

SULLIVAN EMPLOYMENT LAW PC
Martin E. Sullivan, CA Bar No 274279
martin@sullivanlawgrp.com
145 S. Spring Street, Ste. 850
Los Angeles, CA 90012
Tel: (323) 645-5470

Attorneys for Plaintiffs and the Putative Class

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

ANDRES QUIJANO, an individual, on behalf
himself and all others similarly situated,

Plaintiff,

v.

SOUTH ITALIA HUNTINGTON BEACH,
LP, a California Limited Partnership, and
DOES 1 TO 50,
Defendants.

CASE NO: 24STCV08676

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

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

Hearing Date: June 3, 2025
Time: 10:30 a.m.
Dept.: 1
Judge: Hon. Stuart M. Rice

1 **TO ALL PARTIES AND THEIR RESPECTIVE COUNSEL OF RECORD:**

2 The Motion for Preliminary Approval of a Class Action Settlement came before this
3 Court, on June 3, 2025, at 10:30 a.m., the Honorable Stuart M. Rice presiding. The Court having
4 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
7 based upon the terms set forth in the Joint Stipulation of Settlement and Release (“Settlement
8 Agreement”), filed herewith. All terms used herein shall have the same meaning as defined in the
9 Settlement Agreement. The settlement set forth in the Settlement Agreement (“Settlement”)
10 appears to be fair, adequate, reasonable, and in the best interests of the absent class members.

11 2. The Gross Settlement Amount, estimate deductions, and estimated Net Settlement
12 Amount, which the Court finds reasonable, are described herein:

Gross Settlement Amount	\$248,000.00
Attorneys’ Fees (1/3 of the GSA)	(up to \$82,666.66)
Litigation Costs and Expenses	(up to \$17,000.00)
Class Rep. Enhancement Award	(up to \$7,000.00)
Settlement Administration Costs	(up to \$12,000.00)
PAGA payment to the LWDA	(up to \$6,000.00)
PAGA payments to Aggrieved	(up to \$2,000)
Net Settlement Amount	\$121,333.34

21 2. The Settlement falls within the range of reasonableness and appears to be
22 presumptively valid, subject only to any objections that may be raised at the final fairness hearing
23 and final approval by this Court.

24 3. A final fairness hearing on the question of whether the proposed Settlement,
25 attorneys’ fees and costs to Class Counsel, and the Class Representatives’ Enhancement Award
26 should be finally approved as fair, reasonable and adequate as to the members of the Class is
27 scheduled in Department 1 on the date and time set forth in the Implementation Schedule in
28 Paragraph 9 below. Plaintiff suggests the week of September 8, 2025, for Final Approval.

1 4. The Settlement Agreement, as Amended, is Attached to the Supplemental
2 Declaration of Martin Sullivan As **Exhibit A**. This Court approves, as to form and content, the
3 Amended Notice of Proposed Class Action Settlement, including estimated settlement share
4 (“Class Notice”), attached to the Settlement Agreement, as **Attachment 1**. This Court also
5 approves, as to form and content, the Request for Exclusion [from the Proposed Class Action
6 Settlement] (“Request for Exclusion”), attached to the Settlement Agreement, as **Attachment 2**.
7 This Court also approves, as to form and content, the Objection Form (“Objection Form”),
8 attached to the Settlement Agreement, as **Attachment 3**. The Court approves the procedure for
9 Class Members to participate in, to opt out of, and to object to, the Settlement as set forth in the
10 Settlement Agreement.

11 5. The Court directs the mailing of the Class Notice, Request for Exclusion, and
12 Dispute Form by first class mail to the Class Members in accordance with the Implementation
13 Schedule set forth below. The Court finds the dates selected for the mailing and distribution of
14 the Notice, as set forth in the Implementation Schedule, meet the requirements of due process and
15 provide the best notice practicable under the circumstances and shall constitute due and sufficient
16 notice to all persons entitled thereto.

17 6. It is ordered that the Settlement Class is preliminarily certified for settlement
18 purposes only.

19 7. The Court confirms Plaintiff Andres Quijano as Class Representative and Martin
20 Sullivan of Sullivan Employment Law PC as Class Counsel.

21 8. The Court approves and confirms ILYM Group, Inc. as the Settlement
22 Administrator.

23 9. The Court orders the following **Implementation Schedule** for further
24 proceedings:

25 a.	Deadline for Defendant to Submit Class 26 Member Information to Settlement Administrator	[Within 10 days after the Preliminary Approval Date, S.A. ¶ 3.5.2]
27 b.	Deadline for Settlement Administrator to Mail 28 Notice and Claim Form to Class Members	[Within 7 calendar days after receiving Class Information, S.A. ¶ 3.5.4]

c.	Deadline for Class Members to Postmark any Disputes to Settlement	[45 calendar days after mailing of the Notice and Claim Form, S.A. ¶ 1.40]
d.	Deadline for Class Members to Postmark Requests for Exclusion	[45 calendar days after mailing of the Notice and Claim Form, S.A. ¶ 1.40]]
e.	Deadline for Class Members to Postmark any Objections to Settlement	[50 calendar days after mailing of the Notice and Claim Form, S.A. ¶ 12.3.6]]
f.	Deadline for Settlement Administrator to provide Class Counsel with Declaration of Due Diligence and Proof of Mailing	[At least 30 calendar days prior to the Final Approval Hearing]
g.	Deadline for Class Counsel to file Motion for Final Approval of Settlement, including Request for Attorneys' Fees, Costs, and Enhancement Award	[16 Court days before Final Approval Hearing]
i.	Final Fairness Hearing and Final Approval	_____, 2025
j.	Deadline for Settlement Administrator to mail the Settlement Awards and the Enhancement Award, and to wire transfer the Attorneys' Fees and Costs (if Settlement is Effective)	[No later than 15 calendar days after the Settlement is fully funded, S.A. ¶¶ 3.11, 3.11.1]
k.	Settlement Administrator to Provide Proof of Payment of Settlement Awards, Enhancement Award, Attorneys' Fees and Costs (if Settlement is Effective)	[No later than 120 calendar days after Order granting final approval, S.A. ¶¶ 1.14, 3.20]

IT IS SO ORDERED.

DATED: _____

Hon. Stuart M. Rice
Judge of the Superior Court,
Los Angeles