
Declaration of Haig B. Kazandjian;
Declaration of Patria Sosa; and [Proposed]
Order]*

Date: February 23, 2024

Time: 8:30 a.m.

Dept.: 8

Action Filed: 4/23/2023

Trial Date: None Yet Set

RESERVATION ID: 189257609474

23
24
25 The Court, having read the papers filed regarding Plaintiff's unopposed Motion for
26 Preliminary Approval of Class Action Settlement, and having heard argument regarding the
27 Motion on February 23, 2024, hereby finds and ORDERS as follows:

28 1. The Class Action and PAGA Settlement Agreement and Class Notice

1 ("Settlement Agreement") attached hereto as **Exhibit 1** and incorporated by reference, is within
2 the range of possible recovery and, subject to further consideration at the Final Approval Hearing
3 described below, is preliminarily approved as fair, reasonable, and in the best interest of the
4 absent class members;

5 2 For purposes of settlement only, the Court provisionally and conditionally
6 certifies the following class: All current and former non-exempt employees who are or were
7 employed by Defendants the Sunrider Corporation, Sunrider Manufacturing, L.P., Sunlife Herbal
8 Company, Inc., and Elwood Staffing Services, Inc. in California from February 17, 2019 to the
9 date of the court's preliminary approval of this class action settlement.

10 3. The Court finds the Settlement Class, consisting of approximately 650 members,
11 is so numerous that joinder of all members is impracticable, and that the Settlement Class is
12 ascertainable by reference to the business records of Defendants.

13 4. The Court finds further there are questions of law and fact common to the entire
14 Settlement Class, which common questions predominate over any individualized questions of
15 law or fact. These common questions include, without limitation: (1) whether Defendants paid
16 Settlement Class Members for all hours worked, (3) whether Defendants provided Settlement
17 Class Members with all required meal and rest periods, or compensation in lieu thereof, (3)
18 whether Defendants properly reimbursed Settlement Class Members for business expenses, and
19 (4) whether Defendants provided Settlement Class Members with proper itemized wage
20 statements.

21 5. The Court finds further the claims of named Plaintiff Patria Sosa are typical of the
22 claims of the Settlement Class, and that he will fairly and adequately protect the interests of the
23 Settlement Class. Accordingly, the Court appoints Patria Sosa as the Class Representative, and
24 appoints her counsel of record Haig B. Kazandjian of Haig B. Kazandjian Lawyers, APC, as
25 Class Counsel.

26 6. The Court finds further that certification of the Settlement Class is superior to
27 other available means for the fair and efficient adjudication of the controversy.

28 7. The Court finds further that, in the present case, the proposed method of

1 providing notice of the Settlement to the Settlement Class via First Class U.S. Mail to each
2 Settlement Class Member's last known address, is reasonably calculated to notify the Settlement
3 Class Members of the proposed Settlement and provides the best notice possible under the
4 circumstances. The Court also finds the Notice of Class Action Settlement form is sufficient to
5 inform the Settlement Class Members of the terms of the Settlement and their rights thereunder,
6 including the right to object to the Settlement or any part thereof and the procedure for doing so,
7 their right to exclude themselves from the Settlement and the procedure for doing so, their right
8 to obtain a portion of the Settlement proceeds, and the date, time and location of the Final
9 Approval Hearing. The proposed Notice of Class Action Settlement (Exhibit A to the Settlement
10 Agreement) and the procedure for providing Notice set forth in the Settlement Agreement, are
11 approved by the Court.

12 8. Under the terms of the Settlement Agreement, the Court approves the Parties'
13 selection of Simpluris, Inc. as the Settlement Administrator. The Settlement Administrator is
14 ordered to mail the Class Notice to the Settlement Class Members via First-Class U.S. Mail as
15 specified in the Settlement Agreement, and to otherwise carry out all other duties set forth in the
16 Settlement Agreement. The Parties are ordered to carry out and comply with all terms of this
17 Order and the Settlement Agreement, and particularly with respect to providing the Settlement
18 Administrator all information necessary to perform its duties under the Settlement Agreement.

19 9. Any member of the Settlement Class who wishes to be excluded, or object to the
20 Settlement or any term thereof, including any proposed award of attorney's fees and costs to
21 Class Counsel or any proposed representative enhancement to the Class Representative, shall
22 have forty-five (45) days from the mailing of the Class Notice to request exclusion and/or to
23 object, as set forth in the Settlement Agreement and Class Notice.

24 10. A Final Approval Hearing is hereby set for August 21, 2024, at 8:30 a.m.; ~~on~~
25 ~~August 21, 2024 at 8:30 a.m./p.m.~~ in Department 8 of the Los Angeles County
26 Superior Court, Inglewood Courthouse, to consider any objections to the Settlement, determine if
27 the proposed Settlement should be found fair, adequate and reasonable and given full and final
28 approval by the Court, and to determine the amount of attorney's fees and costs awarded to Class

Counsel, the amount of any representative enhancement award to the Class Representative, and to approve the fees and costs payable to the Settlement Administrator. All legal memoranda, affidavits, declarations, or other evidence in support of the request for final approval, the award of attorney's fees and costs to Class Counsel, the enhancement award to the Class Representative, and the fees and costs of the Settlement Administrator, shall be filed no later than sixteen (16) court days prior to the Final Approval Hearing. The Court reserves the right to continue the Final Approval Hearing without further notice to the Settlement Class Members.

11. Provided he or she has not submitted a timely and valid Request for Exclusion, any Settlement Class Member may appear, personally or through his or her own counsel, and be heard at the Final Approval Hearing regardless of whether he or she has submitted a written objection.

12. The Court orders the following Schedule for further proceedings:

a.	Deadline for Defendants to submit Class List and Data Report to Settlement Administrator	[within 14 calendar days of preliminary approval order]
b.	Deadline for Settlement Administrator to Mail the Notice Packets to Class Members	[within 10 calendar days of receipt of the Class List and Data Report from Defendants]
c.	Deadline for Settlement Class Members to postmark Requests for Exclusions	[45 calendar days after mailing of the Notice Packet to Class Members]
d.	Deadline for the postmark of any Objections to the Settlement	[45 calendar days after mailing of the Notice Packet to Class Members]
e.	Deadline for Class Counsel to File Motion for Final Approval of Settlement Including the requested attorneys' fees and costs including any expenses and	[16 court days prior to hearing on Motion for Final Approval]

1	declarations in support thereof; and	
2	deadline to file declaration by Simpluris	
3	Re Service of Class Notice, receipt and	
4	filing of objections	
5	f. Final Approval Hearing	August 21, 2024, at 8:30 a.m.; OR
6		_____ , 2024 at _____
7		_____
8		[180 days after preliminary approval
9		hearing]

10
11 Dated: Feb. 23, 2024



12 Judge of the Superior Court

13
14 A handwritten signature in black ink, appearing to read "Ronald F. Frank".

15
16
17
18
19
20
21
22
23
24
25
26
27
28
RONALD F. FRANK