Benjamin H. Haber (SBN 315664)
benjamin.haber@wilshirelawfirm.com
Daniel J. Kramer (SBN 314625)
daniel.kramer@wilshirelawfirm.com
Chase M. Stern (SBN 290540)
chase.stern@wilshirelawfirm.com
Karen L. Wallace (SBN 272309)
karen.wallace@wilshirelawfirm.com
WILSHIRE LAW FIRM, PLC
660 S. Figueroa Street, Sky Lobby
Los Angeles, California 90017
Telephone: (213) 381-9988
Facsimile: (213) 381-9989

Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN DIEGO

ANDREA URIAS and BRITTANY JOHNSON, individually, on behalf of all others similarly situated, the State of California, and other aggrieved persons, Plaintiffs, v. LABCORP PERI-APPROVAL AND COMMERCIALIZATION INC., an unknown entity; COVANCE MARKET ACCESS SERVICES, INC., a corporation; COVANCE INC., a corporation; and DOES 1 through 10, inclusive, Defendants.	Case No.: 37-2023-00027719-CU-OE-CTL *[Assigned for all purposes to the Hon. Carolyn M. Caietti, Dept. C-70]* **[PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT** Preliminary Approval Hearing: Date: July 23, 2027 Time: 10:30 a.m. Dept.: C-70 **Reservation Number**: 105930 Complaint Filed: June 30, 2023 Trial Date: None set

[PROPOSED] ORDER

Having reviewed Plaintiffs Andrea Urias and Brittany Johnson's ("Plaintiffs") Motion for Preliminary Approval of Class Action and PAGA Settlement ("Motion"), the Declaration of Benjamin H. Haber, Plaintiffs' Declarations, and the Class Action and PAGA Settlement Agreement ("Agreement"), and good cause appearing, the Court finds and **ORDERS** as follows:

1. The Court finds on a preliminary basis that the Settlement appears to be fair, adequate, and reasonable and therefore meets the requirements for preliminary approval. The Court grants preliminary approval of the Settlement and the Settlement Class based on the terms set forth in the Agreement between Plaintiffs and Defendants LabCorp Peri-Approval and Commercialization Inc., Covance Market Access Services, Inc., and Fortrea Inc., formerly known as Covance Inc. ("Defendants"), attached as **Exhibit 2** to the Declaration of Benjamin H. Haber in Support of Plaintiffs' Motion for Preliminary Approval of Class Action and PAGA Settlement.

2. The Settlement falls within the range of reasonableness of a settlement that could ultimately be given final approval by this Court and appears to be presumptively valid, subject only to any objections that may be raised at the Final Approval Hearing and final approval by this Court. The Court notes that Defendants have agreed to create a common fund of $2,000,000.00 to cover (a) settlement payments to Class Members who do not validly opt out ("Participating Class Members"); (b) PAGA Penalties in the amount of $100,000.00 to settle claims pursuant to the Private Attorneys General Act ("PAGA"), Lab. Code § 2698, *et seq*., allocated 75% ($75,000.00) to California's Labor and Workforce Development Agency ("LWDA") and 25% ($25,000.00) to Aggrieved Employees; (c) Enhancement Awards of up to $10,000.00 to each named Plaintiff ($20,000.00 total); (d) Class Counsel Fees, not to exceed one third (1/3) of the Gross Settlement Amount (currently estimated to be $666,666.67); (e) Class Counsel Litigation Expenses up to $45,000.00; and (f) Administration Costs of up to $11,990.00.

3. The Court preliminarily finds that the terms of the Settlement appear to be within the range of possible approval, pursuant to California Code of Civil Procedure section 382 and applicable law. The Court finds on a preliminary basis that: (1) the Settlement amount is fair and reasonable to the Class Members when balanced against the probable outcome of further litigation relating to class

certification, liability and damages issues, and potential appeals; (2) significant informal discovery, investigation, research, and litigation have been conducted such that counsel for the Parties at this time are able to reasonably and intelligently evaluate their respective positions; (3) settlement at this time will avoid substantial costs, delay, and risks that would be presented by further litigation; and (4) the proposed Settlement has been reached as the result of adversarial and arm's length negotiations between the Parties with the assistance of a well-respected class action mediator. Accordingly, the Court preliminarily finds that the Agreement was entered into in good faith.

4. A final approval hearing on the question of whether the proposed Settlement, attorneys' fees and costs to Class Counsel, payment to the LWDA and Aggrieved Employees for the settlement of PAGA claims, and the Enhancement Awards should be finally approved as fair, adequate, and reasonable as to Class Members is hereby set in accordance with the Implementation Schedule set forth below.

5. The Court conditionally certifies for purposes of settlement a Class consisting of all current and former hourly, non-exempt employees who were employed by Defendants in the State of California during the Class Period, from June 30, 2019, through June 24, 2024.

6. "Aggrieved Employees" means all current and former hourly, non-exempt employees employed by Defendants in the State of California during the PAGA Period, from July 20, 2022, through June 24, 2024.

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

8. The Court appoints Plaintiffs as Class Representatives for purposes of settlement. The Court further preliminarily approves Plaintiffs' request for Enhancement Awards of up to $10,000.00 each ($20,000.00 total).

9. The Court appoints Benjamin H. Haber, Daniel J. Kramer, and Chase M. Stern of Wilshire Law Firm, PLC as Class Counsel for purposes of settlement and preliminarily approves Class Counsel's request for Class Counsel Fees up to one third (1/3) of the Gross Settlement Amount (currently estimated to be $666,666.67) and Class Counsel Litigation Expenses up to $45,000.00.

10. The Court appoints Apex Class Action, LLC as the Administrator and preliminarily approves reasonable Administration Costs not to exceed $11,990.00.

11. The Court approves, as to form and content, the Class Notice attached as **Exhibit A** to the Agreement**.** The Court finds on a preliminary basis that the plan for distribution of the Class Notice to 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.

12. The Parties and the Administrator are ordered to carry out the Settlement according to the terms of the Agreement.

13. Any Participating Class Member who does not timely and validly request exclusion from the Settlement may object to the Agreement.

14. The Court orders the following Implementation Schedule:

Event	Timing
Class Data: Last day for Defendants to provide Class Data to the Administrator	14 days after the Court grants Preliminary Approval of the Settlement
Class Notice: Last day for the Administrator to mail the Class Notice to Class Members	14 days after receipt of the Class Data
Response Deadline: Last day for Class Members to submit Requests for Exclusion, Objections, and Workweek challenges	60 days after Class Notice is mailed out by the Administrator (with an additional 14 days for Class Members whose Class Notice was remailed)
Filing Deadline: Last day to file any Motion	16 court days before the Final Approval

for Final Approval	Hearing
Final Approval Hearing	_____, 2027, at _____ a.m./p.m. in Dept. C-70 of the above-referenced Court

15. The Court **ORDERS** further 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.

Dated: _____

_____
HON. CAROLYN M. CAIETTI
JUDGE OF THE SUPERIOR COURT