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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

MARIA GRISELDA CASTILLO, individually
and on behalf of all others similarly situated and
as an aggrieved employee and Private Attorney
General,

Plaintiff,

v.

DONALDSON COMPANY, INC. dba
DONALDSON FILTRATION SOLUTIONS, a
Delaware Corporation, and DOES 1 through 50,
inclusive,

Defendants.

Case No.: 23STCV07645

CLASS & REPRESENTATIVE ACTION

*[Assigned for all purposes to: Hon. Elihu M.
Berle, Dept. 6]*

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

*[Filed concurrently with: Plaintiff's Notice of
Motion and Motion for Preliminary Approval
of Class Action and PAGA Settlement,
Memorandum of Points and Authorities;
Declaration of Jusitn F. Marquez; Declaration
of Heather M. Davis; and Declaration of
Plaintiff Maria Griselda Castillo]*

PRELIMINARY APPROVAL HEARING

Date: March 19, 2024

Time: 9:00 a.m.

Dept: 6

Complaint filed: April 6, 2023

FAC filed: June 9, 2023

Trial date: Not set

1 Heather Davis (SBN 239372)
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Attorneys for Plaintiff

1 The Court has before it Plaintiff Maria Griselda Castillo's ("Plaintiff") Motion for
2 Preliminary Approval of Class Action and PAGA Settlement. Having reviewed the Motion for
3 Preliminary Approval of Class Action and PAGA Settlement, the Declarations of Justin F.
4 Marquez, Heather M. Davis, and Plaintiff Maria Griselda Castillo, the Joint Stipulation of Class
5 Action and PAGA Settlement (which is referred to here as the "Settlement Agreement"), and
6 good cause appearing, the Court hereby finds and orders as follows:

7 1. The Court finds on a preliminary basis that the Settlement Agreement appears to
8 be fair, adequate, and reasonable and therefore meets the requirements for preliminary approval.
9 The Court grants preliminary approval of the Settlement and the Settlement Class based upon
10 the terms set forth in the Settlement Agreement between Plaintiff and Defendant Donaldson
11 Company, Inc. ("Defendant"), attached to the Declaration of Justin F. Marquez in Support of
12 Plaintiff's Motion for Preliminary Approval of Class Action and PAGA Settlement as Exhibit
13 1.

14 2. The Settlement falls within the range of reasonableness of a settlement which
15 could ultimately be given final approval by this Court, and appears to be presumptively valid,
16 subject only to any objections that may be raised at the Final Approval Hearing and final
17 approval by this Court. The Court notes that Defendant has agreed to create a common fund of
18 \$1,800,000 to cover (a) settlement payments to class members who do not validly opt out; (b) a
19 \$100,000.00 payment to the State of California, Labor & Workforce Development Agency
20 ("LWDA") for its share of the settlement of claims for penalties under the Private Attorneys
21 General Act ("PAGA"), with 75% of which (\$75,000.00) being paid to the LWDA and 25%
22 (\$25,000.00) being paid to eligible Aggrieved Employees; (c) Class Representative service
23 payment of up to \$8,500.00 for Plaintiff; (d) Class Counsel's attorneys' fees, not to exceed 35%
24 of the Gross Settlement Amount (\$630,000.00), and up to \$30,000.00 in costs for actual
25 litigation expenses incurred by Class Counsel; and (e) Settlement Administration Costs of up to
26 \$8,950.00.

27 3. The Court preliminarily finds that the terms of the Settlement appear to be within
28 the range of possible approval, pursuant to California Code of Civil Procedure § 382 and

1 applicable law. The Court finds on a preliminary basis that: (1) the settlement amount is fair
2 and reasonable to the class members when balanced against the probable outcome of further
3 litigation relating to class certification, liability and damages issues, and potential appeals; (2)
4 significant informal discovery, investigation, research, and litigation have been conducted such
5 that counsel for the parties at this time are able to reasonably evaluate their respective positions;
6 (3) settlement at this time will avoid substantial costs, delay, and risks that would be presented
7 by the further prosecution of the litigation; and (4) the proposed settlement has been reached as
8 the result of intensive, serious, and non-collusive negotiations between the parties with the
9 assistance of a well-respected class action mediator. Accordingly, the Court preliminarily finds
10 that the Settlement Agreement was entered into in good faith.

11 4. A final fairness hearing on the question of whether the proposed settlement,
12 attorneys' fees and costs to Class Counsel, payment to the LWDA for its share of the settlement
13 of claims for penalties under the PAGA, and the class representative's enhancement award
14 should be finally approved as fair, reasonable and adequate as to the members of the class is
15 hereby set in accordance with the Implementation Schedule set forth below.

