

John G. Yslas (SBN 187324)  
[jyslas@wilshirelawfirm.com](mailto:jyslas@wilshirelawfirm.com)  
William M. Pao (SBN 219846)  
[william.pao@wilshirelawfirm.com](mailto:william.pao@wilshirelawfirm.com)  
Refugio Ortega-Carrillo (SBN 346933)  
[refugio.ortegacarrillo@wilshirelawfirm.com](mailto:refugio.ortegacarrillo@wilshirelawfirm.com)  
Emily K. Borman (SBN 303180)  
[emily.borman@wilshirelawfirm.com](mailto:emily.borman@wilshirelawfirm.com)  
Courtney M. Miller (SBN 327850)  
[courtney.miller@wilshirelawfirm.com](mailto:courtney.miller@wilshirelawfirm.com)  
**WILSHIRE LAW FIRM, PLC**  
660 S. Figueroa Street, Sky Lobby  
Los Angeles, California 90017  
Telephone: (213) 381-9988  
Facsimile: (213) 381-9989

Attorneys for Plaintiff

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF ALAMEDA**

JUSTIN ESPINOSA-HINELINE, individually,  
and on behalf of all others similarly situated,

Plaintiff,

v.

HAROLD A. STEUBER ENTERPRISES, INC.,  
a California corporation; and DOES 1 through  
10, inclusive,

Defendants.

Case No.: 24CV081059

[Related Case No.: 25CV109856]

*[Assigned for All Purposes to the Hon.  
Patrick McKinney, Dept. 18]*

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

Preliminary Approval Hearing:

Date: December 23, 2025

Time: 1:30 p.m.

Dept: 18

Reservation ID: 428587161399

Action Filed: June 24, 2024

1 **[PROPOSED] ORDER**

2 Having reviewed Plaintiff Justin Espinosa-Hineline's ("Plaintiff") Motion for  
3 Preliminary Approval of Class Action and PAGA Settlement ("Motion"), the Declaration of  
4 John G. Yslas, the Declaration of Justin Espinosa-Hineline, and the Class Action Settlement  
5 Agreement and Release ("Settlement Agreement"), and good cause appearing, the Court finds  
6 and HEREBY ORDERS THE FOLLOWING:

7 1. The Court finds on a preliminary basis that the Settlement Agreement appears to  
8 be fair, adequate, and reasonable and therefore meets the requirements for preliminary approval.  
9 The Court grants preliminary approval of the Settlement and the Settlement Class based on the  
10 terms set forth in the Settlement Agreement between Plaintiff and Defendant Harold A. Steuber  
11 Enterprises, Inc. DBA Associated Services Company ("Defendant"), attached to the Declaration  
12 of John G. Yslas in Support of Plaintiff's Motion for Preliminary Approval of Class Action and  
13 PAGA Settlement as **Exhibit 2**.

14 2. The Settlement falls within the range of reasonableness of a settlement which  
15 could ultimately be given final approval by this Court, and appears to be presumptively valid,  
16 subject only to any objections that may be raised at the Final Approval Hearing and final  
17 approval by this Court. The Court notes that Defendant has agreed to create a common fund of  
18 \$675,000.00 to cover (a) settlement payments to Class Members who do not validly opt out; (b)  
19 a \$20,000.00 allocation toward civil penalties under the Private Attorneys General Act, 65% of  
20 which (\$13,000.00) will be paid to California's Labor & Workforce Development Agency and  
21 35% of which (\$7,000.00) will be paid to Aggrieved Employees; (c) a Service Award of up to  
22 \$10,000.00 to Plaintiff; (d) Class Counsel's Fee Award not to exceed one third (1/3) of the  
23 Gross Settlement Amount (currently estimated to be \$225,000.00), and a Costs Award up to  
24 \$23,000.00 for actual litigation expenses incurred by Class Counsel; and (e) Settlement  
25 Administrator Costs of up to \$7,850.00.

26 3. The Court preliminarily finds that the terms of the Settlement appear to be within  
27 the range of possible approval, pursuant to California Code of Civil Procedure § 382 and  
28 applicable law. The Court finds on a preliminary basis that: (1) the Settlement amount is fair

1 and reasonable to the Class Members when balanced against the probable outcome of further  
2 litigation relating to class certification, liability and damages issues, and potential appeals; (2)  
3 significant informal discovery, investigation, research, and litigation have been conducted such  
4 that counsel for the Parties at this time are able to reasonably evaluate their respective positions;  
5 (3) settlement at this time will avoid substantial costs, delay, and risks that would be presented  
6 by the further prosecution of the litigation; and (4) the proposed Settlement has been reached as  
7 the result of intensive, serious, and non-collusive negotiations between the Parties with the  
8 assistance of a well-respected class action mediator. Accordingly, the Court preliminarily finds  
9 that the Settlement Agreement was entered into in good faith.

