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9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **FOR THE COUNTY OF RIVERSIDE**

11 NORMA RODRIGUEZ, an individual, on behalf
12 of herself, the State of California, as a private
13 attorney general, and on behalf of all others
14 similarly situated,

15 Plaintiff,

16 v.

17 AVID IDENTIFICATION SYSTEMS, INC., a
18 California Corporation; and DOES 1 TO 50,

19 Defendants.
20

Case Number: CVRI2401629

**[Proposed] Order Granting Motion for
Preliminary Approval of Class Action
Settlement**

1 **[PROPOSED] ORDER**

2 Plaintiff's unopposed Motion for Preliminary Approval of a Class Action Settlement came
3 before this Court on April 29, 2025, in Department 1, the Honorable Harold Hopp, presiding. The Court
4 having considered the papers submitted in support of the application of the parties, HEREBY ORDERS
5 THE FOLLOWING:

6 1. The Court grants preliminary approval of the Settlement and the Settlement Class based
7 upon the terms set forth in the Class Action and PAGA Settlement Agreement and Class Notice (the
8 "Settlement Agreement") attached as **Exhibit A** to the Declaration of Jonathan Melmed in support of
9 Plaintiff's Motion for Order Granting Preliminary Approval of Class Action Settlement. All terms used
10 herein shall have the same meaning as defined in the Settlement Agreement. The settlement set forth
11 in the Settlement Agreement appears to be fair, adequate and reasonable to the Class, and the Court
12 preliminarily approves the terms of the Settlement Agreement, including, without limitation:

- 13 a. A non-reversionary Gross Settlement Amount of **\$300,000.00**;
14 b. The Class Representative enhancement payment to the named Plaintiff of
15 **\$7,500.00**;
16 c. Court approved attorneys' fees to Class Counsel of up to **\$100,000.00**,
17 representing one-third of the Gross Settlement Amount;
18 d. Court approved litigation costs to Class Counsel of up to **\$15,000.00**;
19 e. Fees and Costs of the Settlement Administrator of up to **\$15,000.00**; and
20 f. A PAGA allocation of \$20,000.00, with **\$15,000.00** (i.e., 75%) payable to the
21 California Labor & Workforce Development Agency for its portion of the
22 PAGA penalties.

23 2. This Court has considered the papers in support of the Motion and the Settlement
24 Agreement and finds that, pursuant to C.R.C. Rule 3.769(d), the proposed Class should be certified for
25 settlement purposes only. Specifically, the Court finds for settlement purposes only that the proposed
26 Class: (a) is ascertainable; (b) is sufficiently numerous; (c) meets the commonality requirements; (d)
27 the claims of the Class Representative is typical of the claims of the proposed Class Members; (e) Class
28 Representative's counsel has and is able to adequately represent the proposed Class; (f) the Class

1 Representative is adequate to represent the Class; and (g) class-wide treatment of this dispute is
2 superior to individual litigation because common issues predominate over individual issues for
3 settlement purposes.

4 3. The Settlement falls within the range of reasonableness and appears to be presumptively
5 valid, subject only to any objections that may be raised at the final fairness hearing and final approval
6 by this Court.

7 4. A final fairness hearing on the question of whether the proposed Settlement, attorneys'
8 fees and costs to Class Counsel, and the Class Representative's enhancement award should be finally
9 approved as fair, reasonable and adequate as to the members of the Class is scheduled on the date and
10 time set forth in the Implementation Schedule.

11 1. This Court approves, as to form and content, the Court Approved Notice of Class Action
12 Settlement and Hearing Date for Final Approval ("Class Notice"), in substantially the form attached
13 hereto as **Exhibit 1**, the Share Form, in substantially the form attached hereto as **Exhibit 2**, and the
14 Exclusion Form, attached hereto as **Exhibit 3**. The Court approves the procedure for Class Members
15 to participate in, to opt out of, and to object to, the Settlement as set forth in the Settlement Agreement.

16 5. The Court directs the mailing of the Class Notice by first class mail to the Class
17 Members in accordance with the Implementation Schedule set forth below. The Court finds the dates
18 selected for the mailing and distribution of the Notice, as set forth in the Implementation Schedule,
19 meet the requirements of due process and provide the best notice practicable under the circumstances
20 and shall constitute due and sufficient notice to all persons entitled thereto.

21 6. It is ordered that the Settlement Class is preliminarily certified for settlement purposes
22 only.

23 7. The Court preliminary certifies for settlement purposes only the Settlement Class
24 defined as follows: *all individuals who are or were employed by Defendant as non-exempt employees*
25 *in the State of California during the Class Period. See Settlement Agreement, at § 1.5. The Class Period*
26 *is defined as the period of time from March 22, 2020 through February 15, 2025. See Settlement*
27 *Agreement, at § 1.12.*

28 "Participating Class Member" means a Class Member who does not submit a valid and timely

Request for Exclusion from the Class portion of the Settlement. All Participating Class Members, on behalf of themselves and their respective former and present representatives, agents, attorneys, heirs, administrators, successors, and assigns, release Released Parties from any and all class claims that were alleged, or reasonably could have been alleged, based on the facts stated in the operative First Amended Class and Representative Action Complaint in the Action, for the duration of the Class Period.

Class Released Claims means any and all class claims that were alleged, or reasonably could have been alleged, based on the facts stated in the operative First Amended Class and Representative Action Complaint in the Action, for the duration of the Class Period.

8. The Court confirms Plaintiff Norma Rodriguez as Class Representative, and Jonathan Melmed and Laura M. Supanich of Melmed Law Group P.C. as Class Counsel.

9. The Court appoints Apex Class Action Administration as the Settlement Administrator.

10. To facilitate administration of the Settlement pending final approval, the Court hereby enjoins Plaintiff from filing or prosecuting any claims, suits or administrative proceedings (including filing claims with the Division of Labor Standards Enforcement of the California Department of Industrial Relations) regarding claims released by the Settlement, unless and until such Class Members have filed valid Requests for Exclusion with the Settlement Administrator and the time for filing claims with the Settlement Administrator has elapsed.

11. The Court orders the following **Implementation Schedule** for further proceedings:

a.	Deadline for Defendant to Submit Class Member Information to Settlement Administrator	[no later than 15 days after the Preliminary Approval Date]
b.	Deadline for Settlement Administrator to Mail Notice to Class Members	[no later than 14 days after receiving Class Data from Defendant]
c.	Deadline for Class Members to Postmark Requests for Exclusion	[60 days after mailing of the Class Notice]
d.	Deadline for Class Members to submit any Objections to Settlement	[60 days after mailing of the Class Notice]

e.	Deadline for Class Counsel to file Motion for Final Approval of Settlement, including Request for Attorneys' Fees, Costs, and Enhancement Award	[16 Court days prior to Final Approval and Fairness Hearing]
f.	Final Approval and Fairness Hearing (the Court's first available date after, July 2025.	_____, 2025 at _____ a.m./p.m.

12. If any of the dates in this Implementation Schedule falls on a weekend, bank or court holiday, the time to act shall be extended to the next business day.

13. The Court shall retain jurisdiction over the Action for all purposes pursuant to California Rule of Court 3.769 and California Rule of Civil Procedure § 664.6 to enforce the terms of the Settlement.

IT IS SO ORDERED.

Dated: _____

Hon. Harold Hopp

Judge of the Superior Court, Riverside County