

1 **JUSTICE FOR WORKERS, P.C.**

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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF ALAMEDA**

10
11 MICHAEL CASTRO, an individual and on
12 behalf of all others similarly situated,

13 Plaintiff,

14 v.

15 BRITE NITES, INC., an Utah corporation; and
16 DOES 1 through 50, inclusive,

17 Defendants.

Case No.: 24CV061873

[Assigned for All Purposes to:
Hon. S. Raj Chatterjee, Dept. 21]

**(AMENDED PROPOSED) ORDER
GRANTING PRELIMINARY
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT**

DATE: June 16, 2026

TIME: 2:30 p.m.

DEPT: 21

Action Filed: January 30, 2024

Trial Date: Not Set

1 The Motion of Plaintiff Michael Castro (“Plaintiff”) for Preliminary Approval of Class
2 Action and PAGA Settlement came on regularly for hearing before this Court on June 16, 2026 at
3 2:30 p.m. This Court, having considered the Parties’ Amended Stipulation and Settlement of Class
4 and PAGA Claims¹ (the “Agreement” or the “Settlement”) attached to the Supplemental
5 Declaration of William C. Sung filed concurrently herein; having considered Plaintiff’s Motion for
6 Preliminary Approval of Class Action and PAGA Settlement, Memorandum of Points and
7 Authorities in support thereof, and supporting declarations filed therewith; and good cause
8 appearing, HEREBY ORDERS THE FOLLOWING:

9 1. The Court **GRANTS** preliminary approval of the Settlement as set forth in the
10 Agreement and finds its terms to be within the range of reasonableness of a settlement that
11 ultimately could be granted approval by the Court at a Final Approval Hearing. For purposes of
12 approving this Settlement only, the Court finds that the proposed Class is ascertainable and that
13 there is a sufficiently well-defined community of interest among the members of the Class in
14 questions of law and fact. Therefore, for Settlement purposes only, the Court grants conditional
15 certification of the following Class:

16 All current and former independent contractors who performed work for Brite Nites,
17 Inc. in California during the Class Period of January 30, 2020 through November 13,
2025.

18 2. The Court finds the allocation from the Settlement Fund to PAGA penalties—
19 including the Labor & Workforce Development Agency’s (“LWDA”) 75% share and the Aggrieved
20 Employees’ 25% share—as fair, adequate, and reasonable in light of the overall Settlement Fund.
21 “Aggrieved Employees” are all current and former independent contractors who performed work
22 for Brite Nites, Inc. in California during the PAGA Period of January 29, 2023 through November
23 13, 2025. Pursuant to Labor Code section 2699(s)(2), the LWDA will be provided notice of the
24 Agreement and the settlement terms.

25 3. For Settlement purposes only, the Court designates Named Plaintiff Michael Castro
26 as Class Representative and William C. Sung and Tiffany L. Luu of Justice for Workers, P.C. as
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¹ All defined terms contained herein shall have the same meanings as set forth in the Agreement.

1 Class Counsel.

2 4. The Court designates Apex Class Action, LLC as the third-party Settlement
3 Administrator, as more specifically set forth in the Settlement.

4 5. The Court approves, as to form and content, the Class Notice attached as Exhibit 1 to
5 the Agreement.

6 6. The Court finds that the form of notice to the Class regarding the pendency of the
7 action and of the Settlement, and the methods of giving notice to Class Members, constitute the best
8 notice practicable under the circumstances, and constitute valid, due, and sufficient notice to all of
9 the Class Members. The form and method of giving notice complies fully with the requirements of
10 California Code of Civil Procedure section 382, California Civil Code section 1781, California
11 Rules of Court 3.766 and 3.769, the California and United States Constitutions, and other applicable
12 law.

13 7. The Court further approves the procedures for the Class Members to opt out of or
14 object to the Settlement, as set forth in the Class Notice and Settlement.

15 8. The procedures and requirements for filing objections in connection with the Final
16 Approval Hearing are intended to ensure the efficient administration of justice and the orderly
17 presentation of any Class Member's objection to the Settlement in accordance with the due process
18 rights of all members of the Class.

19 9. The Court directs the Settlement Administrator to mail the Class Notice to Class
20 Members in accordance with the terms of the Settlement.

21 10. The Class Notice shall provide at least sixty (60) calendar days' notice for Class
22 Members to opt out of, or object to, the Settlement.

23 11. The Final Approval Hearing on the question of whether the Settlement should be
24 finally approved as fair, reasonable, and adequate is scheduled in Department 21 of this Court,
25 located at Rene C. Davidson Courthouse, located at 1225 Fallon Street, Oakland, CA 94612 on
26 _____, 2026 at ____ a.m./p.m.

27 12. At the Final Approval Hearing, the Court will consider: (a) whether the Settlement
28 should be finally approved as fair, reasonable, and adequate for the Class; (b) whether a judgment

granting final approval of the Settlement should be entered; and (c) whether Plaintiff's application for reasonable attorneys' fees, reimbursement of litigation expenses, service award to Plaintiff, settlement administration costs, and payment to the LWDA for penalties under the Labor Code Private Attorneys General Act should be granted.

13. Counsel for the parties shall file memoranda, declarations, or other statements and materials in support of their request for final approval of the Settlement, attorneys' fees, litigation expenses, Plaintiff's service award, payment to the LWDA, and settlement administration costs, prior to the Final Approval Hearing according to the time limits set by the Code of Civil Procedure and the California Rules of Court.

14. The Court reserves the right to continue the Final Approval Hearing without further notice to the class. However, if written objections are submitted, Class Counsel is ordered to serve notice on any such objecting class member of the new date and time of the Final Approval Hearing.

15. An implementation schedule is below:

Event	Date
Defendant to provide Class Data to the Settlement Administrator no later than:	14 calendar days after Preliminary Approval
Settlement Administrator to mail the Class Notice to Class Members no later than:	14 calendar days after receiving Class List and Data Report
Deadline for Class Members to request exclusion from, or object to, the Settlement:	60 calendar days after mailing
Deadline for Settlement Administrator to provide declaration of due diligence and compliance:	14 calendar days after opt-out/objection deadline
Deadline for Plaintiff to file Motion for Final Approval of Class Action Settlement:	16 court days before Final Approval Hearing
Final Approval Hearing	_____, 2026 at _____

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

17. Counsel for the parties are hereby authorized to utilize all reasonable procedures in connection with the administration of the Settlement which are not materially inconsistent with

1 either this Order or the terms of the Settlement.

2 **IT IS SO ORDERED.**

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4 DATED: _____

5 Hon. S. Raj Chatterjee
6 Judge of the Superior Court
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