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9 and on behalf of others similarly situated

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **FOR THE COUNTY OF LOS ANGELES**

13 JOHN MARGARITIS, JR., individually, and on
behalf of all others similarly situated,

14 Plaintiff,

15 vs.

16 CURTIN MARITIME CORP., a California
17 corporation; and DOES 1 through 10, inclusive,

18 Defendants.

Case No.: 23STCV31826 (lead)

*Assigned for all purposes to:
Hon. Stuart M. Rice, Dept. 1*

**AMENDED ~~PROPOSED~~ ORDER
GRANTING PLAINTIFFS' MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION AND PAGA
SETTLEMENT**

Date: June 23, 2025
Time: 10:30 a.m.
Dept.: 1

FILED
Superior Court of California
County of Los Angeles

06/20/2025

David W. Slayton, Executive Officer / Clerk of Court

By: _____ A. He _____ Deputy

PROPOSED ORDER

Having reviewed Plaintiff John Margaritis, Jr.'s ("Plaintiff") Motion for Preliminary Approval of Class Action Settlement ("Motion"), the Declaration of John G. Yslas, Plaintiff's declaration, and the Class Action and PAGA Settlement Agreement and Class Notice ("Settlement Agreement"), and good cause appearing, the Court finds and orders as follows:

1. The Court finds on a preliminary basis that the Settlement Agreement appears to be fair, adequate, and reasonable and therefore meets the requirements for preliminary approval. The Court grants preliminary approval of the Settlement and the Settlement Class based on the terms set forth in the Settlement Agreement between Plaintiff and Defendant Curtin Maritime Corporation ("Defendant"), attached to the February 20, 2025 Declaration of John G. Yslas in Support of Plaintiff's Motion for Preliminary Approval of Class Action Settlement as **Exhibit 1**.

2. The Settlement falls within the range of reasonableness of a settlement which could ultimately be given final approval by this Court, and appears to be presumptively valid, subject only to any objections that may be raised at the Final Approval Hearing and final approval by this Court. The Court notes that Defendant has agreed to create a common fund of \$252,000.00 to cover (a) settlement payments to Class Members who do not validly opt out; (b) a \$15,000.00 allocation toward civil penalties under the Private Attorneys General Act, 75% of which (\$11,250.00) will be paid to the State of California, Labor & Workforce Development Agency and 25% of which (\$3,750.00) will be paid to eligible Aggrieved Employees; (c) Class Representative service payment of up to \$7,500.00 to Plaintiff; (d) Class Counsel's attorneys' fees, not to exceed one-third of the Gross Settlement Amount (i.e., \$84,000.00), and up to \$20,000.00 in costs for actual litigation expenses incurred by Class Counsel; and (e) Settlement Administration Costs of up to \$8,490.00.

3. After the deductions referenced above in paragraph 2 are made to the Gross Settlement Amount, the Net Settlement Amount is estimated to be as follows:

Gross Settlement Amount	\$252,000.00
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PAGA Penalties	(\$15,000.00)
Class Representative Service Payment	up to (\$7,500.00)
Class Counsel's attorneys' fees	up to (\$84,000.00)
Class Counsel's Litigation Expenses Payment	up to (\$20,000.00)
Settlement Administration Costs	up to (\$8,490.00)
Net Settlement Amount	\$117,010.00

4. The Court preliminarily finds that the terms of the Settlement appear to be within the range of possible approval, pursuant to California Code of Civil Procedure § 382 and applicable law. The Court finds on a preliminary basis that: (1) the Settlement amount is fair and reasonable to the Class Members when balanced against the probable outcome of further litigation relating to class certification, liability and damages issues, and potential appeals; (2) significant informal discovery, investigation, research, and litigation have been conducted such that counsel for the Parties at this time are able to reasonably evaluate their respective positions; (3) settlement at this time will avoid substantial costs, delay, and risks that would be presented by the further prosecution of the litigation; and (4) the proposed Settlement has been reached as the result of intensive, serious, and non-collusive negotiations between the Parties with the assistance of a well-respected class action mediator. Accordingly, the Court preliminarily finds that the Settlement Agreement was entered into in good faith.

