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10 individually and on behalf of similarly situated employees

11 **SUPERIOR COURT OF CALIFORNIA**

12 **FOR THE COUNTY OF PLACER**

13 ANTHONY AFFATATO, individually and on
14 behalf of all other similarly situated
15 employees,

16 Plaintiff,

17 vs.

18 SIERRA VIEW COUNTRY CLUB, a
19 California Corporation; SIERRA VIEW
20 LAND COMPANY, a California Corporation;
21 and DOES 1 to 100, inclusive,

22 Defendant.

Case No. S-CV-0050664

CLASS ACTION

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

Date: October 3, 2024

Time: 8:30 a.m.

Dept.: 3

Judge: Hon. Michael Jones

Filed: June 13, 2023

FAC Filed: September 7, 2023

SAC Filed: June 17, 2024

Trial Date: None Set

Filed - 10/17/2024

Electronically filed by Superior Court of California
County of Placer on 10/17/2024
Jake Chatters, Clerk of the Court
By B. Baldock Deputy Clerk

1 TO ALL PARTIES AND THEIR RESPECTIVE COUNSEL OF RECORD:

2 Plaintiff's Motion for Preliminary Approval of Class and Representative Action

3 The unopposed motion is granted. The court has broad discretion in determining whether a class
4 action settlement is (1) fair and reasonable, (2) the class notice is adequate, and (3) certification is
5 proper. (*In re Cellphone Fee Termination Cases* (2010) 186 Cal.App.4th 1380, 1389.) Further, the
6 court reviews the moving papers along with the entirety of the court file to determine that the settlement
7 is genuine, meaningful, and consistent with the underlying purposes of the PAGA-related statute.
8 (Labor Code section 2699(1); *O'Connor v. Uber Technologies, Inc.* (N.D. Cal. 2016) 201 F.Supp.3d
9 1110.) The court must also determine whether the PAGA settlement appears fundamentally fair,
10 reasonable, and adequate. (Ibid.)

11 The court has carefully reviewed and considered the Joint Stipulation Regarding Class Action
12 and PAGA Settlement and Release and plaintiff's moving papers filed in connection with the motion.
13 The court determines a sufficient showing has been made that the class action settlement is fair,
14 reasonable, genuine, and consistent with the purpose of PAGA.

15 For the purposes of the settlement, the court hereby certifies the class as defined on page 1, lines
16 17 through 18 of the Joint Stipulation Regarding Class Action and PAGA Settlement and Release. The
17 court preliminarily approves the Joint Stipulation Regarding Class Action and PAGA Settlement and
18 Release. The court approves the proposed form of the notice, and incorporates by reference the findings
19 and orders outlined in the proposed order.

20 The final approval hearing is set for **Thursday, January 30, 2025, at 8:30 a.m. in Department**
21 **3.**

22
23 **IT IS SO ORDERED.**

24
25 Date: October 17, 2024

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27
28

By: Michael W. Jones
Hon. Michael W. Jones

Affatato v. Sierra View Country Club
Placer County Superior Court of California, S-CV-0050664

**PROOF OF SERVICE — CCP §§ 1010.6, 1013a and 2015.5
and California Rules of Court, Rule 1.21 and Rule 2.150**

I, Shaniya Baird, declare that:

I am a citizen of the United States and am over the age of eighteen years and not a party to the within above-entitled action.

On October 4, 2024, I served the following documents on the party below:

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

Dominique Thomas (SBN 231464) Lewis Brisbois 2185 N California Blvd, Suite 300 Walnut Creek, CA 94596 Phone: (925) 357-3451 Facsimile: (925) 478-3260 Email: Dominique.Thomas@lewisbrisbois.com Izie.Hudson@lewisbrisbois.com Betty.Jeung@lewisbrisbois.com	
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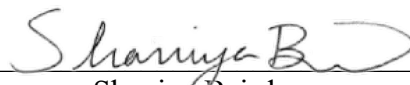
[] [By Mail] I am familiar with my employer's practice for the collection and processing of correspondence for mailing with the United States Postal Service and that each day's mail is deposited with the United States Postal Service that same day in the ordinary course of business. On the date set forth above, I served the aforementioned document(s) on the parties in said action by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, for collection and mailing on this date, following ordinary business practices, at Salt Lake City, Utah, addressed as set forth above.

[] [By Personal Service] By personally delivering a true copy thereof to the office of the addressee above.

[XXX] [By Electronic Mail] I e-mailed the documents(s) to the person(s) shown above. No error was reported by the e-mail service that I used.

[] [By Overnight Courier] By causing a true copy and/or original thereof to be personally delivered via the following overnight courier service: UPS.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on October 4, 2024, at Salt Lake City, Utah.


Shaniya Baird