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

18 ELVIRA LARA, an individual; BREANNA
19 MORRIS, an individual, and on behalf of all
20 others similarly situated,

21 Plaintiffs,

22 v.

23 3360 MAGNOLIA AVE, INC., a California
24 corporation; 3360 MAGNOLIA AVE, LLC, a
25 California limited liability company; and DOES
26 1 through 10, inclusive,

27 Defendants.

Case No.: 24STCV05190

Assigned for all purposes to:
Hon. Carolyn B. Kuhl, Dept. 12

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

Date: September 3, 2025
Time: 10:30 a.m.
Dept.: 12

1 **[PROPOSED] ORDER**

2 Having reviewed Plaintiffs Elvira Lara and Breanna Morris' ("Plaintiff") Motion for
3 Preliminary Approval of Class Action Settlement ("Motion"), the Declaration of John G. Yslas,
4 Plaintiff's declaration, and the Class Action and PAGA Settlement Agreement and Class Notice
5 ("Settlement Agreement"), and good cause appearing, the Court finds and orders as follows:

6 1. The Court finds on a preliminary basis that the Settlement Agreement appears to
7 be fair, adequate, and reasonable and therefore meets the requirements for preliminary approval.
8 The Court grants preliminary approval of the Settlement and the Settlement Class based on the
9 terms set forth in the Settlement Agreement between Plaintiffs and Defendants 3360 Magnolia
10 Ave, Inc. and 3360 Magnolia Ave, LLC ("Defendants" or "3360 Magnolia"), attached to the
11 Declaration of John G. Yslas in Support of Plaintiff's Motion for Preliminary Approval of Class
12 Action Settlement as **Exhibit 1**.

13 2. The Settlement falls within the range of reasonableness of a settlement which
14 could ultimately be given final approval by this Court, and appears to be presumptively valid,
15 subject only to any objections that may be raised at the Final Approval Hearing and final
16 approval by this Court. The Court notes that Defendant has agreed to create a common fund of
17 \$518,750.00 to cover (a) settlement payments to Class Members who do not validly opt out; (b)
18 a \$25,000.00 allocation toward civil penalties under the Private Attorneys General Act, 75% of
19 which (\$18,750.00) will be paid to the State of California, Labor & Workforce Development
20 Agency and 25% of which (\$6,250.00) will be paid to eligible Aggrieved Employees; (c) Class
21 Representative service payment of up to \$7,500.00 to each Plaintiff (not to exceed \$15,000.00
22 total); (d) Class Counsel's attorneys' fees, not to exceed one-third of the Gross Settlement
23 Amount (i.e., \$172,916.67), and up to \$25,000.00 in costs for actual litigation expenses incurred
24 by Class Counsel; and (e) Settlement Administration Costs of up to \$10,490.00.

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

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

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

15 5. The Court provisionally certifies for settlement purposes only the following class
16 (the "Class"): "non-exempt, hourly individuals that worked for Defendants in California during
17 the Class Period."

18 6. "Class Period" means the period from September 4, 2019 through December 20,
19 2024.

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

28 8. The Court appoints as Class Representatives, for settlement purposes only,

1 Plaintiffs. The Court further preliminarily approves Plaintiffs' ability to request an incentive
2 award up to \$7,500.00 each (not to exceed \$15,000.00 total).

3 9. The Court appoints, for settlement purposes only, John G. Yslas, Eugene
4 Zinovyev, John Brown, and Gabriella Solé of Wilshire Law Firm, PLC, as Class Counsel. The
5 Court further preliminarily approves Class Counsel's ability to request attorneys' fees of up to
6 one-third of the Gross Settlement Amount (i.e., \$172,916.67), and costs not to exceed
7 \$25,000.00.

8 10. The Court appoints Apex Class Action LLC as the Settlement Administrator with
9 reasonable administration costs estimated not to exceed \$10,490.00.

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

15 12. The Parties are ordered to carry out the Settlement according to the terms of the
16 Settlement Agreement.

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

19 14. The Court orders the following Implementation Schedule:

21 EVENT:	DEADLINE:
22 Defendant to provide Class List to the 23 Settlement Administrator	September 17, 2025 – 14 days after MPA 24 hearing
25 Settlement Administrator to mail the Notice 26 Packets	October 1, 2025 - 14 days after receipt of Class Data
27 Class Member Response Deadline	November 1, 2025 - 45 days after mailing

EVENT:	DEADLINE:
	Notice to Class
Class Member Deadline to Object	November 1, 2025 - 45 days after mailing Notice to Class
Deadline for Administrator to Submit Declaration in Support of Motion for Final Approval	December 1, 2025 – 14 days before the last day to file Plaintiff’s Motion for Final Approval, Request for Attorney’s Fees and Costs, and Service Awards to Plaintiff
Deadline to file Motion for Final Approval, Request for Attorney’s Fees and Costs, and Service Awards to Plaintiff	December 15, 2025 - 16 court days before the calendared Final Approval Hearing
Final Approval Hearing	January 8, 2025 at 10:30 a.m [or _____ at _____ a.m./p.m.]

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. Carolyn B. Kuhl
Los Angeles County Superior Court