

1 Joseph Lavi, Esq. (SBN 209776)
2 Vincent C. Granberry, Esq. (SBN 276483)
3 Jeffrey D. Klein, Esq. (SBN 297296)
4 Paolo Policastro, Esq. (SBN 359731)
5 **LAVI & EBRAHIMIAN, LLP**
6 8889 W Olympic Boulevard, Suite 200
7 Beverly Hills, California 90211
8 Telephone: (310) 432-0000
9 Facsimile: (310) 432-0001
10 Email: jlavi@lelawfirm.com
11 vgranberry@lelawfirm.com
12 jklein@lelawfirm.com
13 ppolicastro@lelawfirm.com

14 Attorneys for Plaintiff KRISTA AYALA,
15 on behalf of herself and others similarly situated.

16 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
17 **FOR THE COUNTY OF RIVERSIDE**

18 KRISTA AYALA, on behalf of herself and
19 others similarly situated,

20 Plaintiff,

21 vs.

22 EISENHOWER IMAGING CENTER, LLC; and
23 DOES 1 to 100, inclusive,

24 Defendants.

Case No.: CVRI2405457

CLASS AND PAGA ACTION

*[Assigned for All purposes to the
Hon. Harold W. Hopp, Dept. 1]*

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

*[Filed concurrently with Notice of Motion and
Motion for Preliminary Approval of Class
Action Settlement; and Declarations in
Support Thereof]*

Hearing Information:

Date: May 27, 2026

Time: 08:30 a.m.

Dept.: 1

1 The Motion for Preliminary Approval of a Settlement came before this Court on May 27,
2 2026, in Department 1 of the Riverside County Superior Court located at 4050 Main Street, Riverside,
3 CA 92501. The Court, having considered the proposed Class Action and PAGA Settlement
4 Agreement entered into by and between Plaintiff Krista Ayala (“Plaintiff”) and Defendant
5 Eisenhower Imaging Center, LLC (“Defendant”) attached as **Exhibit 1** and Class Notice attached as
6 **Exhibit 2** to the Declaration of Paolo Policastro in Support of Plaintiff’s Motion for Preliminary
7 Approval of Class Action Settlement, and the Exhibits attached thereto (hereafter collectively, the
8 “Settlement” or “Settlement Agreement”); having considered the Motion for Preliminary Approval
9 of Class Action Settlement filed by the parties; having considered the memorandum of points and
10 authorities and declarations submitted by the parties in support thereof; and good cause appearing,
11 **HEREBY ORDERS THE FOLLOWING:**

12 1. The Court grants preliminary approval of the settlement as set forth in the Settlement
13 Agreement, including the Total Settlement Amount (\$825,000.00); Attorneys’ Fees (\$288,750.00);
14 Attorneys’ Costs (not to exceed \$20,000.00); and PAGA Penalties (\$50,000.00); and finds the terms
15 to be within the range of reasonableness of a settlement that ultimately could be granted approval by
16 the Court at the Final Fairness Hearing. For purposes of the Settlement only, the Court finds that the
17 proposed Settlement Class is ascertainable and that there is a sufficiently well-defined community of
18 interest among the Class as to questions of law and fact. Therefore, for settlement purposes only, the
19 Court grants conditional certification of the following “Class” defined as follows:

20 All current and former non-exempt employees employed by Defendant in California during
21 the Class Period. The “Class Period” is the period from October 15, 2020, through March 13, 2026.

22 2. For purposes of the Settlement only, the Court further designates named Plaintiff
23 Krista Ayala as Class Representative, and Joseph Lavi, Esq., Vincent C. Granberry, Esq., Jeffrey D.
24 Klein, Esq., and Paolo Policastro, Esq., of Lavi & Ebrahimian, LLP as Class Counsel.

25 3. The Court appoints Phoenix Class Action Administration as the third-party Settlement
26 Administrator. The Settlement Administrator will be responsible for, *inter alia*, preparing, printing,
27 and mailing the Class Notice Packet and related documents for to Class Members and Allegedly
28

1 Aggrieved Employees; receiving Class Member opt outs and/or objections to the Settlement;
2 calculating and distributing payments due under the Settlement; issuing IRS Forms 1099 and W-2,
3 and all required tax reporting, filings, withholdings, and remittances; providing necessary reports and
4 declarations; and other duties and responsibilities as set forth in the Settlement Agreement, requested
5 by the Parties and/or ordered by the Court.

6 4. A final fairness hearing on the question of whether the proposed Settlement should be
7 finally approved as fair, reasonable, and adequate as to the members of the Class is scheduled in
8 Department 1 of this Court, located at 4050 Main Street, Riverside, CA 92501 on
9 _____, 2026, at _____ a.m./p.m.

10 5. At the final fairness hearing, the Court will consider: (a) whether the Settlement should
11 be approved as fair, reasonable, and adequate for the Class; (b) whether a judgment granting approval
12 of the Settlement should be entered; and (c) whether Plaintiff's application for an award of Class
13 Counsel Fees Payment, Class Counsel Litigation Expenses Payment, and Class Representative
14 Service Payment should be granted.

