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on behalf of herself and others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF STANISLAUS

VERONICA RODRIGUEZ and JENYFER
FARIAS SANCHEZ, on behalf of themselves
and others similarly situated,

Plaintiffs,

vs.

W.W. GRAINGER, INC.; and DOES 1 to 100,
inclusive,

Defendants.

Case No.: CV-23-000752

CLASS ACTION

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

Hearing Information:

Date: November 8, 2024

Time: 8:30 a.m.

Dept.: 24

~~PROPOSED~~ ORDER

The Motion for Preliminary Approval of Settlement came before this Court in Department 24 of the Stanislaus County Superior Court located at 800 11th Street, Modesto, California 95354, the Honorable Sonny S. Sandhu presiding. The Court, having considered the Class And Representative Action Settlement Agreement And Release (“Settlement” or “Settlement Agreement”) and Class and PAGA Settlement Notice (“Class Notice”) entered into by and between Plaintiff Veronica Rodriguez and Plaintiff Jenyfer Farias Sanchez (“Plaintiffs”) and Defendant W.W. Grainger, Inc., (“Defendant”), attached as Exhibit 1 to the Declaration of Malcolm Clayton in Support of Plaintiffs’ Motion for Preliminary Approval of Settlement (“Clayton Decl.”), and the Exhibits attached thereto; having considered the Motion for Preliminary Approval of Settlement filed by Plaintiffs; having considered the respective points and authorities and declarations submitted by the Parties in support thereof; and good cause appearing, HEREBY ORDERS THE FOLLOWING:

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

All current and former hourly, non-exempt employees employed by Defendant as direct and indirect employees in California at any time during the Class Settlement Period.

1. The “Class Settlement Period” means the period from March 28, 2020 until November 22, 2023.

2. For purposes of the settlement, the Court designates named Plaintiffs, Veronica Rodriguez and Jenyfer Farias Sanchez, as Class Representatives and Joseph Lavi, Esq., Vincent C. Granberry, Esq., Antonia Bliznets, Esq., and Malcolm E. Clayton, Esq. of Lavi & Ebrahimian, LLP and Roman Otkupman, Esq. and Nidah Farishta, Esq. of Otkupman Law Firm, A Law Corporation,

1 as Class Counsel.

2 3. The Court appoints CPT Group, Inc. to serve as the Administrator.

3 4. The Final Approval Hearing on the question of whether the proposed settlement
4 should be finally approved as fair, reasonable, and adequate as to the Class Members is scheduled
5 in Department 24 of this Court, located at 800 11th Street, Modesto, California 95354, on **July 31,**
6 **2025, at 8:30 a.m.**

7 5. At the Final Approval Hearing, the Court will consider: (a) whether the settlement
8 should be approved as fair, reasonable, and adequate for the class; (b) whether a judgment granting
9 approval of the settlement should be entered; and (c) whether Plaintiffs' Motion for Class Counsel
10 Fees and Expenses Payment should be granted.

11 6. Not later than 16 court days before the calendared Final Approval Hearing, Plaintiffs
12 shall file a motion for final approval of the Settlement that includes a request for approval of the
13 PAGA settlement under Labor Code section 2699, subd. (l), a Proposed Final Approval Order and
14 a proposed Judgment (collectively "Motion for Final Approval").

15 7. Plaintiffs and/or Class Counsel shall file a Motion for Class Counsel Fees and
16 Expenses Payment no later than 16 court days prior to the Final Approval Hearing.

17 8. The Court approves, as to form and content, the Class Notice which is attached to
18 the Settlement as Exhibit A.

19 9. Not later than 21 calendar days after the Court grants Preliminary Approval of the
20 Settlement, Defendant shall provide the Class Information to the Administrator, in the form of a
21 Microsoft Excel spreadsheet.

22 10. Using best efforts to perform as soon as possible, and in no event later than 30
23 calendar days after receiving the Class Information, the Administrator shall send to all Class
24 Members identified in the Class Information, via first-class United States Postal Service ("USPS")
25 mail, the Class Notice with Spanish translation.

