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13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

14 **FOR THE COUNTY OF RIVERSIDE**

15 FALCAO RIVELINO HERNANDEZ and
16 SERGIO RODRIGUEZ NAVA, individually
17 and on behalf of others similarly situated, and
18 as aggrieved employees and Private Attorneys
General,

19 Plaintiffs,

20 vs.

21 LDI MECHANICAL, INC., a Delaware
22 corporation doing business in California; and
23 DOES 1 through 50, inclusive,

24 Defendant.

Case No. CVRI2401542

*[Case assigned for all purposes to the Hon.
Harold W. Hopp, Dept. 1]*

**[PROPOSED] ORDER GRANTING
PRELIMINARY APPROVAL OF CLASS
AND PAGA ACTION SETTLEMENT**

Date: September 8, 2025

Time: 8:30 a.m.

Dept.: 1

Action Filed: March 22, 2024

Trial Date: None Set

1 The Motion of Plaintiffs Falcao Rivelino Hernandez and Sergio Rodriguez Nava
2 (“Plaintiffs”) for Preliminary Approval of Class Action and PAGA Action Settlement came on
3 regularly for hearing before this Court on September 8, 2025 at 8:30 a.m. This Court, having
4 considered the proposed Stipulation of Settlement (“Settlement Agreement”) attached as Exhibit
5 A to the Declaration of Matthew K. Moen filed concurrently herein; having considered Plaintiffs’
6 Motion for Preliminary Approval of Class Action and PAGA Action Settlement, Memorandum
7 of Points and Authorities in support thereof, and supporting declarations filed therewith; and good
8 cause appearing, HEREBY ORDERS THE FOLLOWING:

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

16 All current and former non-exempt employees who worked for
17 Defendant LDI Mechanical, Inc. in California at any time from
18 March 22, 2020, until the earlier of: (i) June 8, 2025; or (ii) the date
19 when the Defendant exercises the option to cutoff the aggregate
20 workweeks at 139,292 total workweeks.

21 2. The Settlement Agreement specifies for an attorneys’ fees award not to exceed
22 one-third of the Maximum Settlement Amount (\$966,666.67), an award of litigation expenses
23 incurred not to exceed \$60,000.00, proposed Class Representative Enhancement Payments to
24 Plaintiffs in an amount not to exceed \$7,500.00 each (total of \$15,000.00), and PAGA civil
25 penalties in the amount of \$100,000.00 (25% of which (\$25,000.00) will be paid to PAGA
26 Aggrieved Employees). The Court will not approve the amount of attorneys’ fees and costs,
27 enhancement payments, or PAGA civil penalties, until the Final Approval Hearing.

28 3. For purposes of the Settlement, the Court designates named Plaintiffs Falcao
Rivelino Hernandez and Sergio Rodriguez Nava as Class Representatives, and designates Heather
Davis, Carlos Jimenez, and Amir Nayebdadash of Protection Law Group, LLP, and Paul K.

1 Haines, Fletcher W. Schmidt, and Matthew K. Moen of Haines Law Group, APC as Class
2 Counsel.

3 4. The Court designates Phoenix Settlement Administrators as the third-party
4 Settlement Administrator for mailing notices.

5 5. The Court approves, as to form and content, the Class Notice, Request for
6 Exclusion Form, Objection Form, and Dispute Form (collectively, the “Notice Packet”), attached
7 as Exhibit 1 to this Proposed Order.

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

15 7. The Court further approves the procedures for the Settlement Class members to
16 opt out of or object to the Settlement, as set forth in the Class Notice.

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

21 9. The Court directs the Settlement Administrator to mail the Notice Packet to the
22 members of the Settlement Class in accordance with the terms of the Settlement. The Court directs
23 the Settlement Administrator to carry out all duties as required by the Settlement.

24 10. The Court orders the Settlement Administrator to redact the last four digits of all
25 individuals’ Social Security Numbers (“SSN”) from any forms and/or documents filed in
26 connection with the motion for final approval.

27 11. No claim form is required for Settlement Class Members to receive their
28 settlement payment. The Class Notice shall provide at least sixty (60) calendar days’ notice for

members of the Settlement Class to opt out of, or object to the Settlement. The Class Notice shall be accompanied by an exclusion form and objection form that Settlement Class members may use. Any Request for Exclusion or Objection shall be submitted directly to the Settlement Administrator and not filed with the Court. Upon receipt of any Requests for Exclusion or Objections, the Settlement Administrator shall forward copies of all Requests for Exclusion and Objections to counsel for all parties. The Settlement Administrator shall file a declaration concurrently with the filing of the Motion for Final Approval of Class Action Settlement which authenticates a copy of every Request for Exclusion and Objection received by the Settlement Administrator. The Settlement Administrator shall give notice to any objecting Settlement Class member of any continuance of the hearing on Plaintiffs' Motion for Final Approval of Class Action Settlement.

12. The Final Approval Hearing on the question of whether the Settlement should be finally approved as fair, reasonable, and adequate is scheduled in Department 1 of this Court, located at 4050 Main Street, Riverside, California 92501 on January 28, 2026 at 8:30 a.m.

13. At the Final Approval Hearing, the Court will consider: (a) whether the Settlement should be finally approved as fair, reasonable, and adequate for the Settlement Class; (b) whether a judgment granting final approval of the Settlement should be entered; and (c) whether Plaintiffs' application for reasonable attorneys' fees, reimbursement of litigation expenses, Enhancement Payments, 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.

14. 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, Plaintiffs' Enhancement Payments, 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 15. An implementation schedule is below (assuming preliminary approval is granted
2 on September 8, 2025):

3 Event	4 Date
5 Defendant to provide Class Member information to the 6 Settlement Administrator no later than [10 business days 7 after preliminary approval]:	September 23, 2025
8 Settlement Administrator to mail the Notice Packet to 9 Settlement Class members no later than [10 business days 10 after receiving Class Member information]:	October 7, 2025
11 Deadline for Settlement Class members to request 12 exclusion from, or object to, the Settlement, or submit a 13 dispute [60 calendar days after mailing]:	December 6, 2025
14 Deadline for Plaintiffs to file Motion for Final Approval 15 of Class Action Settlement [16 court days before Final 16 Approval Hearing]:	January 5, 2026
17 Final Approval Hearing:	January 28, 2026 at 8:30 a.m.

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

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

24 **IT IS SO ORDERED.**

25 Dated: _____, 2025

26 _____
27 Hon. Harold W. Hopp
28 Judge of the Superior Court