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7 Attorneys for: Plaintiff ENE C. HERNANDEZ, individually and on behalf of other  
8 persons similarly situated and other aggrieved employees

9  
10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

11 **FOR THE COUNTY OF ORANGE – CIVIL COMPLEX CENTER**

12 ENE C. HERNANDEZ, individually and  
13 on behalf of other persons similarly  
situated and other aggrieved employees,

14 Plaintiffs,

15 v.

16 NORTHWEST HOTEL  
17 CORPORATION; and DOES 1 through  
18 10,

19 Defendants.  
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Case No.: 30-2023-01310267-CU-OE-CXC

CLASS AND REPRESENTATIVE ACTION

*[Assigned for all purposes to Hon. Lon F.  
Hurwitz in Dept. CX-103]*

**NOTICE OF ENTRY OF ORDER  
GRANTING PRELIMINARY APPROVAL**

Final Approval Hearing Date: January 31, 2025  
Final Approval Hearing Time: 1:30 p.m.

Trial Date: None set.  
Action Filed: January 17, 2023

25 **TO THE COURT, PARTIES, THE LWDA, AND ATTORNEYS OF RECORD:**

26 **PLEASE TAKE NOTICE** that, on August 23, 2024, the Court in the above-entitled  
27 action entered the Order Granting Motion for Preliminary Approval of Class Action and  
28

1 PAGA Settlement, a true and correct copy of which is appended hereto. Plaintiff was ordered  
2 to give notice.

3  
4 Dated: Aug. 27, 2024

**MOORADIAN LAW, APC**

5 By: /s/Haik Hacopian  
6 **Zorik Mooradian,**  
7 **Haik Hacopian,**  
8 Attorneys for Plaintiff, individually and on  
9 behalf of other persons similarly situated  
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**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF ORANGE  
CENTRAL JUSTICE CENTER

**AUG 23 2024**

DAVID H. YAMASAKI, Clerk of the Court

BY: \_\_\_\_\_, DEPUTY

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF ORANGE – CIVIL COMPLEX CENTER**

ENE C. HERNANDEZ, individually and  
on behalf of other persons similarly  
situated and similarly aggrieved  
employees,

Plaintiffs,

v.

NORTHWEST HOTEL  
CORPORATION, an active California  
Corporation; and DOES 1 through 10,

Defendants.

Case No.: 30-2023-01310267-CU-OE-CXC

CLASS AND REPRESENTATIVE  
ACTION

*[Assigned to Hon. Lon F. Hurwitz in Dept.  
CX-103]*

**~~PROPOSED~~ ORDER GRANTING  
MOTION FOR PRELIMINARY  
APPROVAL OF CLASS ACTION  
AND PAGA SETTLEMENT**

Final Approval Hearing Date: Jan. 31, 2025  
Final Approval Hearing Time: 1:30 p.m.  
Dept.: CX-103

1 On August 2, 2024, the Court considered the motion of Plaintiff Ene C. Hernandez for  
2 preliminary approval of the Parties' proposed class action Settlement.

3 The Court having read and considered the papers on the motion submitted by Class Counsel,  
4 having heard the presentation of Class Counsel and Defendant's counsel, having reviewed all of the  
5 submissions presented with respect to the proposed Settlement, having carefully considered the  
6 requirements for class certification, and having preliminarily determined that the Settlement is fair,  
7 adequate, and reasonable, it is hereby ORDERED ADJUDGED, and DECREED that:

8 1. Preliminary Approval of the Class Action Settlement is GRANTED pursuant to Cal.  
9 Rules of Court, rule 3.769;

10 2. The Settlement, as set forth in the Amended Class Action and PAGA Settlement  
11 Agreement ("Settlement Agreement") (ROA #53, Exhibit "A" to Supplemental Declaration of Haik  
12 Hacopian), is in all respects fair, reasonable, adequate, and in the best interests of the Class, and it is  
13 preliminarily approved. Except as expressly set forth herein, the Parties shall effectuate the Settlement  
14 Agreement according to its terms. The Settlement Agreement, and every term and provision thereof,  
15 shall be deemed incorporated herein as if explicitly set forth and shall have full force of an Order of  
16 this Court;

17 3. The Court finds that the notice plan set forth in the Settlement Agreement constitutes  
18 the best notice practicable under the circumstances and shall constitute due and sufficient notice to the  
19 Class of the pendency of the Action, the terms of the Settlement Agreement, the Final Approval  
20 Hearing, and satisfies the requirements of California law and federal due process law;

21 4. The proposed Settlement Class is provisionally certified under Civ. Code § 382, with  
22 the Class consisting of:

23 All current and former hourly-paid and/or non-exempt employees of Defendant Northwest  
24 Hotel Corporation in California, including those at Howard Johnson Hotel and Water  
25 Playground, Courtyard Anaheim Theme Park Entrance, Courtyard by Marriot Fisherman's  
26 Wharf, and its corporate staff, employed during the Class Period (the period from March 3,  
27 2019, through February 5, 2024.)

