

MELMED LAW GROUP P.C.

Jonathan Melmed (SBN 290218)

jm@melmedlaw.com

Maria Burciaga (SBN 334545)

mb@melmedlaw.com

1801 Century Park East, Suite 850

Los Angeles, California 90067

Phone: (310) 824-3828

Fax: (310) 862-6851

Attorneys for Plaintiff, the Putative Class, and the Aggrieved Employees

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ALAMEDA**

ANA MEJIA, an individual, on behalf of
herself, the State of California, as a private
attorney general, and on behalf of all others
similarly situated,

Plaintiff,

v.

GOLDEN STATE ASSEMBLY, LLC, a
Delaware Limited Liability Company; and
DOES 1 TO 50,

Defendants.

Case Number: 23CV031686

**Revised ~~[Proposed]~~ Order Granting
Preliminary Approval of Class Action and
PAGA Settlement**

Date: March 13, 2025
Time: 10:00 a.m.
Dept.: 23
Judge: Hon. Michael Markman

Action Filed: April 21, 2023
FAC Filed: August 3, 2023
Trial Date: None Set

FILED
Superior Court of California
County of Alameda
03/20/2025
Clad Fluke, Executive Officer / Clerk of the Court
By: *A. Tumoroni* Deputy

~~**[PROPOSED]**~~ **ORDER**

1. This matter having come for hearing on March 13, 2025, regarding Plaintiff's unopposed *Motion for Preliminary Approval of Class Action and PAGA Settlement* (the "Motion") on the terms set forth in the parties' *Class Action and PAGA Settlement Agreement* (the "Settlement Agreement") attached as **Exhibit 1** to the filed *Declaration of Jonathan Melmed in Support of Plaintiff's Motion for Preliminary Approval of Class Action Settlement*, filed with the California Superior Court for the County of Alameda on August 27, 2024.

Having considered the Settlement Agreement, all papers and proceedings held herein, and having reviewed the entire record in this Action, the Court hereby finds and orders:

2. The Court grants Plaintiff leave to file the overlength brief attached to the Motion.

3. The Court grants preliminary approval of the "Settlement Class" (as that term is defined in the Motion) based upon the terms set forth in the Settlement Agreement. All terms used herein shall have the same meaning as defined in the Motion.

4. The Court preliminarily approves the proposed Settlement upon the terms and conditions set forth in the Settlement Agreement. The resolution set forth in the Settlement Agreement appears to be fair, adequate, and reasonable to the Settlement Class. The Court finds, on a preliminary basis, that the Settlement falls within the range of reasonableness and is presumptively valid, subject only to any objections that may be raised at the final fairness hearing and final approval by this Court.

5. The Court hereby preliminarily approves the definition and disposition of the Gross Settlement Amount, which if not escalated pursuant to the Settlement Agreement, amounts to \$310,000.00, which is inclusive of: attorney's fees not to exceed \$103,333.33; litigation costs not to exceed \$12,000.00; settlement administrator costs not to exceed \$7,000.00; a class representative service award to Plaintiff not to exceed \$10,000.00; and Private Attorneys' General Act of 2004 ("PAGA") penalties in the amount of \$25,000.00, of which \$18,750.00 (75%) will be paid to the Labor and Workforce Development Agency ("LWDA") and \$6,250.00 (25%) will be paid out to the Aggrieved Employees, which shall mean all individuals who are or were employed by Defendant as non-exempt employees in California during the PAGA Period.

1 6. A final fairness hearing on the question of whether the proposed Settlement, the
2 attorneys' fees and costs to Plaintiff's counsel, and Plaintiff's enhancement award should be finally
3 approved as fair, reasonable, and adequate as to the members of the Class is scheduled in Department
4 23 on the date and time set forth in the implementation schedule below.

5 7. This Court approves, as to form and content, the *Notice of Class Action Settlement and*
6 *Hearing Date for Final Court Approval* (the "Class Notice") to be distributed to the Class Members in
7 substantially the same form as is attached as **Exhibit 5** to the Supplemental Declaration of Jonathan
8 Melmed in Support of Plaintiff's Preliminary Approval of Class Action and PAGA Notice, filed with
9 the California Superior Court for the County of Alameda on January 31, 2025. The Court approves the
10 procedure for Class Members to participate in, to opt out of, and to object to the Class Settlement as
11 set forth in the Settlement Agreement.

