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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

E. DAMIANO, an individual, individually and
on behalf of all others similarly situated,

Plaintiff,

v.

FABLETICS, LLC, a Delaware Limited
Liability Company; TECHSTYLE, INC., a
Delaware Corporation; ADAM
GOLDENBERG, an individual; and DOE 1
through and including DOE 10,

Defendants.

Case No: 24STCV15783

Assigned to Hon. William F. Highberger, Dept. 10

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

Date: June 24, 2026

Time: 11:00 a.m.

Dept.: 10

Spring Street Courthouse
312 N. Spring Street
Los Angeles, CA 90012

Complaint Filed: June 24, 2024

FAC Filed: February 26, 2026

1 **TO EACH PARTY AND TO EACH PARTY’S ATTORNEY OF RECORD:**

2 WHEREAS, the Court has before it the unopposed motion by Plaintiff Eugene Damiano,
3 (“Plaintiff”) for preliminary approval of a proposed class-action settlement.

4 **WHEREAS**, Plaintiff made an application for an order preliminarily approving the settlement of
5 this action, in accordance with the Class Action and PAGA Settlement Agreement and Class Notice
6 (“Settlement”) that set forth the terms and conditions for a proposed settlement of the litigation upon the
7 terms and conditions set forth therein;

8 **WHEREAS**, the Court has read and considered the Motion for Preliminary Approval and
9 supporting Declarations of Alan Harris, Eugene Damiano, Jodey Lawrence (of Rust), and Conor J. Dale;

10 **WHEREAS**, all defined terms contained herein have the same meanings as those set forth in the
11 Settlement;

12 **IT IS HEREBY ORDERED:**

13 1. The Court hereby preliminarily approves the Settlement as being within the range of
14 possible approval and as disclosing no grounds to doubts as to its fairness.

15 2. The Settlement has been negotiated at arm’s-length and is preliminarily determined to be
16 fair, reasonable and adequate, pending final hearing and approval.

17 3. Solely for purposes of the proposed Settlement, a Settlement Class is hereby
18 provisionally certified pursuant to section 382 of the California Code of Civil Procedure as
19 follows: All California based, hourly paid freelance crew production members who performed
20 work in California for Defendants during the period of June 24, 2020, through June 26, 2025. (the
21 “Settlement Class”).

22 4. Solely for purposes of the proposed settlement, the Court does hereby preliminarily
23 approve (a) Alan Harris and Priya Mohan of Harris & Ruble as Class Counsel; and (b) Eugene
24 Damiano as Class Representatives.

25 5. The deadline for serving the proposed Notice to class members is _____.

26 6. The deadline for the postmark on any Request for Exclusion and any Objection is
27 _____.

1 7. The deadline for Class Counsel to file a Motion for Final Approval of Settlement
2 (including any responses to any objections) and Motion for Attorney's Fees and Costs is

3 _____.

4 8. On _____, at _____ a.m./p.m. or on such other date and time
5 as the Court may hereafter designate, a final fairness hearing shall be held before this Court, in
6 Department 10 or in such other Department as the Court may hereafter designate, to determine (a)
7 whether the proposed resolution of the litigation on the terms and conditions provided for in the
8 Settlement is fair, reasonable, and adequate and (b) the amount of attorney's fees and costs that
9 should be awarded to Class Counsel and the amount of an incentive payment that should be
10 awarded to the Class Representatives.

11 9. Phoenix Settlement Administrators is appointed as the third-party Settlement
12 Administrator.

13 10. The Settlement Administrator shall supervise and administer the notice procedure as
14 more fully set forth in the Settlement.

15 11. All Class Members who do not exclude themselves from the Settlement shall be bound
16 by all determinations and judgments in the litigation concerning the Settlement, whether or not
17 favorable to the Settlement Class. Any Class Member who wishes to be excluded from the
18 Settlement Class and not participate in the proposed Settlement must submit a request for
19 exclusion as more fully set forth in the Agreement. However, PAGA Settlement Members may
20 not opt out of the PAGA claim and will receive their portion of the PAGA Penalty.

21 12. The Court reserves the right to adjourn the date of the final-approval hearing without
22 further notice to the Class Members, and the Court retains jurisdiction to consider all further
23 applications arising out of or connected with the proposed Settlement.

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25 **IT IS SO ORDERED.**

26 DATED: _____

The Honorable William F. Highberger
Los Angeles Superior Court Judge

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PROOF OF SERVICE

I am an attorney for Plaintiff in the within action, over the age of eighteen years, and not a party to the within action. My business address is Harris & Ruble, 655 North Central Avenue, 17th Floor, Glendale, California 91203. On March 27, 2026, I served the within documents:

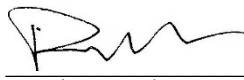
[PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT

Electronic Service: I caused the above-entitled document(s) to be served through Case Anywhere addressed to all parties appearing on the electronic service list for the above-entitled case and on the interested parties in this case:

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I declare under penalty of perjury that the above is true and correct. Executed on March 27, 2026, at Los Angeles, California.



Priya Mohan