



AIMAN-SMITH & MARCY
A PROFESSIONAL CORPORATION

Randall B. Aiman-Smith #124599
Reed W.L. Marcy #191531
Hallie Von Rock #233152
Lisbeth Bayona #338135
7677 Oakport St. Suite 1000
Oakland, CA 94621
T 510.519.1018
ras@asmlawyers.com
rwlm@asmlawyers.com
hvr@asmlawyers.com
lb@asmlawyers.com

Attorneys for All Plaintiffs

IN THE SUPERIOR COURT OF CALIFORNIA

IN AND FOR THE COUNTY OF ALAMEDA

SARAH RAD, individually and on)
behalf of all others similarly situated;)
and THE CALIFORNIA LABOR AND)
WORKFORCE DEVELOPMENT)
AGENCY, a California governmental)
agency, *ex rel.* SARAH RAD,)

Plaintiffs,

v.

SKINSPIRIT ESSENTIAL, LLC, a)
Washington corporation; and DOES 1-)
15, inclusive,)

Defendants.

Case No.: 24CV095295

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

Hearing Date: March 18, 2026

Hearing Time: 1:30 p.m.

Reservation: 721050213871

Assigned for all purposes to:

Judge Patrick McKinney

Department 18

Rene C. Davidson Courthouse

1221 Oak Street

Oakland, CA 94612

1 The Motion for Preliminary Approval of Class Action and PAGA Representative
2 Action Settlement (“Motion”) filed by Plaintiff Sarah Rad (“Plaintiff”) came on regularly for
3 hearing before this Court on March 18, 2026. Plaintiff appeared through her counsel of record,
4 Aiman-Smith & Marcy, and Defendant SkinSpirit Essential, LLC (“Defendant”) appeared
5 through its counsel of record. The Court, having reviewed the Motion, all supporting papers,
6 the Memorandum of Understanding (“MOU”), attached as Exhibit 1 to the Declaration of
7 Hallie Von Rock, the pleadings and file herein, and having heard the arguments of counsel,
8 hereby rules as follows:

9 **I. BACKGROUND**

10 This is a wage-and-hour class action and PAGA representative action. Plaintiff Sarah
11 Rad and Defendant SkinSpirit Essential, LLC agreed to settle the claims for \$490,000.00,
12 which includes an attorney’s fee award of up to \$147,000.00; reimbursement of Plaintiff’s
13 litigation costs up to \$17,000.00; an enhancement award of up to \$5,000.00 for Plaintiff;
14 settlement administration costs of up to \$7,500.00; and \$47,000.00 in PAGA civil penalties,
15 75% of which go to California’s Labor and Workforce Development Agency (LWDA) and
16 25% to aggrieved employees. The remaining settlement funds are to be distributed among an
17 estimated 202 class members on a pro rata basis.

18 **II. LEGAL STANDARD**

19 At the preliminary approval stage, the Court’s task is to determine whether the proposed
20 settlement is within the range of reasonableness such that notice should be given to the class
21 and a final approval hearing scheduled. *See, Dunk v. Ford Motor Co.* (1996) 48 Cal.App.4th
22 1794, 1801; *Wershba v. Apple Computer, Inc.* (2001) 91 Cal.App.4th 224, 235.

23 The Court considers whether: (1) the settlement appears to be the product of serious,
24 informed, non-collusive negotiations; (2) the settlement falls within the range of possible
25 approval; and (3) the proposed notice is adequate. (Cal. Rules of Court, rule 3.769.)

26 For PAGA claims, the Court must independently evaluate whether the settlement is fair,
27 reasonable, and adequate in light of PAGA’s public enforcement purposes. (Lab. Code §
28 2699(1)(2).)

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1 The Court hereby conditionally appoints:

- 2 1. Sarah Rad as Class Representative;
- 3 2. Aiman-Smith & Marcy as Class Counsel; and
- 4 3. Atticus Administration, LLC as Settlement Administrator.

5 **VI. APPROVAL OF NOTICE AND NOTICE PROCEDURE**

6 The Court hereby approves the form and content of the Class Notice attached to the Von
7 Rock Declaration as Exhibits 2 and 3. The Court finds that the Notice fairly and adequately
8 informs Class Members of the nature of the Action, the terms of the Settlement, their rights to
9 opt out or object, the procedures for doing so, and the binding effect of the Settlement.

10 The Court further approves the notice dissemination plan, including distribution by U.S.
11 mail and email, re-mailing procedures, address skip-tracing, creation of a settlement website,
12 and establishment of a toll-free call center.

13 The Notice program approved by this Order constitutes the best notice practicable under
14 the circumstances and complies with California Rules of Court, rule 3.766 and due process.

15 **VII. SCHEDULE AND DEADLINES**

16 The Court adopts the following schedule of events:

17 Defendant to provide Class Data to Settlement Administrator — Within 16 calendar
18 days of entry of this Order.

19 Settlement Administrator to mail and email Class Notice — Within 14 calendar days
20 after receipt of Class Data.

21 Deadline for Class Members to submit Requests for Exclusion, Objections, or
22 Workweek Challenges — 45 calendar days after initial mailing of Class Notice (plus an
23 additional 14 days for any re-mailed Notices).

24 Deadline for Class Counsel to file Motion for Final Approval and Motion for Attorneys'
25 Fees, Costs, and Service Award — 16 court days prior to Final Approval Hearing.

26 Settlement Administrator to provide Declaration of Due Diligence to Class Counsel and
27 Defense Counsel — Not later than 7 days before the deadline for Plaintiffs to file the Motion
28 for Final Approval.

1 Final Approval Hearing — [____], at [____], Dept. 18.

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3 **IT IS SO ORDERED.**

4 Dated: _____

5 _____
6 HON. PATRICK McKINNEY

7 Judge of the Superior Court County of Alameda
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