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9 on behalf of all others similarly situated

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11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 FOR THE COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE
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14 ALBERT RUDY GARCIA, an individual, on
15 behalf of himself and all others similarly
situated,

16 Plaintiff,

17 vs.

18 SKYLINE SOLAR, LLC, a Nevada limited
19 liability company; and DOES 1 through 50,
inclusive,

20 Defendants.
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CASE NO.: 24STCV06118

[Assigned for all purposes to the Hon.
Theresa M. Traber, Dept. SSC-1]

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

Date: January 26, 2027

Time: 10:30 a.m.

Dept.: SSC-1

Action Filed: March 11, 2024

Trial Date: None set

[PROPOSED] ORDER

The Motion for Preliminary Approval of Class Action and PAGA Settlement (“Motion”) filed by Plaintiff Albert Rudy Garcia (“Plaintiff”) came before this Court on January 26, 2027 at 10:30 a.m. Having reviewed Plaintiff’s Motion, the Declaration of Matthew W. Gordon and exhibits thereto, including the Class Action and PAGA Settlement Agreement and the Amendment to Class Action and PAGA Settlement Agreement (collectively, “Agreement” or “Settlement”), the Declaration of Plaintiff Albert Rudy Garcia, and the Declaration of Johnathan Paul and exhibits thereto, and for good cause appearing, the Court hereby finds and ORDERS as follows:

1. All defined terms contained herein shall have the same meanings as set forth in the Agreement.

2. 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.

3. The Court provisionally certifies, for settlement purposes only, the following Class:

All current and former non-exempt employees of Defendant Skyline Solar, LLC in the State of California at any time from March 11, 2020 to April 4, 2026.

4. The Court finds, for settlement purposes only, that the Class meets the requirements for certification under Code of Civil Procedure section 382 in that: (1) the Class is so numerous that joinder is impractical; (2) there are questions of law and fact that are common to all Class Members which predominate over individualized issues; (3) Plaintiff’s claims are typical of the claims of the Class Members; (4) Plaintiff and Plaintiff’s 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.

5. The Court hereby approves the terms and conditions provided for in the Settlement. The parties are ordered to carry out the Settlement according to its terms.

6. The Court designates Plaintiff as the Class Representative for settlement purposes only.

1 7. The Court appoints, for settlement purposes only, Matern Law Group, PC as Class
2 Counsel, including Matthew J. Matern, Matthew W. Gordon, and Erin R. Hutchins.

3 8. The Court hereby preliminarily approves the Settlement and the Gross Settlement
4 Amount of \$175,000.00. The Gross Settlement Amount shall cover the following items: (1) the
5 Individual Class Payments to Participating Class Members; (2) the Individual PAGA Payments to
6 Aggrieved Employees; (3) the LWDA PAGA Payment; (4) the Class Counsel Fees Payment; (5)
7 the Class Counsel Litigation Expenses Payment; (6) the Class Representative Service Payment;
8 and (6) the Administration Expenses Payment. The Employer's Share of Payroll Taxes shall be
9 paid separately from and in addition to the Gross Settlement Amount.

10 9. The Court finds that, on a preliminary basis, the Settlement appears to be within
11 the range of reasonableness of a settlement that could ultimately be given final approval by this
12 Court. It appears to the Court on a preliminary basis that the settlement is fair, adequate, and
13 reasonable as to all potential Class Members when balanced against the probable outcome of
14 further litigation relating to classwide liability and damages issues. It also appears that significant
15 investigation, research, and court proceedings have been conducted so that the parties' counsel
16 are able to reasonably evaluate their respective positions. It appears to the Court that settlement at
17 this time will avoid substantial additional costs by all parties, as well as avoid the delay and risks
18 that would be presented by the further prosecution of the action. It also appears that settlement
19 has been reached as a result of intensive, serious, and non-collusive, arms-length negotiations,
20 including a mediation with Todd Smith, Esq.

21 10. The Court approves, as to form and content, the Notice of Class Action and PAGA
22 Settlement And Hearing Date For Final Court Approval ("Class Notice"), which is attached as
23 Exhibit A to the Class Action and PAGA Settlement Agreement.

24 11. The Court finds that the notice plan is the best means practicable under the
25 circumstances for providing notice to Class Members and, when completed, shall constitute due
26 and sufficient notice of the class action, proposed settlement, and the final approval hearing to all
27 persons entitled to such notice in full compliance with Code of Civil Procedure section 382, Civil
28 Code section 1781, California Rules of Court, rules 3.766 and 3.769, the California and United

1 States Constitutions, and other applicable laws.

2 12. The Court appoints Xpand Legal Consulting LLC as the Administrator. The Court
3 hereby directs the Administrator to disseminate the approved Class Notice according to the
4 procedures set forth in the Agreement.

5 13. Any Class Member may choose to be excluded from the Settlement as provided in
6 the Agreement and Class Notice, and by following the instructions for requesting exclusion. Any
7 person who timely and properly requests to be excluded from the Settlement will not be bound by
8 the Agreement or have any right to object, appeal, or comment thereon. Any request for exclusion
9 must be signed by each such Class Member and must otherwise comply with the requirements
10 delineated in the Class Notice. Class Members who have not requested exclusion by submitting a
11 valid and timely request before the expiration of the Response Deadline shall be bound by all
12 determinations of the Court, the Settlement, and the Judgment.

13 14. At the Final Approval Hearing, the Court will consider: (a) whether the Settlement
14 should be approved as fair, reasonable, and adequate for the Class; (b) whether a judgment
15 granting final approval of the Settlement should be entered; and (c) whether Plaintiff's application
16 for Class Representative Service Payment, Administration Expenses Payment, Class Counsel
17 Fees Payment, and Class Counsel Litigation Expenses Payment should be granted.

18 15. Any Participating Class Member may appear at the Final Approval Hearing to
19 present oral objections to the Settlement.

20 16. Pending the Final Approval Hearing, all proceedings in this action, other than
21 proceedings necessary to carry out or enforce the terms and conditions of the Settlement and this
22 Order, are stayed.

23 17. The Court orders the following implementation schedule:
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Event	Date
Deadline for Defendant to provide Class Data to the Administrator:	_____ [15 days following preliminary approval]
Deadline for the Administrator to mail the Class Notice to Class Members:	_____ [14 days following receipt of the Class Data]
Deadline for Class Members to submit disputes, request exclusion from, or object to the Settlement:	_____ [60 days after mailing of the Class Notice]
Deadline for Plaintiff to file Motion for Final Approval of Class Action and PAGA Settlement:	_____ [16 court days before Final Approval Hearing]
Hearing on Motion for Final Approval of Settlement	_____ at _____ a.m./p.m., Dept. SS-1.

IT IS SO ORDERED.

DATED:

By: _____
HON. THERESA M. TRABER
Judge of the Superior Court