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Attorneys for Plaintiffs Steven Vargas and Miguel Dominguez and all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – CENTRAL CIVIL WEST

STEVEN VARGAS, an individual; on behalf of himself and all others similarly situated,

Plaintiff,

v.

ANDREWS INTERNATIONAL, INC., a Delaware Corporation; and, DOES 1 through 50, inclusive,

Defendants.

Case No.: BC601767

PROPOSED ORDER GRANTING MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT

Date: February 22, 2018
Time: 1:45 p.m.
Place: Department 309

CONFORMED COPY
ORIGINAL FILED
Superior Court of California
County of Los Angeles

FEB 22 2018

Sherri R. Carter, Executive Officer/Clerk
By: Jan Josef Manrique, Deputy

RECEIVED
Central Civil West
JAN 29 2018
By: M. Aguirre

BY FAX

1 **ORDER**

2 On February 22, 2018, this Court conducted a hearing on Plaintiffs' Motion for Preliminary
3 Approval of the Class Action Settlement (the "Motion"). Having considered the Motion and the points
4 and authorities and declarations submitted in support of the Motion, including the Settlement Term Sheet
5 ("Settlement Agreement" or "Settlement") and the proposed Notice of Class Action Settlement drafted
6 by Plaintiffs, and **GOOD CAUSE** appearing, **IT IS HEREBY ORDERED** that the Motion is
7 **GRANTED**, subject to the following findings and orders:

8 1. This Order incorporates by reference the definitions in the Settlement Agreement, and
9 all terms defined therein shall have the same meaning as set forth in the Settlement Agreement.

10 2. The Settlement Class shall be conditionally certified for settlement purposes only and
11 shall consist of all persons who were employed by Defendant in the State of California as non-exempt
12 security guards at any time during the period from July 10, 2013 through the date Preliminary Approval
13 is granted.

14 3. The class action settlement set forth in the Settlement Agreement, entered into among
15 the Parties and their counsel, is preliminarily approved as it appears to be proper, to fall within the range
16 of reasonableness, to be the product of arm's-length and informed negotiations, to treat all Class
17 Members fairly, and to be presumptively valid, subject only to any objections that may be raised at or
18 before the final approval hearing. The Court further finds that Plaintiffs' Counsel conducted extensive
19 investigation and research, and that they were able to reasonably evaluate Plaintiffs' position and the
20 strengths and weaknesses of their claims and the ability to certify them. Plaintiffs' Counsel have
21 provided the Court with enough information about the nature and magnitude of the claims being settled,
22 as well as the impediments to recovery, to make an independent assessment of the reasonableness of the
23 terms to which the Parties have agreed.

24 4. The Court also finds that settlement now will avoid additional and potentially substantial
25 litigation costs, as well as delay and risks if the Parties were to continue to litigate the Action.

26 5. The Court preliminarily approves the Settlement Agreement, including all the terms and
27 conditions set forth therein and the Class Settlement Amount and allocation of payments.

28 6. The rights of any potential dissenters to the proposed Settlement are adequately

1 protected in that they may exclude themselves from the Settlement and proceed with any alleged claims
2 they may have against Defendant, or they may object to the Settlement and appear before this Court.
3 However, to do so they must follow the procedures outlined in the Settlement Agreement and Notice of
4 Class Action Settlement.

5 7. The Court approves, as to form and content, the proposed Notice of Class Action
6 Settlement (“Notice Packet”).

7 8. The Court directs the mailing, by First-Class U.S. mail, of the Notice Packets to Class
8 Members in accordance with the schedule set forth below and the other procedures described in the
9 Settlement Agreement. The Court finds that the method selected for communicating the preliminary
10 approval of the Settlement Agreement to Class Members is the best notice practicable under the
11 circumstances, constitutes due and sufficient notice to all persons entitled to notice, and thereby satisfies
12 due process.

13 9. Steven Vargas and Miguel Dominguez are suitable class representatives and are
14 appointed the Class Representatives for the Settlement Class conditionally certified by this Order.

15 10. The Court appoints Capstone Law APC and Kabateck Brown Kellner LLP as Class
16 Counsel. The Court finds that counsel have demonstrable experience litigating, certifying, and settling
17 class actions, and will serve as adequate counsel for the Class conditionally certified by this Order.

18 11. The Court approves and appoints CPT Group, Inc. as the Settlement Administrator.

19 12. The following dates shall govern for purposes of this Settlement:

Schedule for Settlement Administration	
Date	Event
20 21 22 23 24 25 26 27 28 Thursday, March 8, 2018 (or not later than 14 calendar days after the Court grants preliminary approval of the settlement)	Last day for Defendants to produce the Class List to the Settlement Administrator. The Class List will be formatted in Microsoft Office Excel and will include each Class Member’s full name; most recent mailing address and telephone number; Social Security number; dates of employment; the respective number of Shifts that each Class Member worked during the Class Period; and any other relevant information needed to calculate settlement payments.
Monday, March 19, 2018 (or not later than 10 calendar days after Defendant produces the Class List to the Settlement Administrator)	Last day for the Settlement Administrator to mail Notice Packets to all Class Members (“Notice Mailing Date”).

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Schedule for Settlement Administration	
Date	Event
Wednesday, April 18, 2018 (or not later than 30 calendar days after the Notice Mailing Date)	Last day for Class Members to submit Requests for Exclusion or Objections to the Settlement ("Response Deadline").
Friday, May 11, 2018 (or not later than 22 calendar days after the Response Deadline)	Last day for Plaintiffs to file the Motion for Final Approval of Class Action Settlement and Motion for Attorneys' Fees, Costs, and Class Representative Enhancement Payments.
Wednesday, June 6, 2018 at 10:00 a.m.	Hearing on Motion for Final Approval of Class Action Settlement and Motion for Attorneys' Fees, Costs, and Class Representative Enhancement Payments.

13. The Court expressly reserves the right to continue or adjourn the final approval hearing from time to time without further notice to the Class Members.

IT IS SO ORDERED.

Dated: Feb. 22, 2018

15/ CAROLYN B. KUHL
ASSISTANT SUPERVISING JUDGE
COMPLEX CIVIL LITIGATION

Hon. Carolyn B. Kuhl
Los Angeles County Superior Court