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2021 MAY -6 PM 3: 02

LAW AND MOTION DEPT. 53/54
SUPERIOR COURT
OF CALIFORNIA
SACRAMENTO COUNTY

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12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **FOR THE COUNTY OF SACRAMENTO**

14 MARCEL HENDERSON, as an individual and
15 on behalf of all others similarly situated,

16 Plaintiff,

17 vs.

18 SSP AMERICA, INC., a California corporation;
19 SSP AMERICA SMF, LLC, a California
20 limited liability company; and DOES 1 through
50, inclusive,

21 Defendants.

Case No. 34-2019-00250111-CU-OE-GDS

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

Date: May 6, 2021
Time: 1:30 p.m.
Dept.: 53

Reservation #: 2558741

Complaint Filed: February 6, 2019



1 TO ALL PARTIES AND THEIR RESPECTIVE COUNSEL OF RECORD:

2 Plaintiff Marcel Henderson's ("Plaintiff") Motion for Preliminary Approval of Class
3 Action Settlement came before this Court, on May 6, 2021, the Honorable Shama H. Mesiwala,
4 Judge presiding. The Court having considered the papers submitted in support of the
5 application of the parties, HEREBY GRANTS THE MOTION FOR PRELIMINARY
6 APPROVAL OF CLASS ACTION SETTLEMENT AND ORDERS THE FOLLOWING:

- 7 1. The Court grants preliminary approval of the settlement based upon the terms
8 set forth in the Joint Stipulation for a Class Action Settlement and Release of
9 Claims (hereinafter referred to as "Settlement Agreement") filed herewith. The
10 Settlement appears to be fair, adequate and reasonable to the Class.
- 11 2. The Settlement Agreement falls within the range of reasonableness and appears
12 to be presumptively valid, subject only to any objections that may be raised at
13 the final fairness hearing and final approval by this Court.
- 14 3. A final fairness hearing on the question of whether the proposed Settlement
15 Agreement, attorneys' fees to Class Counsel, the Class Representative's
16 Enhancement Award, and the Settlement Administrator's Costs should be
17 finally approved as fair, reasonable and adequate as to the members of the Class
18 is scheduled in Department 53 on the date and time set forth in the schedule in
19 Paragraph 8 below.
- 20 4. This Court approves, as to form and content, the Notice of Pendency of Class
21 Action, Proposed Settlement and Hearing Date ("Class Notice") in the form
22 attached to the Settlement Agreement as Exhibit A. The Court approves the
23 procedure for Class Members to participate in, to opt out of, and to object to, the
24 Settlement as set forth in the Settlement Agreement.
- 25 5. The Court directs the mailing of the Notice of Proposed Class Action Settlement
26 by first class mail to the Class Members in accordance with the schedule set
27 forth below. The Court finds the dates selected for the mailing and distribution
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1 of the Class Notice meet the requirements of due process and provide the best
2 notice practicable under the circumstances and shall constitute due and
3 sufficient notice to all persons entitled thereto.

- 4 6. It is hereby ordered that the Settlement Class is preliminarily certified for
5 settlement purposes, which is defined as: all current and former exempt and
6 non-exempt employees of SSP America, Inc., SSP America SMF, LLC, SSP
7 America SAN, LLC, SSP America LAX, LLC, and SSP America SFO, LLC in
8 the State of California who received the payment of wages via direct deposit on
9 one or more occasions during the Class Period.
- 10 7. The Court confirms Phoenix Settlement Administrators as the Settlement
11 Administrator.
- 12 8. The Court orders the following schedule for further proceedings:

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15 a.	Deadline for Defendant to Submit Class Member Data to Settlement Administrator	15 calendar days after Order granting Preliminary Approval
16 b.	Deadline for Settlement Administrator to Mail the Class Notice	10 calendar days after receipt of Class Member information from Defendant
17 c.	Deadline for Class Members to Postmark Requests for Exclusions	45 calendar days after mailing of the Notice of Proposed Class Action Settlement to Class Members
18 e.	Deadline for Class Counsel to file Motion for Final Approval of Settlement and Approval of	16 Court days before Final Approval Hearing

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	Attorneys' Fees, Costs, Administration Costs, and Enhancement Award	
f.	Final Fairness Hearing and Final Approval	1:30 pm a.m. on Oct. 21, 2021

IT IS SO ORDERED.

Dated: MAY - 6 2021



JUDGE OF THE SUPERIOR COURT
SHAMA H. MESIWALA

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