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13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **FOR THE COUNTY OF ORANGE**

15 ELIDA CORONA, as an individual and on
16 behalf of all others similarly situated,
17 **Plaintiff,**

18 **vs.**

19 WEST AMERICAN RUBBER COMPANY,
20 LLC, a California Limited Liability Company;
21 and DOES 1 through 100,
22 **Defendants.**

CASE NO. 30-2024-01383622-CU-OE-CXC

*[Case assigned for all purposes to the Hon.
Melissa R. McCormick, Dept. CX105]*

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

Date: August 7, 2025
Time: 2:00 p.m.
Dept.: CX105
Reservation ID No.: 74605857

Action Filed: March 4, 2024
Trial Date: None Set

1 The Motion of Plaintiff Elida Corona (“Plaintiff”) for Preliminary Approval of Class
2 Action and PAGA Settlement came regularly for hearing before this Court on August 7, 2025, at
3 2:00 p.m. The Court, having considered the proposed Stipulation of Settlement (“Settlement”)
4 entered into between Plaintiff and Defendant West American Rubber Company, LLC
5 (“Defendant”), attached hereto as Exhibit 1; having considered Notice of Class and PAGA Action
6 Settlement, Notice of Individual Settlement Payment, Request for Exclusion Form, and Objection
7 Form (collectively, “Notice Packet”) attached hereto as Exhibit 2; having considered Plaintiff’s
8 Motion for Preliminary Approval of Class and PAGA Action Settlement, Memorandum of Points
9 and Authorities in support thereof, and supporting declarations filed therewith; and good cause
10 appearing, HEREBY ORDERS THE FOLLOWING:

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

19 All current and former non-exempt employees who worked for
20 Defendant in California between March 4, 2020 and the date of
21 preliminary approval (the “Class Period”).

22 2. The “PAGA Members” are defined as “all current and former non-exempt
23 employees who worked for Defendant in California between March 4, 2023, and the date of
24 preliminary approval (the “PAGA Period”).”

25 3. For purposes of the Settlement, the Court preliminarily designates Plaintiff Elida
26 Corona as Class Representative and preliminarily designates Fletcher W. Schmidt, Paul K.
27 Haines, Matthew K. Moen, and Susan J. Perez of Haines Law Group, APC as Class Counsel.

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1 4. Defendant will pay a non-reversionary Maximum Settlement Amount of
2 \$1,750,000.00. The Net Settlement Amount is the amount remaining from the Maximum
3 Settlement Amount after deducting the not-to-exceed requested amount for attorneys' fees
4 (\$583,333.33), the not-to-exceed verified costs reimbursement (\$50,000.00), the not-to-exceed
5 Class Representative Enhancement Payment (\$5,000.00), the not-to-exceed settlement
6 administration costs (\$6,500.00), and the California Labor & Workforce Development Agency's
7 ("LWDA") share of civil penalties under the Private Attorneys General Act ("PAGA"), which is
8 75% of the total amount of PAGA civil penalties (\$75,000.00). Based on these requested amounts,
9 the Net Settlement Amount is calculated to be approximately \$1,030,166.67. From the Net
10 Settlement Amount, the PAGA Members will receive the remaining 25% (\$25,000.00),
11 designated a PAGA civil penalties. The total amount allocated for PAGA civil penalties is
12 \$100,000.00.

13 5. The Court preliminarily designates Apex Class Action Administration as the
14 Settlement Administrator.

15 6. The Court approves, as to form and content, the Notice Packet, attached hereto as
16 Exhibit 2.

17 7. The Court finds that the form of notice to the Settlement Class regarding the
18 pendency of the action and of the Settlement, and the methods of giving notice to members of the
19 Settlement Class constitute the best notice practicable under the circumstances, and constitute
20 valid, due, and sufficient notice to all members of the Settlement Class.

21 8. The Court further approves the procedures for Settlement Class members to opt
22 out of or object to the Settlement, as set forth in the Class Notice.

23 9. The Court directs the Settlement Administrator to mail the Notice Packet to the
24 members of the Settlement Class in accordance with the terms of the Settlement. The Court orders
25 the Parties and the Settlement Administrator to administer the settlement as set forth in the
26 Settlement.

