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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

LINDSAY ORIN, on behalf of
herself and all others similarly
situated and on behalf of the general
public,

Plaintiff,

v.

CAL. DEL. U.S.A. INC., a
California corporation, and DOES 1
through 10, inclusive,

Defendant.

Case No. 2:23-cv-03404-FMO-KS
Assigned To: Fernando M. Olguin
Courtroom: 6D

CLASS ACTION

**[PROPOSED] ORDER GRANTING
PRELIMINARY APPROVAL OF
SETTLEMENT AND NOTICE AND
SETTING FINAL APPROVAL
HEARING**

**Date: April 18, 2024
Time: 10:00 a.m.
Courtroom: 6D
Judge: Fernando M. Olguin**

1 The Parties came for hearing on Plaintiff's Unopposed Renewed Motion for
2 Preliminary Approval of Class and PAGA Action Settlement on April 18, 2024 at 10:00
3 a.m. in Courtroom 6D of the 6th Floor of the United States Courthouse located at 350
4 W. 1st Street, California 90012 in the District Court for the Central District of
5 California, the Honorable Fernando M. Olguin presiding. The Court, having considered
6 the papers submitted in support of the motion, HEREBY ORDERS THE
7 FOLLOWING:

8 1. The Court grants preliminary approval of the Settlement based upon
9 the terms set forth in the First Amended Stipulation and Settlement of Class, Collective
10 and Representative Action (the "Settlement"), attached to the declaration of Daniel F.
11 Gaines submitted in support of the renewed motion, related exhibits, and all of the
12 briefing and information submitted in this case to date. The Settlement appears to be
13 fair, adequate and reasonable to the Class Members.

14 2. The Settlement is supported by the recommendations of counsel
15 and was negotiated at arms' length. Applying the same standards applicable at the final
16 approval hearing, the Court finds it to be fair, reasonable, and adequate, subject to any
17 objections that may be raised at the final fairness hearing, and to final approval by this
18 Court.

19 3. The proposed class satisfies the requirements of Federal Rule of
20 Civil Procedure 23 and is certified for purposes of settlement only on that basis.

21 4. A final fairness hearing on whether the proposed Settlement
22 (including the attorneys' fees and costs requested by Class Counsel, the costs requested
23 by the Claims Administrator, and the Class Representative's enhancement payment)
24 should be approved as fair, reasonable and adequate as to the members of the Settlement
25 Class will be held on , 2024 at 10:00 a.m., in the Courtroom of
26 the Hon. Fernando M. Olguin, Courtroom 6D, U.S. District Court for the Central
27 District of California.

1 5. The Court approves, as to form and content, the Notice of Pendency
2 of Proposed Class Action Settlement and Final Hearing (the “Class Notice”) and FLSA
3 Settlement Claim Form and Release of Claims (the “Claim Form”) (the Class Notice
4 and Claim Form are collectively referred to as the “Notice Packet”) attached to the
5 Settlement as Exhibit 1 and Exhibit 2, respectively. The Court approves the procedure
6 for Class Members to participate in, opt-in, opt out of, and object to the Settlement as
7 set forth in the Notice Packet.

8 6. The Court directs the mailing of the Notice Packet in accordance
9 with the schedule set forth below. The Court finds that the dates selected for the mailing
10 and distribution of the Notice Packet meet the requirements of due process, provide the
11 best notice practicable under the circumstances and shall constitute due and sufficient
12 notice to all persons entitled to notice of the proposed settlement.

13 7. Settlement Class Members may exclude themselves from the Class
14 Settlement by following the instructions in the Class Notice and submitting it on or
15 before the Response Deadline.

16 8. Settlement Class Members may object to the Settlement by
17 following the instructions in the Class Notice. The Notice of Objection shall be signed
18 by the Settlement Class Member and be submitted on or before the Response Deadline.

19 9. FLSA Collective Members may opt-in by following the instructions
20 in the FLSA Settlement Claim Form and Release of Claims and submitting it on or
21 before the Response Deadline.

22 10. The Court appoints Gaines & Gaines, APLC as Class Counsel for
23 settlement purposes only.

24 11. The Court appoints Lindsay Orin as Class Representative for
25 settlement purposes only.

26 12. The Court appoints ILYM Group, Inc. as the Claims Administrator.

27 13. The Court orders the following schedule for further proceedings:
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DAY 28	Deadline for Claims Administrator to mail Class Notice and Deadline for Class Counsel to file and serve Motion for Attorneys' Fees and Costs and Class Representative's service payment
DAY 73	Deadline for Class Members to postmark or deliver objections to the Settlement to the Claims Administrator.
DAY 73	Deadline for Class Members to postmark or deliver a request for exclusion to the Claims Administrator.
DAY 73	Deadline for FLSA Collective Members to postmark or deliver an opt-in to the Claims Administrator.
DAYS PRIOR TO FINAL HEARING	Deadline for Class Counsel to file and serve motion for final approval of Settlement.
	Final Approval Hearing

14. The Court reserves the right to adjourn or continue the date of the Final Fairness Hearing and all dates provided for in the Settlement Agreement without further notice to Class Members, and retains jurisdiction to consider all further applications arising out of or connected with the proposed Settlement.

IT IS SO ORDERED.

DATED: _____

The Honorable Fernando M. Olguin