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RAUL NUNEZ

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

RAUL NUNEZ, as an individual and on behalf of all others similarly situated,

Plaintiff,

vs.

TK SERVICES, INC., a California corporation; and DOES 1 through 100,

Defendants.

Case No. BC682512

[Assigned for All Purposes to Hon. Kenneth R. Freeman, SSC-14]

[PROPOSED] ORDER GRANTING PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT

Date: June 15, 2021
Time: 11:00 a.m.
Dept.: SSC-14

Action Filed: November 6, 2017
Trial Date: None Set

The Motion of Plaintiff Raul Nunez ("Plaintiff") for Preliminary Approval of Class Action Settlement will come on regularly for hearing before this Court on June 15, 2021 at 11:00 a.m. The Court, having considered the proposed Stipulation of Settlement (the "Settlement"), attached as Exhibit 1 to the Declaration of Scott M. Lidman filed concurrently with the Motion; having considered Plaintiff's Motion for Preliminary Approval of Class Action Settlement, Memorandum of Points and Authorities in support thereof, and supporting declarations filed therewith; and good cause appearing, HEREBY ORDERS THE FOLLOWING:

1. The Court GRANTS preliminary approval of the class action settlement as set forth in the Settlement and finds its terms to be within the range of reasonableness of a settlement that ultimately could be granted approval by the Court at a Final Fairness Hearing. For purposes of the Settlement, the Court finds that the proposed Settlement Class is ascertainable and that there are a sufficiently well-defined community of interest among the members of the Settlement Class in questions of law and fact. Therefore, for settlement purposes only, the Court grants conditional certification of the following Settlement Class:

> All current and former non-exempt, hourly employees of Defendant TK Services, Inc. who worked for Defendant in California at any time from November 6, 2013 through date of preliminary approval.

2. The Proposed First Amended Complaint attached to the Settlement as Exhibit A is hereby approved and shall be filed by Plaintiff Raul Nunez within five (5) court days of this Order is signed by the Court.

3. For purposes of the Settlement, the Court designates named Plaintiff Raul Nunez as Class Representative, and Scott M. Lidman, Elizabeth Nguyen, and Milan Moore of Lidman Law, APC and Paul Haines of Haines Law Group, APC as Class Counsel.

4. The Court designates Phoenix Settlement Administrators as the third-party Settlement Administrator for mailing notices.

5. The Court approves, as to form and content, the Notice Packet (which is comprised of the Notice of Pendency of Class Action and Settlement and Notice of Settlement Award) which is attached to the Settlement as Exhibit B.

6. The Court finds that the form of notice to the Settlement Class regarding the pendency of

the action and of the Settlement, and the methods of giving notice to members of the Settlement Class, constitutes the best notice practicable under the circumstances, and constitute valid, due, and sufficient notice to all members of the Settlement Class. The form and method of giving notice complies fully with the requirements of California Code of Civil Procedure section 382, California Civil Code section 1781, California Rules of Court 3.766 and 3.769, the California and United States Constitutions, and other applicable law.

7. The Court further approves the procedures for Settlement Class Members to opt out of or object to the Settlement, as set forth in the Class Notice.

8. The procedures and requirements for filing objections in connection with the Final Fairness Hearing are intended to ensure the efficient administration of justice and the orderly presentation of any Settlement Class Member's objection to the Settlement, in accordance with the due process rights of all Settlement Class Members.

9. The Court directs the Settlement Administrator to mail the Notice Packet to the members of the Settlement Class in accordance with the terms of the Settlement.

10. The Class Notice shall provide at least 60 calendar days' notice for members of the Settlement Class to opt out of, or object to, the Settlement.

11. The Final Fairness Hearing on the question of whether the Settlement should be finally approved as fair, reasonable, and adequate is scheduled in Department SSC-14 of this Court, located at 312 N. Spring Street, Los Angeles, California 90012 on November 4, 2021 at 10:00 a.m.

12. At the Final Fairness Hearing, the Court will consider: (a) whether the Settlement should be finally approved as fair, reasonable, and adequate for the Settlement Class; (b) whether a judgment granting final approval of the Settlement should be entered; and (c) whether Plaintiff's application for reasonable attorneys' fees, reimbursement of litigation expenses, service award to Plaintiff, and payment to the Labor and Workforce Development Agency ("LWDA") for penalties under the Labor Code Private Attorneys General Act ("PAGA") should be granted.

13. Counsel for the parties shall file memoranda, declarations, or other statements and materials in support of their request for final approval of the Settlement, attorneys' fees, litigation expenses, Plaintiff's service award, settlement administration costs, and payment to the LWDA for

PAGA penalties prior to the Final Fairness Hearing according to the time limits set by the Code of Civil Procedure and the California Rules of Court.

14. An implementation schedule is below:

Event	**Date**	Actual Date[1]
Defendant to provide Class Data to Settlement Administrator	15 calendar days after issuance of the preliminary approval order	June 30, 2021
Settlement Administrator to mail Notice Packets to Class Members	10 business days after receiving Class Information from Defendant	July 15, 2021
Deadline for Class Members to request exclusion from, submit disputes, or object to, the Settlement	60 calendar days after mailing of the Notice by the Settlement Administrator	September 13, 2021
Deadline for Plaintiff to file Motion for Final Approval of Class Action Settlement:	16 court days before Final Fairness Hearing	October 13, 2021
Final Fairness Hearing:		November 4, 2021

15. Pending the Final Fairness Hearing, all proceedings in this action, other than proceedings necessary to carry out or enforce the terms and conditions of the Settlement and this Order, are stayed.

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

IT IS SO ORDERED.

Dated: _____, 2021

_____
Honorable Kenneth R. Freeman
Judge of the Superior Court

[1] These dates are based on the Court granting preliminary approval at the hearing, currently noticed for June 15, 2021.

PROOF OF SERVICE

Raul Nunez v. TK Services, Inc.
Los Angeles County Superior Court Case No. BC682512

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 2155 Campus Drive, Suite 150, El Segundo, California 90245.

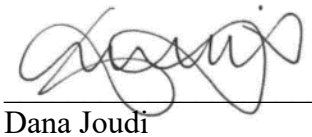
On June 15, 2021, I served the document(s) described as: **[PROPOSED] ORDER GRANTING PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT** on the interested party(ies) in this action as follows:

Elaine Alston, Esq. (elaine@copenbargerlaw.com)
Paul Copenbarger, Esq. (paul@copenbargerlaw.com)
Lauren Martin, Esq. (lauren@copenbargerlaw.com)
COPENBARGER & ASSOCIATES
27201 Puerta Real, Suite 300
Mission Viejo, California 92691
Tel: (949) 420-4575
Attorneys for Defendant TK Services, Inc.

(BY ELECTRONIC SERVICE) I caused a true and correct copy of the document(s) described above to be electronically served via Case Anywhere on counsel of record at the electronic service addresses listed above.

(STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on June 15, 2021, at El Segundo, California.



Dana Joudi