15 6. Counsel for the Parties shall file memoranda, declarations, or other statements and
16 materials in support of their request for final approval by no later than 16 court days prior to the final
17 fairness hearing.

18 7. Class Counsel shall file a motion for an award of Class Counsel Fees Payment, Class
19 Counsel Litigation Expenses Payment, and Class Representative Service Payment no later than 16
20 court days prior to the final fairness hearing.

21 8. The Court approves, as to form and content, the Class Notice and related documents,
22 which are attached as **Exhibit 2** to the Declaration of Paolo Policastro in Support of Plaintiff's
23 Motion for Preliminary Approval of Class Action Settlement and the Exhibits attached thereto.

24 9. No later than thirty (30) days following the date the Court enters this order, Defendant
25 shall provide the following information to the Settlement Administrator: Class Member identifying
26 information in Defendants' possession, including the Class Member's name, last-known mailing
27
28

1 address, Social Security number, number of Class Period Workweeks, and PAGA Pay Periods.
2 (“Class Data”).

3 10. Within fourteen (14) calendar days after receiving the Class Data, the Settlement
4 Administrator shall disseminate the Class Notice to all the Class Members identified in the Class Data
5 by first-class U.S. Mail.

6 11. Class Members shall have forty-five (45) calendar days from the date the Settlement
7 Administrator mails Notice to the Class Members to fax, email, or mail Requests for Exclusion
8 from the Settlement or fax, email, or mail an Objection to the Settlement (“Response Deadline”).
9 Class Members to whom Notice Packets are resent after having been returned undeliverable to the
10 Administrator shall have an additional fourteen (14) calendar days after the Response Deadline has
11 expired.

12 12. The Court finds that the forms of Class Notice to the Class regarding the pendency
13 of the action and of this Settlement, and the methods of giving notice to members of the Settlement
14 Class constitute the best notice practicable under the circumstances and constitute valid, due, and
15 sufficient notice to all members of the Class. They comply fully with the requirements of California
16 Code of Civil Procedure section 382, California Civil Code section 1781, California Rules of Court
17 3.766 and 3.769, the California and United States Constitutions, and other applicable law.

18 13. The Court further approves the procedures for Class Members to participate in, opt
19 out of, or object to the Settlement, as set forth in the Settlement Agreement and Class Notice.

20 14. Class Members who wish to exclude themselves from (opt-out of) the Class
21 Settlement must send the Administrator, by mail, the signed form to Request to be Excluded from
22 the Class Action Settlement not later than 45 days after the Administrator mails the Class Notice
23 (plus an additional 14 days for Class Members whose Class Notice is re-mailed). The form for
24 requesting to be excluded from the Class Action Settlement is attached as **Exhibit B** to the Class
25 Notice. To be valid, the Request to be Excluded from the Class Action Settlement must be
26 postmarked by the Response Deadline.

1 15. Participating Class Members may send written objections to the Administrator by
2 filling in the form for Objection to the Class Action Settlement form via mail. The form for
3 objecting to the Class Action Settlement is attached as **Exhibit C** to the Class Notice. In the
4 alternative, Participating Class Members may appear in Court (or hire an attorney to appear in Court
5 on their behalf) to present verbal objections at the Final Approval Hearing. A Participating Class
6 Member who elects to send a written objection to the Administrator must do so not later than 45
7 days after the Administrator's mailing of the Class Notice (plus an additional 14 days for Class
8 Members whose Class Notice was re-mailed).

9 16. Pending the Fairness Hearing, all proceedings in this action, other than proceedings
10 necessary to carry out or enforce the terms and conditions of the Settlement Agreement and this
11 Order, are stayed.

12 17. Counsel for the parties are hereby authorized to utilize all reasonable procedures in
13 connection with the administration of the Settlement, which are not materially inconsistent with
14 either this Order or the terms of the Settlement.

15 18. The Court orders the following Implementation Schedule for further proceedings:

Event	Timing
Class Data: Last day for Defendant to provide the Settlement Administrator the Class Database	30 days after the Court's entry of this Order
Notice Date: last day for Administrator to mail Class Notice to Class Members.	14 days after receipt of the Class Data
Response Deadline: (i) last day for Settlement Class Members to submit Requests for Exclusion; (ii) last day for class members to submit Objections	45 calendar days after the date of mailing of the Class Notice
Last day for class counsel to file motion for award of attorneys' fees, reimbursement of litigation expenses and class representative enhancement.	16 Court days prior to the final fairness hearing
Last day for parties to file motion and supporting documents for final approval of class action settlement.	16 Court days prior to the final fairness hearing
Last day for the Parties to respond to Objections	5 court days prior to the final fairness hearing

Hearing on final approval of class action settlement.

Approximately 150 days after the Court grants preliminary approval of the Settlement

19. The Fairness Hearing and related prior deadlines set forth above may, from time to time and without further notice to the Class (except to those who have filed timely and valid objections), be continued or adjourned by Order of the Court. The Settlement Administrator will provide notice to any objecting Class Member if there is a change in the date and/or time of the Final Approval Hearing.

IT IS SO ORDERED.

Dated: _____

Hon. Harold W. Hopp
Judge of the Superior Court