

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

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

10
11 LOAN PHU, an individual and on behalf of all
others similarly situated;

12 Plaintiff,

13 vs.

14 MICROVENTION, INC., a Delaware
15 corporation; and DOES 1 through 50,

16 Defendants.

Case No.: 30-2024-01376392-CU-OE-CXC

[Assigned for All Purposes to:
Hon. David A. Hoffer, Dept. CX103]

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

DATE: November 10, 2025

TIME: 1:30 p.m.

DEPT: CX103

Reservation ID: 74654134

Action Filed: January 29, 2024

Trial Date: Not Set

1 The Motion of Plaintiff Loan Phu (“Plaintiff”) for Preliminary Approval of Class Action and
2 PAGA Settlement came on regularly for hearing before this Court. This Court, having considered
3 the proposed Amended Class Action and PAGA Settlement Agreement (the “Agreement”) attached
4 to the Declaration of William C. Sung filed concurrently herein; having considered Plaintiff’s
5 Motion for Preliminary Approval of Class Action Settlement, Memorandum of Points and
6 Authorities in support thereof, and supporting declarations filed therewith; and good cause
7 appearing, HEREBY ORDERS THE FOLLOWING:

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

15 All current and former non-exempt employees who worked for Defendant
16 Microvention, Inc. within the State of California at any time during the Class Period
of January 29, 2020 through July 12, 2025.

17 2. For purposes of the Settlement, the Court designates named Plaintiff Loan Phu as
18 Class Representative and William C. Sung and Tiffany L. Luu of Justice for Workers, P.C. as Class
19 Counsel.

20 3. The Court designates Apex Class Action, LLC as the third-party Administrator for
21 mailing notices.

22 4. The Court approves, as to form and content, the Class Notice attached as Exhibit A
23 to the Settlement.

24 5. The Court finds that the form of notice to the Class regarding the pendency of the
25 action and of the Settlement, and the methods of giving notice to Class Members, constitute the best
26 notice practicable under the circumstances, and constitute valid, due, and sufficient notice to all of
27 the Class Members. The form and method of giving notice complies fully with the requirements of
28 California Code of Civil Procedure section 382, California Civil Code section 1781, California

Rules of Court 3.766 and 3.769, the California and United States Constitutions, and other applicable law.

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

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

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

9. The Class Notice shall provide at least forty-five (45) calendar days' notice for Class Members to opt out of, or object to, the Settlement.

10. The Final Approval Hearing on the question of whether the Settlement should be finally approved as fair, reasonable, and adequate is scheduled in Department CX105 of this Court, located at Civil Complex Center 751 West Santa Ana Blvd., Santa Ana, CA 92701 on _____, 2026 at ____ a.m./p.m.

11. At the Final Approval Hearing, the Court will consider: (a) whether the Settlement 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 Labor & Workforce Development Agency ("LWDA") for penalties under the Labor Code Private Attorneys General Act should be granted.

12. 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.

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1 13. An implementation schedule is below:

2 Event	Date
3 Defendants to provide the 4 Administrator with the Class Data	Within 15 calendar days after entry of this Order
5 Administrator to mail the Class Notice	Within 14 calendar days after receiving the Class Data 6 from Defendants
7 Response Deadline for Class Members	Within 45 calendar days after the Administrator mails 8 the Class Notice (extended by 14 calendar days for any 9 re-mailed initial Class Notices)
10 Last Day to File a Motion for Final Approval of Class Action and PAGA Settlement	At least 16 court days before the Final Approval Hearing:
Final Approval Hearing	_____, 2026 at ____ a.m./p.m.

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

14 15. Counsel for the parties are hereby authorized to utilize all reasonable procedures in
15 connection with the administration of the Settlement which are not materially inconsistent with
16 either this Order or the terms of the Settlement.

17 **IT IS SO ORDERED.**

18
19 DATED: _____, 2025

Hon. David A. Hoffer
Judge of the Superior Court