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SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN DIEGO

JAMES QUEEN on behalf of himself, all
others similarly situated, and on behalf of the
general public,

Plaintiff,

v.

SORENSEN COMMUNICATIONS, LLC;
and DOES 1-100,

Defendants.

Case No. 37-2023-00017408-CU-OE-CTL

[Consolidated with Case No. 37-2023-
00016623-CU-OE-CTL]

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

Date: September 13, 2024
Time: 10:30 a.m.
Dept.: C-68

1 TO ALL PARTIES AND THEIR RESPECTIVE COUNSEL OF RECORD:

2 The Motion for Preliminary Approval of Class Action Settlement came before this Court,
3 the Honorable Richard S. Whitney presiding, on September 13, 2024. The Court having
4 considered the papers submitted in support of the Motion, HEREBY ORDERS THE
5 FOLLOWING:

6 1. The following Class is conditionally certified for purposes of settlement only: All
7 current and former hourly-paid non-exempt employees of Defendant who worked within the
8 State of California at any time from April 20, 2019 to May 27, 2024.

9 2. The Court grants preliminary approval of the Settlement and the Class based upon
10 the terms set forth in the Settlement Agreement filed herewith. Capitalized terms shall have the
11 definitions set forth in the Settlement.

12 3. The Settlement appears to be fair, adequate and reasonable to the Class. The
13 Settlement falls within the range of reasonableness and appears to be presumptively valid,
14 subject only to any objections that may be raised at the final approval hearing and final approval
15 by this Court.

16 5. Plaintiff James Queen is conditionally approved as the Class Representative for
17 the Class.

18 6. The proposed Class Representative Enhancement Payment of \$10,000 payable to
19 the Plaintiff for his services as the class representative is conditionally approved.

20 7. David Mara and Matthew Crawford of Mara Law Firm, PC are conditionally
21 approved as Class Counsel for the Class.

22 8. The proposed awards of up to \$1,416,666.66 in attorneys' fees and up to \$30,000
23 in actual costs payable to Class Counsel are conditionally approved.

24 9. A final approval hearing on the question of whether the Settlement, attorneys'
25 fees and costs to Class Counsel, and the Class Representative Enhancement Payment should be
26 finally approved as fair, reasonable and adequate as to Class Members is scheduled in
27 Department C-68 on the date and time set forth in Paragraph 16 below.

1 10. The Court confirms Simpluris, Inc. (“Simpluris”) as the Settlement Administrator.

2 11. The proposed payment of no more than \$15,000 in costs to Simpluris for its
3 services as the Settlement Administrator is conditionally approved.

4 12. The Court hereby preliminarily approves the allocation of \$150,000 of the Gross
5 Settlement Amount to Plaintiff’s PAGA claims. Of this amount, 75% will be paid to the Labor
6 and Workforce Development Agency (“LWDA”) and the remaining 25% will be distributed to
7 the Aggrieved Employees. At the Final Approval Hearing, the Court will determine the
8 sufficiency of the PAGA payment. If the Court decides to award less than the amounts set forth
9 by the Parties, then excess amount will become part of the available Net Settlement Amount.

10 13. The Court approves, as to form and content, the Notice in substantially the form
11 attached as Exhibit A to the Settlement. The Court approves the procedure for Class Members to
12 participate in, to opt out of, and to object to, the Settlement as set forth in the Notice of
13 Settlement.

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

20 15. To facilitate administration of the Settlement pending final approval, the Court
21 hereby enjoins Plaintiffs and all Class Members from filing or prosecuting any claims, suits or
22 administrative proceedings (including, but not limited to, filing claims with the Division of
23 Labor Standards Enforcement of the California Department of Industrial Relations) regarding
24 claims released by the Settlement unless and until such Class Members have filed valid Requests
25 for Exclusion with the Settlement Administrator and the time for filing valid Requests for
26 Exclusion with the Settlement Administrator has elapsed. This provision shall not apply to
27 claims not alleged in the Action.
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1 16. The Court orders the following **Implementation Schedule** for further
2 proceedings:

3	a.	Deadline for Defendant to submit 4 Class Data to Settlement 5 Administrator:	[21 business days after entry of the Preliminary Approval Order]
6	b.	Deadline for Settlement 7 Administrator to Mail the Notice to 8 Class Members	[10 business days after receipt of the Class Data]
9	c.	Deadline for Class Members to 10 Postmark Requests for Exclusion Forms	[60 days after mailing of Notice to Class Members]
11	d.	Deadline for Receipt by Court and 12 Counsel of any Objections to the Settlement	[60 days after mailing of Notice to Class Members]
13	e.	Deadline for Class Counsel to file 14 Motion for Final Approval of Settlement	[16 Court days before Final Approval Hearing]
15	f.	Deadline for Class Counsel to file 16 Motion for Attorneys' Fees, Costs and Service Awards	[16 Court days before Final Approval Hearing]
17	g.	Final Approval Hearing and Final 18 Approval	_____, 2024 _____

19
20 **IT IS SO ORDERED.**

21
22 Dated: _____, 2024

23 BY _____
24 Honorable Richard S. Whitney
25 San Diego Superior Court Judge
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