12 8. The Court directs the mailing of the Class Notice by first class mail to the Class
13 Members in accordance with the implementation schedule set forth below. The Court finds the dates
14 selected for the mailing and distribution of the Class Notice, as set forth in the implementation schedule,
15 meet the requirements of due process and constitutes the best notice practicable under the
16 circumstances and due and sufficient notice to all persons entitled thereto.

17 9. The Court preliminarily certifies the Class, as defined in the Motion, for settlement
18 purposes.

19 10. The Court confirms Plaintiff Ana Mejia ("Plaintiff" or "Class Representative") as Class
20 Representative for settlement purposes.

21 11. The Court confirms Jonathan Melmed and Maria Burciaga of Melmed Law Group P.C.
22 as Class Counsel for settlement purposes.

23 12. The court appoints Simpluris, Inc. as the Settlement Administrator.

24 13. To facilitate administration of the Settlement pending final approval, the Court hereby
25 enjoins Plaintiff and all members of the Class from filing or prosecuting any claims, suits, or
26 administrative proceedings (including filing claims with the Division of Labor Standards Enforcement
27 of the California Department of Industrial Relations) regarding claims released by the Settlement,
28

1 unless and until such Class Members have filed valid requests for exclusion with the Settlement
2 Administrator and the time for opting-out of the Class Settlement with the Settlement Administrator
3 has elapsed.

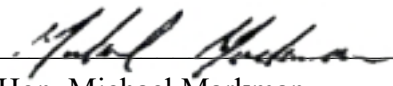
4 14. The Court orders the following Implementation Schedule for further proceedings:

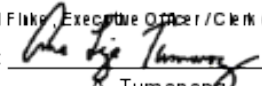
6 a.	Deadline for Defendant to Submit Class Data to the Settlement Administrator	[Within fifteen (15) calendar days of this order.]
8 b.	Deadline for Settlement Administrator to Mail Notice Packets to all Class Members	[Within twenty-nine (29) calendar days of this order.]
10 c.	Deadline for Class Members to Postmark Challenges to Workweek Calculations	[Within forty-five (45) days after mailing of the Class Notice.]
12 d.	Deadline for Class Members to Postmark Requests for Exclusion	[Within forty-five (45) days after mailing of the Class Notice.]
14 e.	Deadline for Class Members to Submit Any Objections to Settlement	[Within forty-five (45) days after mailing of the Class Notice.]
16 f.	Deadline for Settlement Administrator to Provide Class Counsel with Declaration of Due Diligence	[At least twenty-eight (28) calendar days prior to the Motion for Final Approval filing due date.]
18 f	Final Approval and Fairness Hearing	August 14, 2025 at 10:00 a.m.

19 15. If any of the dates in this implementation schedule fall on a weekend, bank or court
20 holiday, the time to act shall be extended to the next business day.

21 **IT IS SO ORDERED.**

22
23 Dated: 03/20/2025

24 
25 Hon. Michael Markman
26 Judge of the Superior Court, County of Alameda
27 **Michael Markman / Judge**
28

SUPERIOR COURT OF CALIFORNIA COUNTY OF ALAMEDA	Reserved for Clerk's File Stamp
COURTHOUSE ADDRESS: Rene C. Davidson Courthouse 1225 Fallon Street, Oakland, CA 94612	FILED Superior Court of California County of Alameda 03/24/2025
PLAINTIFF/PETITIONER: Ana Mejia	Chad Finke, Executive Officer / Clerk of the Court By:  Deputy
DEFENDANT/RESPONDENT: Golden State Assembly, LLC	
CERTIFICATE OF ELECTRONIC SERVICE CODE OF CIVIL PROCEDURE 1010.6	CASE NUMBER: 23CV031686

I, the below named Executive Officer/Clerk of Court of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served one copy of the Order Revised Order Granting Preliminary Approval of Class Action and PAGA Settlement entered herein upon each party or counsel of record in the above entitled action, by electronically serving the document(s) from my place of business, in accordance with standard court practices.

Megan Emslie Ross
megan@melmedlaw.com

Nikki Mahmoudi
Weintraub Tobin Chediak Coleman Grodin
nmahmoudi@weintraub.com

Dated: 03/24/2025

Chad Finke, Executive Officer / Clerk of the Court

By:



A. Tumonong, Deputy Clerk