28 5. Plaintiff Ene C. Hernandez is appointed as Class Representative;

1           6.       Zorik Mooradian and Haik Hacopian of Mooradian Law, APC, are appointed as Class  
2 Counsel for the class;

3           7.       CPT Group, Inc., is appointed as the third-party administrator (“Settlement  
4 Administrator”);

5           8.       The proposed settlement of Plaintiff’s Private Attorneys General Act (the “PAGA”)   
6 claims is preliminarily approved;

7           9.       The proposed Class Notice, attached as Exhibit A to the Settlement Agreement, is  
8 approved and shall be disseminated according to the notice plan described in the Settlement  
9 Agreement and substantially in the form submitted;

10          10.      In conformity with the Class Notice, Class Members wishing to be excluded from the  
11 Settlement must submit a written request for exclusion requesting exclusion on or before the expiration  
12 of the opt out period (60 days after the date that the Class Notice is mailed);

13          11.      In conformity with the Class Notice, any Settlement Class Member who does not opt  
14 out of the Settlement may object to the settlement, either personally or through an attorney, orally at  
15 the Final Approval Hearing or by providing written notice that the Class Member is objecting to the  
16 Settlement Administrator, which written notice must be postmarked no later than 60 days after the  
17 date that the Class Notice is mailed;

18          12.      The Settlement Agreement, subject to final approval by the Court, contemplates  
19 Defendant funding a sum of Four Hundred Thousand Dollars and Zero Cents (\$400,000.00) (“Gross  
20 Settlement Amount”), plus its employer share of payroll taxes. The Settlement Agreement further  
21 contemplates distribution of an estimated \$197,500 (“Net Settlement Amount”) to Settlement Class  
22 Members after the following deductions: (a) Court-approved attorneys’ fees to Class Counsel (35%),  
23 of not more than \$140,000; (b) Court-approved cost award to Class Counsel of not more than \$15,000;  
24 (c) Court-approved service award to Plaintiff of not more than \$7,500; (d) settlement administration  
25 costs to the Settlement Administrator of not more than \$10,000; (e) PAGA Payment to the LWDA of  
26 not more than \$22,500; and (f) PAGA Payment of not more than \$7,500 to Aggrieved Employees (“all  
27 current and former hourly-paid and/or non-exempt employees of NWH in California, including those  
28 at Howard Johnson Hotel and Water Playground, Courtyard Anaheim Theme Park Entrance,

1 Courtyard by Marriot Fisherman's Wharf, and its corporate staff, employed during the period from  
2 March 3, 2022 through February 5, 2024.")

3 13. A Final Approval Hearing will be held on **January 31, 2025 at 1:30 p.m.**, in  
4 Department CX-103 of the Civil Complex Center of the Orange County Superior Court located at 751  
5 West Santa Ana Boulevard, Santa Ana, California 92701, to determine if the proposed settlement  
6 should be granted final approval. The Court will hear all evidence and argument necessary to evaluate  
7 the Settlement, and will consider Plaintiff's request for Class Representative Service Payment, Class  
8 Counsel's request for Attorney's Fees, Class Counsel's request for Costs, payment to the LWDA, and  
9 payment to the Settlement Administrator. Any Class Member who complies with the procedures and  
10 requirements specified in the Class Notice may appear at the Final Approval Hearing;

11 14. Class Counsel is to file and serve the Motion for Final Approval of Class Action  
12 Settlement and for Award of Class Representative Service Award, Attorneys' Fees, Costs, payment  
13 to the LWDA, and payment to the Settlement Administrator, by January 17, 2025; and

14 15. The Court shall retain jurisdiction necessary to effectuate this Order and consider all  
15 further applications out of or in connection with the Settlement.

16 16. A copy of the Preliminary and Final Approval Orders/Judgments shall be posted on the  
17 administrator's website for access by Settlement Class Members, as noted in the Class Notice.

18  
19 Dated: **AUG 23 2024**

20 By: \_\_\_\_\_

21 Honorable Lon F. Hurwitz  
22 Judge of the Superior Court  
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On **August 27, 2024**, I served on the parties of record in this action the foregoing document(s) described as:

on the parties to this action by placing them in a sealed envelope(s) addressed as follows:

☒ **VIA E-MAIL OR ELECTRONIC TRANSMISSION** – Based on a court order or agreement of the parties to accept service by e-mail or electronic transmission, I caused the document(s) to be sent to the above persons listed at their e-mail addresses listed on the attached service list. I did not receive, within a reasonable time after 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.

Haik Hacopian