26 11. The Court finds that the forms of Class Notice to the Class regarding the pendency
27 of the Action and of this Settlement, and the methods of giving notice to members of the Class
28 constitute the best notice practicable under the circumstances and constitute valid, due, and

1 sufficient notice to all Class Members. They comply fully with the requirements of California Code
2 of Civil Procedure section 382, California Civil Code section 1781, California Rules of Court 3.766
3 and 3.769, the California and United States Constitutions, and other applicable law.

4 12. The Court further approves the procedures for Class Members to participate in, opt
5 out of, dispute workweeks, or object to the Settlement, as set forth in the Settlement Agreement and
6 Class Notice.

7 13. Class Members who wish to exclude themselves (opt-out of) the Class Settlement
8 must send the Administrator a Request for Exclusion postmarked no later than 45 calendar days
9 after the Administrator mails the Class Notice (plus an additional 14 calendar days for Class
10 Members whose Class Notice is re-mailed) (the "Response Deadline"). A valid Request for
11 Exclusion is a Class Member's written letter indicating a request to be excluded from the Class
12 Settlement which: (1) contains the name, address and telephone number of the Class Member
13 requesting exclusion; (2) contains a statement expressing that the Class Member elects to be
14 excluded from the Settlement; (3) is signed by the Class Member; and (4) is postmarked by the
15 Response Deadline.

16 14. Participating Class Members may send written objections to the Administrator, by
17 mail, prior to the Response Deadline. Participating Class Members may also object in person at the
18 Final Approval Hearing.

19 15. Pending the Final Approval Hearing, all proceedings in this action, other than
20 proceedings necessary to carry out or enforce the terms and conditions of the Settlement Agreement
21 and this Order, are stayed.

22 16. Counsel for the Parties are hereby authorized to utilize all reasonable procedures in
23 connection with the administration of the settlement which are not materially inconsistent with either
24 this Order or the terms of the Settlement.

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17. The Court orders the following schedule for further proceedings:

Event	Timing
Class Data: Last day for Defendant to deliver the Class Information to the Administrator	21 calendar days after the Court's entry of this Order
Notice Date: Last day for Administrator to mail Class Notice to Class Members	30 calendar days after receiving the Class Information
Response Deadline: (i) Last day for Class Members to submit Requests for Exclusion; (ii) Last day for Class Members to submit Objections	45 calendar days after the Administrator mails the Class Notice (plus an additional 14 calendar days for Class Members whose Class Notice is re-mailed)
Last day to file Motion for Final Approval	16 court days before the Final Approval Hearing
Last day to file Motion for Class Counsel Fees Payment, Class Litigation Expenses Payment, and Class Representative Service Payments	16 court days before the Final Approval Hearing
Final Approval Hearing and Hearing on Motion for Class Counsel Fees and Expenses:	July 31, 2025, 8:30 a.m.

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

IT IS SO ORDERED.

Dated: 11/21/2024



HONORABLE SONNY S. SANDHU
JUDGE OF THE SUPERIOR COURT

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am an employee in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 8889 W. Olympic Blvd., Suite 200, Beverly Hills, California 90211.

On November 19, 2024, I served the foregoing documents, described as:

- **[REVISED PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

on all interested parties in this action by placing a true copy thereof in a sealed envelope, addressed as follows:

<i>Attorneys for Plaintiff JENYFER FARIAS SANCHEZ</i> Roman Otkupman, (SBN No. 249423) Roman@OLFLA.com Nidah Farishta, (SBN No. 312360) Nidah@OLFLA.com OTKUPMAN LAW FIRM, A LAW CORPORATION 5743 Corsa Ave., Suite 123 Westlake Village, CA 91362 Phone: (818) 293-5623 Fax: (888) 850-1310	<i>Attorney for Defendants W.W. GRAINGER, INC.</i> Michael J. Nader, Esq. Elizabeth D. Rhodes, Esq. OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C. 400 Capitol Mall, Suite 2800., Sacramento, CA 95814 Email: michael.nader@ogletree.com elizabeth.rhodes@ogletree.com elaine.blizzard@ogletreedeakins.com maria.davis@ogletreedeakins.com
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☒ **(BY ELECTRONIC MAIL)** As follows: I caused such documents to be emailed to the attorneys listed above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☒ **(STATE)** I declare, under penalty of perjury under the laws of the State of California, that the above is true and correct.

Executed November 19, 2024, at Beverly Hills, California.

/s/ K. Alondra Iglesias
Alondra Iglesias