10 4. A final fairness hearing on the question of whether the proposed Settlement, Fee  
11 Award and Costs Award to Class Counsel, payment to the California's Labor & Workforce  
12 Development Agency for its share of the settlement of claims for penalties under the Private  
13 Attorneys General Act, and the Service Award should be finally approved as fair, reasonable  
14 and adequate as to the members of the Class is hereby set in accordance with the Implementation  
15 Schedule set forth below.

16 5. The Court provisionally certifies for settlement purposes only the following class  
17 (the "Class"): "all persons who are employed or have been employed by Defendant as a non-  
18 exempt employee in the State of California during the Class Period."

19 6. "Class Period" means June 24, 2020, through the earlier of the date of the Court  
20 granting Preliminary Approval or the date triggered by Paragraph 20 of the Settlement  
21 Agreement.

22 7. The Court finds, for settlement purposes only, that the Settlement Class meets the  
23 requirements for certification under California Code of Civil Procedure § 382 in that: (1) the  
24 Settlement Class Members are so numerous that joinder is impractical; (2) there are questions  
25 of law and fact that are common, or of general interest, to all Settlement Class Members, which  
26 predominate over individual issues; (3) Plaintiff's claims are typical of the claims of the  
27 Settlement Class Members; (4) Plaintiff and Class Counsel will fairly and adequately protect  
28 the interests of the Settlement Class Members; and (5) a class action is superior to other

1 available methods for the fair and efficient adjudication of the controversy.

2 8. The Court appoints as Class Representative, for settlement purposes only,  
3 Plaintiff Justin Espinosa-Hineline. The Court further preliminarily approves Plaintiff's ability  
4 to request an incentive award up to \$10,000.00.

5 9. The Court appoints, for settlement purposes only, John G. Yslas, William M. Pao,  
6 Refugio Ortega-Carrillo, Emily K. Borman, and Courtney M. Miller of Wilshire Law Firm,  
7 PLC, as Class Counsel. The Court further preliminarily approves Class Counsel's ability to  
8 request attorneys' fees of up to one third (1/3) of the Gross Settlement Amount (currently  
9 estimated to be \$225,000.00), and litigation costs not to exceed \$23,000.00.

10 10. The Court appoints ILYM Group, Inc. as the Settlement Administrator with  
11 reasonable administration costs estimated not to exceed \$7,850.00.

12 11. The Court approves, as to form and content the Class Notice, attached to the  
13 Settlement Agreement. The Court finds on a preliminary basis that plan for distribution of the  
14 Notice to Settlement Class Members satisfies due process, provides the best notice practicable  
15 under the circumstances, and shall constitute due and sufficient notice to all persons entitled  
16 thereto.

17 12. The Parties are ordered to carry out the Settlement according to the terms of the  
18 Settlement Agreement.

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

21 14. The Court orders the following Implementation Schedule:

| Event                                                                                                 | Timing                                                                   |
|-------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|
| <b>Class List:</b> Last day for Defendant to<br>provide Class List to the Settlement<br>Administrator | 30 days after the Court grants Preliminary<br>Approval of the Settlement |
| <b>Notice:</b> Last day for Administrator to mail<br>the Class Notice to Class Members                | 14 days after receipt of the Class List                                  |

|                                                                                                                                                                         |                                                                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| <p><b>Notice Deadline:</b> Last day for Class Members to submit written objections, challenges to workweeks and/or pay periods, and requests for exclusion</p>          | <p>45 days after Class Notice is mailed out by the Administrator</p>                  |
| <p><b>Filing Deadline:</b> Last day to file Motion for Final Approval, Request for Attorneys' Fees and Costs, and Class Representative Service Payment to Plaintiff</p> | <p>16 court days before the Final Approval Hearing</p>                                |
| <p>Final Approval Hearing</p>                                                                                                                                           | <p>_____, 2026, at _____<br/>a.m./p.m. in Dept. 18 of the above-referenced Court.</p> |

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. PATRICK MCKINNEY  
JUDGE OF THE SUPERIOR COURT