5. A final fairness hearing on the question of whether the proposed Settlement, attorneys' fees and costs to Class Counsel, payment to the State of California, Labor & Workforce Development Agency for its share of the settlement of claims for penalties under the Private Attorneys General Act, and the Class Representative's enhancement awards should be finally approved as fair, reasonable and adequate as to the members of the Class is hereby set in accordance with the Implementation Schedule set forth below.

6. The Court provisionally certifies for settlement purposes only the following class (the "Class"): "all current and former hourly, non-exempt employees with job title "Labor" who were employed by Defendant, either directly or through any predecessor, successor, assign,

1 subsidiary, staffing agency, or professional employer organization, in the State of California
2 during the Class Period.”

3 7. “Class Period” means the period from June 4, 2019 to May 23, 2025 (*see*
4 Settlement Agreement, ¶ 8 & June 6, 2025 Joint Statement).

5 8. The Court finds, for settlement purposes only, that the Settlement Class meets the
6 requirements for certification under California Code of Civil Procedure § 382 in that: (1) the
7 Settlement Class Members are so numerous that joinder is impractical; (2) there are questions
8 of law and fact that are common, or of general interest, to all Settlement Class Members, which
9 predominate over individual issues; (3) Plaintiff’s claims are typical of the claims of the
10 Settlement Class Members; (4) Plaintiff and Class Counsel will fairly and adequately protect
11 the interests of the Settlement Class Members; and (5) a class action is superior to other
12 available methods for the fair and efficient adjudication of the controversy.

13 9. The Court appoints as Class Representative, for settlement purposes only,
14 Plaintiff John Margaritis, Jr. The Court further preliminarily approves Plaintiff’s ability to
15 request an incentive award up to \$7,500.00.

16 10. The Court appoints, for settlement purposes only, John G. Yslas, Jeffrey C. Bils,
17 Aram Boyadjian and Andrew Sandoval of Wilshire Law Firm, PLC, as Class Counsel. The Court
18 further preliminarily approves Class Counsel’s ability to request attorneys’ fees of up to one-
19 third of the Gross Settlement Amount (i.e., \$84,000.00), and costs not to exceed \$20,000.00.

20 11. The Court appoints Apex Class Action Administration as the Settlement
21 Administrator with reasonable administration costs estimated not to exceed \$8,490.00.

22 12. The Court approves, as to form and content the Class Notice, attached to the
23 Settlement Agreement. The Court finds on a preliminary basis that plan for distribution of the
24 Notice to Settlement Class Members satisfies due process, provides the best notice practicable
25 under the circumstances, and shall constitute due and sufficient notice to all persons entitled
26 thereto.

27 13. The Parties are ordered to carry out the Settlement according to the terms of the
28 Settlement Agreement.

14. Any Class Member who does not timely and validly request exclusion from the Settlement may object to the Settlement Agreement.

15. The Court orders the following implementation schedule:

EVENT:	DEADLINE:
Defendant to provide Class List to the Settlement Administrator	7 days after MPA hearing
Settlement Administrator to mail the Notice Packets	5 days after receipt of Class Data
Class Member Response Deadline	45 days after mailing Notice to Class
Class Member Deadline to Object	45 days after mailing Notice to Class
Deadline for Administrator to Submit Declaration in Support of Motion for Final Approval	14 days before the last day to file Plaintiff's Motion for Final Approval
Deadline to file Motion for Final Approval, Request for Attorney's Fees and Costs, and Service Awards to Plaintiff	16 court days before the calendared Final Approval Hearing
Final Approval Hearing	December 22, 2025 at 10:30 a.m.

16. The Court further ORDERS that, pending further order of this Court, all proceedings in this lawsuit, except those contemplated herein and in the settlement, are stayed.

IT IS SO ORDERED.



DATE: June 20, 2025

Stuart M. Rice / Judge

Hon. Stuart M. Rice
Los Angeles County Superior Court