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6 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
7 **FOR THE COUNTY OF LOS ANGELES**
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9 PHILLIP JR PLASENCIA individually and on
10 behalf of himself and all others similarly
11 situated,

12 Plaintiff,

13 v.

14 ONNI PROPERTIES LLC, an Arizona
15 Limited Liability Company, ONNI
16 MANAGEMENT CALIFORNIA, INC., a
17 Delaware Corporation, Defendant ONNI
18 LEVEL PROPERTIES (CALIFORNIA),
19 LLC, a Delaware limited liability company,
20 Defendant CAPILANO PROPERTIES, LLC,
21 a Nevada limited liability company, Defendant
22 ONNI 888 OLIVE STREET LIMITED
23 PARTNERSHIP, a Nevada limited
24 partnership, and ONNI CONTRACTING
25 (CALIFORNIA), INC., a California
26 corporation, and DOES 1-50, inclusive,
27
28

Defendants.

Case No. 24STCV04598

Assigned for All Purposes To:
Hon. Timothy Patrick Dillon
Dept.: 15

**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 FINAL
APPROVAL OF SETTLEMENT**

Complaint Filed: February 23, 2024
FAC Filed: March 10, 2025
Trial Date: None Set

1 This matter, having come before the Honorable Timothy Patrick Dillon of the Superior Court
2 of the State of California, in and for the County of Los Angeles, on September 15, 2025, at 11:00 A.M.,
3 for the Motion by Plaintiff Phillip Jr Plasencia (“Plaintiff”) for Preliminary Approval of the Class
4 Action and PAGA Settlement that resolves the claims alleged by Plaintiff and the Class against
5 defendants ONNI PROPERTIES LLC, an Arizona Limited Liability Company; ONNI
6 MANAGEMENT CALIFORNIA, INC., a Delaware Corporation; Defendant ONNI LEVEL
7 PROPERTIES (CALIFORNIA), LLC, a Delaware limited liability company; Defendant CAPILANO
8 PROPERTIES, LLC, a Nevada limited liability company; Defendant ONNI 888 OLIVE STREET
9 LIMITED PARTNERSHIP, a Nevada limited partnership.; and ONNI CONTRACTING
10 (CALIFORNIA), INC., a California corporation (collectively “Defendants” or “ONNI”) (collectively
11 referred to herein as the “Parties”). The Court, having considered the briefs, argument of counsel and
12 all matters presented to the Court, and good cause appearing, hereby GRANTS Plaintiff’s Motion for
13 Preliminary Approval of Class Action and PAGA Settlement.

14 IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

15 1. The Court provisionally certifies the following Class for purposes of settlement: all
16 persons who are or were employed by Defendants as hourly paid, non-exempt employees in the State
17 of California at any time during the period from December 2, 2019 through February 2, 2025 (“Class
18 Period”).

19 2. The Court preliminarily appoints Plaintiff as Class Representative for purposes of
20 settlement only.

21 3. The Court appoints James Hawkins and Christina Lucio of James Hawkins, APLC as
22 Class Counsel for purposes of settlement.

23 4. The Court preliminarily approves the class action portion of the Settlement as fair,
24 adequate, and reasonable, and approves the PAGA portion of the settlement based upon the terms set
25 forth in the Class Action and PAGA Settlement Agreement (the “Settlement”), including payment by
26 Defendants of the non-reversionary Gross Settlement Amount of \$875,000.00.

27 5. The Court preliminarily approves payment of reasonable attorneys’ fees and costs from
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1 the Gross Settlement Amount in an amount of up to 35% of the Gross Settlement Amount
2 (\$306,250.00), plus actual litigation costs up to \$15,000.00.

3 6. The Court preliminarily approves the Class Representative Service Payment to Plaintiff
4 in an amount of up to \$10,000.00 from the Gross Settlement Amount to compensate him for the burden,
5 responsibility, time, effort, and risk involved in coming forward on behalf of the Class and for his
6 general release of claims broader than the Class release;

7 7. The Court approves payment to the LWDA of 75% of the \$45,000.00 allocated to PAGA
8 penalties (\$33,750.00) from the Gross Settlement Amount;

9 8. The Court preliminarily approves Apex Class Action, LLC as the Settlement
10 Administrator and further approves distribution of up to \$9,000.00 from the Gross Settlement Amount
11 to cover the Settlement Administrator's expenses in administering this Settlement;

12 9. The Court orders Defendants to direct the distribution to the Class of the Notice of Class
13 Action and PAGA Settlement (the "Class Notice"), including notice of the opportunity to exclude
14 oneself from, or object to, the Settlement (except for its PAGA component); and

15 10. The Final Fairness and Approval Hearing shall be held on _____, 2025 at
16 _____, before the Honorable Timothy Patrick Dillon, in Department 15 in the Superior Court of
17 California, Los Angeles County, in the Spring Street Courthouse located at 312 N Spring St., Los
18 Angeles, CA 90012. At that time, the Court shall determine, following dissemination of Notice to the
19 Class, whether to grant final approval to the Settlement.

20 **IT IS SO ORDERED.**

21
22 DATED: _____, 2025

23 _____
24 HON. TIMOTHY PATRICK DILLON
25 JUDGE OF THE SUPERIOR COURT
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