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15 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
16
17 **FOR THE COUNTY OF SAN FRANCISCO**

18 ARMANI POWELL, individually, and on behalf
19 of all others similarly situated,

20 *Plaintiff,*

21 vs.

22 NORTHEASTERN UNIVERSITY, a
23 corporation; and DOES 1 through 10, inclusive,

24 *Defendants.*

Case No.: CGC-24-614228

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S MOTION TO MODIFY
ORDER GRANTING PRELIMINARY
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT**

Date: December 19, 2025
Time: 3:00 p.m.
Dept.: 613

1 **[PROPOSED] ORDER**

2 Having reviewed Plaintiff Armani Powell's ("Plaintiff") Motion for Preliminary
3 Approval of Class Action and PAGA Settlement and Motion to Modify Order Granting
4 Preliminary Approval of Class Action and PAGA Settlement (collectively, "Motions"), the
5 Declaration of Lisa B. Iturriaga, the Class Action and PAGA Settlement Agreement and
6 Amendment to Class Action and PAGA Settlement Agreement ("Settlement" or "Settlement
7 Agreement"), and good cause appearing, the Court finds and orders as follows:

8 1. The Court finds on a preliminary basis that the Settlement Agreement appears to
9 be fair, adequate, and reasonable and therefore meets the requirements for preliminary approval.
10 The Court grants preliminary approval of the Settlement and the Settlement Class based on the
11 terms set forth in the Settlement Agreement between Plaintiff and Defendant Northeastern
12 University ("Defendant" or "Northeastern"), attached as Exhibit 1 to the Corrected Declaration
13 of John G. Yslas in Support of Motion for Preliminary Approval of Class Action Settlement
14 filed on May 29, 2025 and attached as Exhibit 1 to the Declaration of Lisa B. Iturriaga in Support
15 of Plaintiff's Motion to Modify Order Granting Preliminary Approval of Class Action and
16 PAGA Settlement filed concurrently herewith.

17 2. The Settlement falls within the range of reasonableness of a settlement which
18 could ultimately be given final approval by this Court, and appears to be presumptively valid,
19 subject only to any objections that may be raised at the Final Approval Hearing and final
20 approval by this Court. The Court notes that Defendant has agreed to create a common fund of
21 \$2,672,923.73 to cover (a) Individual Settlement Payments to Class Members who do not
22 validly opt out; (b) a \$150,000.00 allocation toward civil penalties under the Private Attorneys
23 General Act, 65% of which (\$97,500.00) will be paid to the State of California, Labor &
24 Workforce Development Agency and 35% of which (\$52,500.00) will be paid to eligible
25 Aggrieved Employees; (c) Class Representative Service Payment of up to \$15,000.00 to
26 Plaintiff; (d) Class Counsel's Fees, not to exceed one-third of the Gross Settlement Amount
27 (i.e., \$890,974.57), and up to \$25,000.00 in Litigation Expenses incurred by Class Counsel; and
28 (e) Settlement Administration Expenses of up to \$17,358.90 (of which \$13,900.00 will be

1 deducted from the GSA and the remaining \$3,458.90 will be paid by Defendant in addition to
2 the \$2,672,923.73 GSA).

3 3. The Court preliminarily finds that the terms of the Settlement appear to be within
4 the range of possible approval, pursuant to California Code of Civil Procedure § 382 and
5 applicable law. The Court finds on a preliminary basis that: (1) the Gross Settlement Amount is
6 fair and reasonable to the Class Members when balanced against the probable outcome of further
7 litigation relating to class certification, liability and damages issues, and potential appeals; (2)
8 significant informal discovery, investigation, research, and litigation have been conducted such
9 that counsel for the parties at this time are able to reasonably evaluate their respective positions;
10 (3) settlement at this time will avoid substantial costs, delay, and risks that would be presented
11 by the further prosecution of the litigation; and (4) the proposed Settlement has been reached as
12 the result of intensive, serious, and non-collusive negotiations between the parties with the
13 assistance of a well-respected class action mediator. Accordingly, the Court preliminarily finds
14 that the Settlement Agreement was entered into in good faith.

