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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE

APR 02 2026

DAVID H. YAMASAKI, Clerk of the Court

BY: M. NEVAREZ, DEPUTY

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE

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

Plaintiff,

vs.

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

Defendants.

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

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

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

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 Class Action and PAGA Settlement Agreement (the "Agreement") attached to the
4 Declaration of William C. Sung and the Amendment to Class Action and PAGA Settlement
5 Agreement and Class Notice (the "Amendment"; the Agreement and Amendment are collectively
6 referred to as the "Settlement") attached to the Declaration of William C. Sung¹; having considered
7 Plaintiff's Motion for Preliminary Approval of Class Action and PAGA Settlement, Memorandum
8 of Points and Authorities and supplemental filings in support thereof, and supporting declarations
9 filed therewith; and good cause appearing, HEREBY ORDERS THE FOLLOWING:

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

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

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

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

24 4. The Court approves, as to form and content, the Class Notice attached as Exhibit A
25 to the Amendment².

26
27 ¹ The Agreement is attached as Exhibit 1 to this Order. The Amendment is attached as Exhibit 2 to
this Order.

28 ² The Class Notice formatted by the Administrator, including a Spanish translation, is attached to
this Order as Exhibit 3.

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

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

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

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

16 9. The Class Notice shall provide at least sixty (60) calendar days' notice for Class
17 Members to opt out of, or object to, the Settlement or dispute the number of Class Workweeks and
18 PAGA Pay Periods.

19 10. The Final Approval Hearing on the question of whether the Settlement should be
20 finally approved as fair, reasonable, and adequate is scheduled in Department CX103 of this Court,
21 located at Civil Complex Center 751 West Santa Ana Blvd., Santa Ana, CA 92701 on August 3,
22 2026 at 1:30 p.m.

23 11. At the Final Approval Hearing, the Court will consider: (a) whether the Settlement
24 should be finally approved as fair, reasonable, and adequate for the Class; (b) whether a judgment
25 granting final approval of the Settlement should be entered; and (c) whether Plaintiff's application
26 for reasonable attorneys' fees, reimbursement of litigation expenses, service award to Plaintiff,
27 settlement administration costs, and payment to the Labor & Workforce Development Agency
28 ("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, no later than 16 court days prior to the Final Approval Hearing.

13. An implementation schedule is below:

Event	Date
Defendants to provide the Administrator with the Class Data	Within 15 calendar days after entry of this Order
Administrator to mail the Class Notice	Within 14 calendar days after receiving the Class Data from Defendants
Response Deadline for Class Members	Within 60 calendar days after the Administrator mails the Class Notice (extended by 14 calendar days for any re-mailed initial Class Notices)
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	August 3, 2026 at 1:30 p.m.

14. 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. The Court retains jurisdiction to enforce the Settlement pursuant to Code of Civil Procedure § 664.6.

15. The Court orders the Parties and the Administrator to carry out their duties and obligations in accordance with terms of the Settlement and this Order.

IT IS SO ORDERED.

DATED: 4/2, 2026


Hon. David A. Hoffer
Judge of the Superior Court