SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ORANGE

RIGOBERTO DURAN RAMIREZ, individually and on behalf of himself and all other similarly situated,

Plaintiff,

v.

FYDAQ COMPANY, INC., a California corporation, and DOES 1-50, inclusive,

Defendants.

Case No. 30-2023-01355489-CU-OE-CXC

Assigned for All Purposes to:
Hon. Melissa R. McCormick
Dept.: CX104

[PROPOSED] ORDER GRANTING PRELIMINARY APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT AGREEMENT, APPROVAL OF NOTICE TO CLASS MEMBERS, APPROVAL OF SETTLEMENT ADMINISTRATOR, AND SETTING HEARING FOR APPROVAL OF SETTLEMENT

Date: February 11, 2027
Time: 2:00 p.m.

Complaint Filed: October 12, 2023
TRIAL DATE: NONE

Reservation #: 74977209

This matter came before the Honorable Melissa R. McCormick of the Superior Court of the State of California, in and for the County of Orange, on February 11, 2027, at 2:00 p.m. in Department CX105, for hearing on the motion by Plaintiff Rigoberto Duran Ramirez ("Plaintiff") for preliminary approval of the Class Action and PAGA Settlement Agreement ("Agreement"). The Court, having considered: (1) the Agreement (attached hereto as Exhibit 1); (2) the Class Notice packet (in English and Spanish), the Exclusion Request Form, the Objection Form, and the Workweek and PAGA Pay Period Dispute Form (attached hereto collectively as Exhibit 2); (3) the Declaration of Anthony Rogers on behalf of ILYM Group, Inc.; and (4) all other briefs, declarations, and papers submitted in support of the motion, and good cause appearing, the Court hereby **GRANTS** Plaintiff's Motion and issues this Order as follows.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

1. This Order incorporates by reference all definitions set forth in the Agreement (Exhibit 1). All capitalized terms used but not defined herein shall have the same meaning as in the Agreement.

2. The Court provisionally certifies the following Class for purposes of settlement: all persons who are or were employed by Defendants as hourly paid, non-exempt employees in the State of California at any time during the period from October 12, 2019 through June 30, 2025 ("Class Period").

3. The Court preliminarily appoints Plaintiff as Class Representative for purposes of settlement only.

4. The Court appoints James Hawkins, Christina Lucio, and Nicholas Schieffelin of James Hawkins, APLC as Class Counsel for purposes of settlement.

5. The Court preliminarily approves the class action portion of the Settlement as fair, adequate, and reasonable, and approves the PAGA portion of the settlement based upon the terms set forth in the Agreement, including payment by Defendants of the non-reversionary Gross Settlement Amount of $368,399.35.

6. The Court preliminarily approves payment of reasonable attorneys' fees and costs from the Gross Settlement Amount in an amount of up to one-third (1/3rd) of the Gross Settlement Amount ($112,799.78), plus actual litigation costs up to $15,000.00.

7. The Court preliminarily approves the Class Representative Service Payment to Plaintiff in an amount of up to $2,500.00 from the Gross Settlement Amount to compensate him for the burden, responsibility, time, effort, and risk involved in coming forward on behalf of the Class and for his general release of claims broader than the Class release.

8. The Court preliminarily approves ILYM GROUP, INC. as the Settlement Administrator ("Administrator) and further approves distribution of up to $6,950.00 from the Gross Settlement Amount

to cover the Administrator's expenses in administering this Settlement.

9. The Court approves the Class Notice attached hereto as Exhibit 2 (in English and Spanish) as to form and content, subject to any modifications ordered by the Court. The Court finds that the Class Notice fully and accurately informs Class Members of all material elements of the proposed Settlement, their right to exclude themselves, their right to object, and their right to appear at the Final Approval Hearing. The Court further finds that distribution of the Class Notice in the manner set forth in this Order constitutes the best notice practicable under the circumstances and satisfies the requirements of due process and California Rule of Court 3.766(d).

10. The Court orders the following schedule of events. All deadlines are calendar days unless otherwise specified. The Parties shall promptly apply to the Court for any necessary modifications:

Event	Deadline / Date
Defendant to deliver Class Data to Administrator	30 calendar days after entry of this Order
Administrator to update addresses via NCOA database and mail Class Notice to all Class Members	15 calendar days after receiving Class Data
Response Deadline: exclusion requests, objections, and Workweek/PAGA Pay Period disputes	45 calendar days after mailing of Class Notice
Extended Response Deadline for Class Members whose notices were re-mailed	59 calendar days after mailing of Class Notice
Administrator to provide final Exclusion List to counsel	5 calendar days after expiration of Response Deadline
Defendant's election to withdraw (if applicable under Agreement)	30 calendar days after receipt of final Exclusion List

11. The Final Approval Hearing is scheduled for _____, 2027 at 2:00 p.m. in Department CX105 of the Orange County Superior Court, Civil Complex Center, 751 West Santa Ana Blvd., Santa Ana, California 92701. The Final Approval Hearing shall be set on a Thursday. At the Final Approval Hearing, the Court will consider: (a) whether to grant final approval of the Settlement as fair, adequate, and reasonable; (b) whether to enter the Final Approval Order and Judgment; (c) the plan of allocation; (d) Class Counsel's request for attorneys' fees not to exceed $112,799.78 and costs

not to exceed $15,000.00; (e) the Class Representative Service Payment not to exceed $2,500.00; and (f) the Administration Expenses Payment not to exceed $6,950.00.

12. The Court shall retain jurisdiction over this Action, the Parties, and the proposed Settlement for purposes of (i) enforcing the terms of the Class Action Settlement Agreement and/or this Preliminary Approval Order, (ii) addressing settlement administration matters, and (iii) addressing post-Judgment matters as are permitted by law, pursuant to California Code of Civil Procedure section 664.6 and California Rules of Court, rule 3.769(h).

IT IS SO ORDERED.

DATED: _____, 2027

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HON. MELISSA R. MCCORMICK
JUDGE OF THE SUPERIOR COURT