15 4. A final fairness hearing on the question of whether the proposed Settlement, Fees
16 and Litigation Expenses to Class Counsel, payment to the State of California Labor &
17 Workforce Development Agency for its share of the settlement of claims for PAGA Penalties
18 under the Private Attorneys General Act, and the Class Representative Service Payment should
19 be finally approved as fair, reasonable and adequate as to the members of the Class is hereby
20 set in accordance with the implementation schedule set forth below.

21 5. The Court provisionally certifies for settlement purposes only the following class
22 (the “Class”): “all current and former employees of Northeastern within the State of California
23 who are or were employed as non-exempt hourly employees by Northeastern during the Class
24 Period.”

25 6. “Class Period” means the period October 31, 2019 through May 13, 2025.

26 7. The Court finds, for settlement purposes only, that the Settlement Class meets the
27 requirements for certification under California Code of Civil Procedure § 382 in that: (1) the
28 Settlement Class Members are so numerous that joinder is impractical; (2) there are questions

1 of law and fact that are common, or of general interest, to all Settlement Class Members, which
2 predominate over individual issues; (3) Plaintiff's claims are typical of the claims of the
3 Settlement Class Members; (4) Plaintiff and Class Counsel will fairly and adequately protect
4 the interests of the Settlement Class Members; and (5) a class action is superior to other
5 available methods for the fair and efficient adjudication of the controversy.

6 8. The Court appoints as Class Representative, for settlement purposes only,
7 Plaintiff. The Court further preliminarily approves Plaintiff's ability to request an incentive
8 award up to \$15,000.00 at final approval.

9 9. The Court appoints, for settlement purposes only, John G. Yslas, Arrash Fattahi,
10 Lisa B. Iturriaga and Arman Salehi of Wilshire Law Firm, PLC as Class Counsel. The Court
11 further preliminarily approves Class Counsel's ability to request Fees of up to one-third of the
12 Gross Settlement Amount (i.e., \$890,974.57), and Litigation Expenses not to exceed
13 \$25,000.00.

14 10. The Court appoints Phoenix Settlement Administrators, Inc. as the Settlement
15 Administrator with reasonable administration costs estimated not to exceed \$17,358.90.

16 11. The Court approves, as to form and content the Class Notices, attached to the
17 Declaration of Lisa B. Iturriaga in Support of Plaintiff's Motion to Modify Order Granting
18 Preliminary Approval of Class Action and PAGA Settlement as Exhibits 3 and 4. The Court
19 finds on a preliminary basis that the plan for distribution of the Notice to Settlement Class
20 Members satisfies due process, provides the best notice practicable under the circumstances,
21 and shall constitute due and sufficient notice to all persons entitled thereto.

22 12. The Parties are ordered to carry out the Settlement according to the terms of the
23 Settlement Agreement.

24 13. Any Class Member who does not timely and validly request exclusion from the
25 Settlement may object to the Settlement Agreement.

26 14. The Court orders the following implementation schedule:

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EVENT:	DEADLINE:
Defendant to provide Class List to the Settlement Administrator	January 2, 2026 - 14 days after the Court grants Preliminary Approval of the Settlement (SA, § 4.2)
Settlement Administrator to mail the Notice Packets and Postcard	January 16, 2026 - 14 days after receipt of Class Data (SA, § 7.4.2)
Class Member Response Deadline	March 2, 2026 - 45 days after mailing Notice to Class (SA, § 1.43)
Class Member Deadline to Object	March 2, 2026 - 45 days after mailing Notice to Class (SA, § 1.43)
Deadline for Administrator to Submit Declaration in Support of Motion for Final Approval	March 23, 2026 - 14 days before the last day to file Plaintiff's Motion for Final Approval (SA, § 7.8.5)
Deadline to file Motion for Final Approval, Request for Attorney's Fees and Costs, and Service Awards to Plaintiff	April 6, 2026 - 16 court days before the Final Approval Hearing (SA, § 10)
Final Approval Hearing	April 30, 2026, at 10:00 a.m. in Dept. 613

15. The Court further ORDERS that, pending further order of this Court, all proceedings in this lawsuit, except those contemplated herein and in the settlement, are stayed.

IT IS SO ORDERED.

DATE:

Hon. Jeffrey S. Ross
San Francisco County Superior Court