27 10. The Notice Packet shall provide at least 60 calendar days' notice for members of
28 the Settlement Class to opt out of, or object to the Settlement. Any Request for Exclusion,

1 Objection or Dispute shall be submitted directly to the Settlement Administrator. Upon receipt of
2 any Requests for Exclusion or Objections, the Settlement Administrator shall forward copies of
3 all Requests for Exclusion and Objections to counsel for all parties. The Settlement Administrator
4 shall file a declaration concurrently with the filing of the Motion for Final Approval of Class and
5 PAGA Action Settlement which authenticates a copy of every Request for Exclusion and
6 Objection received by the Settlement Administrator. The Settlement Administrator shall give
7 notice to any objecting Settlement Class member of any continuance of the hearing on Plaintiff's
8 Motion for Final Approval of Class and PAGA Action Settlement.

9 11. The Final Approval Hearing on the question of whether the Settlement should be
10 finally approved as fair, reasonable, and adequate is scheduled in Department CX105 of this
11 Court, located at 751 W Santa Ana Blvd, Santa Ana, California 92701 on December 18, 2025, at
12 2:00 p.m.

13 12. At the Final Approval Hearing, the Court will consider: (a) whether the Settlement
14 should be finally approved as fair, reasonable, and adequate for the Settlement Class; (b) whether
15 a judgment granting final approval of the Settlement should be entered; and (c) whether Plaintiff's
16 application for reasonable attorneys' fees, reimbursement of litigation expenses, enhancement
17 payment to Plaintiff, settlement administration costs, and payment to the LWDA for penalties
18 under the PAGA should be granted.

19 13. Counsel for the parties shall file memoranda, declarations, or other statements and
20 materials in support of their request for final approval of the Settlement, attorneys' fees, litigation
21 expenses, Plaintiff's enhancement payment, settlement administration costs, and payment to the
22 LWDA for PAGA penalties prior to the Final Approval Hearing at least 16 court days before the
23 Final Approval Hearing.

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14. An implementation schedule is below (assuming the Court signs this Order on August 7, 2025):

Event	Date
Defendant to provide Settlement Class member information to the Settlement Administrator no later than [14 calendar days after preliminary approval]:	August 21, 2025
Settlement Administrator to mail Notice Packet to Settlement Class members no later than [10 business days from receipt of Settlement Class members' information]:	September 5, 2025
Deadline for Settlement Class members to request exclusion from, submit dispute, or object to the Settlement [60 calendar days from mailing of Notice Packet]:	November 4, 2025
Deadline for Plaintiff to file Motion for Final Approval of Class Action Settlement:	At least 16 court days before Final Approval Hearing
Final Fairness Hearing:	December 18, 2025, at 2:00 p.m.

15. The procedures and schedule for Settlement Class members to submit Requests for Exclusions, Objections, and Disputes will be as follows:

i. Requests for Exclusions

a. Any Settlement Class member who wishes to opt-out of the Settlement must complete and mail the Request for Exclusion Form (found in the Notice Packet, attached hereto to Exhibit 2) to the Settlement Administrator within 60 calendar days of the date of the initial mailing of the Notice Packets (the "Response Deadline").

b. PAGA Members may not opt-out of the release of PAGA claims and will thus receive payment for their share of the PAGA Amount even if they request exclusion from the Settlement and do not receive a class portion of their Individual Settlement Payment.

ii. Objections

- a. Any Settlement Class member who wishes to Object to the Settlement must complete and mail the Objection Form (found in the Notice Packet, attached hereto to Exhibit 2) to the Settlement Administrator on or before the Response Deadline.

iii. Disputes

- a. Each Notice Packet mailed to a Settlement Class member shall disclose the amount of the Settlement Class member's estimated Individual Settlement Payment and anticipated share of the PAGA Amount, as well as all of the information that was used to calculate the Individual Settlement Payment and anticipated share of the PAGA Amount. Settlement Class members will have the opportunity, should they disagree with Defendant's records regarding the information stated in the "Notice of Individual Settlement Payment" Form (found in the Notice Packet, attached hereto to Exhibit 2), to provide documentation and/or an explanation to show contrary information. Any such dispute, including any supporting documentation, must be mailed to the Settlement Administrator and postmarked by the Response Deadline.

16. 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.

17. The Court will retain jurisdiction to enforce the Settlement pursuant to California Code of Civil Procedure § 664.6.

IT IS SO ORDERED.

Dated: _____, 2025

Honorable Melissa R. McCormick
Judge of the Superior Court