16 5. The Court provisionally certifies for settlement purposes only the following class
17 (the "Settlement Class"): all current and former non-exempt employees of Defendant who
18 worked in the state of California at any time during the Class Period.

19 6. "Class Period" means the period from April 6, 2019 to February 16, 2024.

20 7. "PAGA Periods" means the period from April 6, 2022 to February 16, 2024.

21 8. The Court finds, for settlement purposes only, that the Settlement Class meets the
22 requirements for certification under California Code of Civil Procedure § 382 in that: (1) the
23 Settlement Class Members are so numerous that joinder is impractical; (2) there are questions
24 of law and fact that are common, or of general interest, to all Settlement Class Members, which
25 predominate over individual issues; (3) Plaintiff's claims are typical of the claims of the
26 Settlement Class Members; (4) Plaintiff and Class Counsel will fairly and adequately protect
27 the interests of the Settlement Class Members; and (5) a class action is superior to other
28 available methods for the fair and efficient adjudication of the controversy.

9. The Court appoints as Class Representative, for settlement purposes only, Plaintiff. The Court further preliminarily approves Plaintiff's ability to request an incentive award up to \$8,500.00.

10. The Court appoints, for settlement purposes only, Justin F. Marquez and Arrash T. Fattahi of Wilshire Law Firm, PLC and Heather Davis, Amir Nayebdadash, and Carlos Jimenez of Protection Law Group, LLP as Class Counsel. The Court further preliminarily approves Class Counsel's ability to request attorneys' fees of up to 35% of the Total Settlement Amount (\$630,000.00), and costs not to exceed \$30,000.00.

11. The Court appoints ILYM Group, Inc. as the Settlement Administrator with reasonable administration costs estimated not to exceed \$8,950.00.

12. The Court approves, as to form and content the Class Notice, attached to the Settlement Agreement. The Court finds on a preliminary basis that plan for distribution of the Notice to Settlement Class Members satisfies due process, provides the best notice practicable under the circumstances, and shall constitute due and sufficient notice to all persons entitled thereto.

13. The parties are ordered to carry out the Settlement according to the terms of the Settlement Agreement.

14. Any class member who does not timely and validly request exclusion from the settlement may object to the Settlement Agreement.

15. The Court orders the following Implementation Schedule:

Defendant to provide Class List to the Settlement Administrator	April 10, 2024
Settlement Administrator to mail the Class Notice	April 17, 2024
Response Deadline	June 17, 2024 (as the 60 th day after the mailing of the Class Notice falls on a Sunday)

Deadline to Provide Written Objections, if any	June 17, 2024 (as the 60 th day after the mailing of the Class Notice falls on a Sunday)
Deadline to file Motion for Final Approval, Request for Attorneys' Fees and Costs, and Service Award to Plaintiff	16 court days before hearing on Motion for Final Approval, which is _____;
Final Approval Hearing	_____ at _____ a.m./p.m., or first available date thereafter, in Department 6. The hearing may be continued to another date without further notice to the Class Members.

16. The Court further ORDERS that, pending further order of this Court, all proceedings in this lawsuit, except those contemplated herein and in the settlement, are stayed.

IT IS SO ORDERED.

DATE:

Hon. Elihu M. Berle
Los Angeles County Superior Court

PROOF OF SERVICE

Castillo v. Donaldson Company, Inc., et al.
23STCV07645

STATE OF CALIFORNIA)
) ss
COUNTY OF LOS ANGELES)

I, Zeyra Ceballos, am employed in the county of Los Angeles, State of California. I am over the age of 18 and not a party to this action. My business address is 3055 Wilshire Blvd., 12th Fl., Los Angeles, California 90010. My electronic service address is zceballos@wilshirelawfirm.com.

On **February 9, 2024**, I served the foregoing **[PROPOSED] ORDER GRANTING PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION and PAGA SETTLEMENT**, on the interested parties by placing a true copy thereof, enclosed in a sealed envelope by following one of the methods of service as follows:

Stacey E. James (SBN 185651)
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Mihret Getabicha (SBN 326787)
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Ann Posthill
aposthill@littler.com
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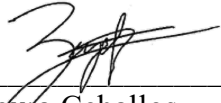
Attorneys for Plaintiff (co-counsel)

(X) **BY UPLOAD:** I hereby certify that the documents were uploaded by my office to the State of California Labor and Workforce Development Agency Online Filing Site.

1 (X) **BY ELECTRONIC SERVICE:** Based on a court order or an agreement of the parties to
2 accept electronic service, I caused the documents to be sent to the persons at the electronic
3 service addresses listed above via third-party cloud service **CASEANYWHERE**.

4 I declare under penalty of perjury under the laws of the State of California that the
5 foregoing is true and correct.

6 Executed this **February 9, 2024**, at Los Angeles, California.

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8 _____
9 Zeyra Ceballos
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