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Attorneys for Plaintiff Eva Lopez
and Proposed Class Counsel

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

EVA LOPEZ, on behalf of herself and all
“aggrieved employees” pursuant to Labor
Code § 2698 *et seq.*,

Plaintiff,

v.

QUALITY BUILT, LLC, a Delaware
limited liability company, and DOES 1
through 10, inclusive,

Defendants.

CASE NO: 23CU0207

Assigned to the Hon. Valerie Chrissakis, Dept. 8

CLASS ACTION

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

Date: July 8, 2024

Time: 8:15 a.m.

Dept.: 8

Complaint Filed: June 5, 2023

1 The unopposed motion of proposed Plaintiff Eva Lopez (“Plaintiff”) for Preliminary
2 Approval of Class and Representative Action Settlement came on for hearing before this Court in
3 Department 8, Judge Valerie Chrissakis presiding, on July 8, 2024. The Court, having considered
4 the papers submitted in support of the motion and having heard oral argument of the parties,
5 **HEREBY ORDERS THE FOLLOWING:**

6 1. The Court grants preliminary approval of the settlement based upon the terms set
7 forth in the proposed Settlement Agreement and Release (the “Settlement”) filed with the Court.
8 The settlement appears to be fair, adequate, and reasonable to the Class;

9 2. The Court finds that the settlement falls within the range of reasonableness and
10 appears to be presumptively valid, subject only to any objections that may be raised at the final
11 hearing;

12 3. The Court approves, as to form and content, the Notice of Class Action Settlement
13 (“Notice”), attached to the Settlement as Exhibit A;

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

19 5. It is ordered that the Settlement Class is preliminarily certified for settlement
20 purposes only. The Settlement Class is defined as follows: All current and former non-exempt
21 employees of Defendant, who were employed by Defendant in California at any time during the
22 Class Period [June 5, 2019 through February 27, 2024].

23 6. The Aggrieved Employees are defined as follows: All current and former non-
24 exempt employees of Defendant, who were employed by Defendant in California at any time during
25 the PAGA Period [March 28, 2022 through February 27, 2024];

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7. The Court approves and appoints Gaines & Gaines, APLC as Class Counsel, and grants preliminary approval of an award of attorneys' fees of up to 35% of the Gross Settlement Amount (or \$70,000) and documented litigation costs of up to \$15,000 to Class Counsel, subject to final approval by the Court following a further motion by Class Counsel;

8. The Court approves and appoints Plaintiff Eva Lopez as the Class Representative and grants preliminary approval to proposed Class Representative Enhancement Payment to Plaintiff Eva Lopez in an amount not to exceed \$12,000, subject to final approval by the Court following a further motion by the Class Representative;

9. The Court grants preliminary approval of the allocation of \$10,000 to settle the representative claims under the Private Attorneys General Act (Labor Code §§ 2698 et seq.), of which 75% (\$7,500) shall be paid directly to the LWDA and 25% (\$2,500) shall be distributed to the Aggrieved Employees from the Gross Settlement Amount as Individual PAGA Payments;

10. The Court hereby approves and appoints Phoenix Settlement Administrators as the Settlement Administrator and grants preliminary approval of the payment of fees and other charges of the Settlement Administrator in an amount not to exceed \$5,000;

11. The Court orders the following schedule of dates for the specified actions/further proceedings:

<u>EVENT</u>	<u>TIMING</u>
Last day for Defendant to provide to the Settlement Administrator a list of the names, last known mailing addresses, last known telephone numbers and social security numbers for the Settlement Class Members, as well as the number of Workweeks worked by Settlement Class Members during the Class Period ("Class List")	15 calendar days after entry of Court's Order granting preliminary approval of Settlement
Last day for Settlement Administrator to mail Notice to Class Members	10 calendar days after the Settlement Administrator's receipt of the Class List
Last day for Class Members to submit a written exclusion request to the Settlement Administrator	45 calendar days after the initial mailing of the Notice to Class Members
Last day for Class Members to submit an objection to the Settlement Administrator	45 calendar days after the initial mailing of the Notice to Class Members

<u>EVENT</u>	<u>TIMING</u>
Last day for Class Counsel to file and serve moving papers in support of final settlement approval and request for attorneys' fees and costs	10 calendar days before the final settlement approval hearing date
Last day for Class Counsel to file with the Court and serve declaration by Settlement Administrator specifying the due diligence undertaken with regard to the mailing of the Notice	10 calendar days before the final settlement approval hearing date
Final settlement approval hearing	_____, 2024, at _____.m. (approximately 90 days after entry of this Order)

IT IS SO ORDERED.

Dated: _____

JUDGE OF THE SUPERIOR COURT