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**FILED**  
Superior Court of California  
County of Los Angeles

**JUN 07 2021**

Sherril R. Carter, Executive Officer/Clerk of Court  
By Berta Guerrero Deputy  
Berta Guerrero

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

CHETERA WATSON an individual, on  
behalf of herself and all others similarly  
situated;

Plaintiffs,

v.

LIBERTY MUTUAL GROUP INC. a  
California corporation; and DOES 1 through  
50, inclusive,

Defendants.

Case No. BC665695

Assigned for all purposes to:  
Judge Kenneth Freeman  
Department D-14

**FAXED**

**[REDACTED] ORDER FOR  
PRELIMINARY APPROVAL OF CLASS  
ACTION SETTLEMENT AND  
CONDITIONAL CERTIFICATION OF  
CLASS**

Hearing  
Date: May 20, 2021  
Time: 11 a.m.  
Dept: 014

**RECEIVED  
JUN 02 2021  
Room 106**

Complaint Filed: June 20, 2017

The above-entitled matter came on for hearing on Thursday, May 20, 2021 at 11:00 a.m. in  
Department 14, the Honorable Kenneth R. Freeman presiding. Having reviewed and considered  
the written submissions of all parties and being fully advised, with all parties having the  
opportunity to be heard, the Court **HEREBY MAKES THE FOLLOWING DETERMINATIONS**

**AND ORDERS:**

- 1. The provisions of the Settlement Agreement are hereby provisionally approved, subject to

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1 further consideration thereof at the Final Fairness Approval hearing set forth below. The Court finds that  
2 this settlement is sufficiently within the range of reasonableness that notice of the proposed settlement  
3 should be given as provided for in this Order.

4 2. The Court finds, on a preliminary basis, that the Settlement Agreement appears to be within the  
5 range of reasonableness of a settlement which could ultimately be given final approval by this Court; the  
6 Court notes that Defendant Liberty Mutual Insurance Company (“Defendant”) has agreed to pay the entire  
7 Settlement Amount of \$157,500 to the Putative Class Members, Class Representative, Class Counsel, and  
8 the Settlement Administrator, in full satisfaction of the claims as more specifically described in the  
9 Settlement Agreement; It further appears to the Court, on a preliminary basis, that the settlement is fair and  
10 reasonable to Putative Class Members when balanced against the probable outcome of further litigation,  
11 liability and damages issues, and potential appeals of rulings. It further appears that significant formal and  
12 informal discovery, investigation, research, and litigation has been conducted such that counsel for the  
13 Parties are able reasonably to evaluate their respective positions. It further appears that settlement at this  
14 time will avoid substantial costs, delay, and risks that would be presented by the further prosecution of the  
15 litigation. It also appears that the proposed Settlement has been reached as the result of intensive, informed  
16 and non-collusive negotiations between the Parties;  
17

18 3. The Court finds for the purposes of settlement only that: (i) the number of individuals in the  
19 Settlement Class is so numerous that joinder would be impractical; (ii) there is a commonality of interests  
20 between the Class Representative and the members of the Settlement Class; (iii) there are questions of law  
21 and fact that are common to the Settlement Class, and the common questions related to the settlement  
22 predominate over any individual questions; (iv) the Class Representative’s claims are typical of the claims  
23 of absent members of the Settlement Class; and (v) the Class Representative and Class Counsel fairly and  
24 adequately represent the interests of the absent members of the Settlement Class.  
25

26  
27 ACCORDINGLY, GOOD CAUSE APPEARING, THE MOTION FOR ORDER OF

06/10/2021

1 PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT IS HEREBY GRANTED.

2 4. The mailing to the present and last known addresses of the Putative Class Members constitutes  
3 an effective method of notifying Putative Class Members of their rights with respect to the Settlement;

4 ACCORDINGLY, IT IS HEREBY ORDERED as follows:

5 (a) By June 30, 2021, Defendants shall forward to the appointed Settlement Administrator,  
6 Phoenix Settlement Administrators (“Phoenix”), a database (in an electronic spreadsheet format  
7 or such format as Phoenix requires) of all Putative Class Members, including full names, last  
8 known addresses, telephone numbers, hire and termination dates, and social security numbers, as  
9 well as raw punch data and pay data (“Class Information”), during the Class Period (from June  
10 20, 2013, through the date of this Order); and

11  
12 (b) By July 21, 2021, Phoenix shall mail to each member of the Settlement Class, by first class,  
13 postage pre-paid, the Notice of Class Action Settlement and Request for Exclusion Form. All  
14 mailings shall be made to the present and/or last known mailing address of the Putative Class  
15 Members based on Defendants’ records, as well as addresses that may be located by the Settlement  
16 Administrator, who will conduct standard address searches in cases of returned mail. The Court  
17 finds that the mailing of notices to Putative Class Members as set forth in this paragraph is the best  
18 means practicable by which to reach Putative Class Members and is reasonable and adequate  
19 pursuant to all constitutional and statutory requirements, including all due process requirements;

20  
21 5. IT IS FURTHER ORDERED:

22 (a) Requests for Exclusion must be mailed to the Settlement Administrator, postmarked on or  
23 before September 6, 2021 (assuming a mailing date of July 21, 2021), excepting Putative Class  
24 Members who had Notice Packets re-mailed, who shall have until September 21, 2021 (assuming  
25 a mailing date of July 21, 2021), to mail a timely Request for Exclusion;

26  
27 (b) Objections must be mailed to the Settlement Administrator as described in the Notice of Class  
28

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1 Action Settlement, and must be postmarked on or before September 6, 2021 (assuming a mailing  
2 date of July 21, 2021), excepting Putative Class Members who had Notice Packets re-mailed, who  
3 shall have until September 21, 2021 (assuming a mailing date of July 21, 2021), to mail a timely  
4 Objection.

5 6. IT IS FURTHER ORDERED that Phoenix shall submit a report on the result of the claims  
6 process to Class Counsel, which shall be filed with the Court as soon as practicable but in any event no  
7 later than October 26, 2021.

8 IT IS FURTHER ORDERED that, in the event that any Putative Class Member submits an  
9 objection to the proposed settlement, Plaintiffs will respond to any such objections by October 19;

10 8. IT IS FURTHER ORDERED that the Final Approval Hearing shall be held before the  
11 undersigned at 10:00 a.m. on November 9, 2021, at Department D-14 of the above-entitled court located  
12 at 312 N. Spring Street, Los Angeles, California 90012, to consider the fairness, adequacy and  
13 reasonableness of the proposed Settlement preliminarily approved by this Order of Preliminary Approval,  
14 and to consider the application of Class Counsel for an award of reasonable attorneys' fees, litigation  
15 expenses, Class Representative Service Payment, and for costs of settlement administration incurred;

16 9. IT IS FURTHER ORDERED that all briefs in support of final approval of the Settlement and  
17 for Award of Attorneys' Fees, Costs, and Class Representative Service Awards shall be served and filed  
18 with the Court by October 8, 2021; and that Plaintiffs may file supplemental briefs in support of final  
19 approval and fees, costs, and awards by October 19, 2021;

20 10. IT IS FURTHER ORDERED that pending final determination of whether this proposed  
21 Settlement should be granted final approval, no Putative Class Member, either directly or representatively,  
22 or in any other capacity, shall commence or prosecute any action or proceeding asserting any of the  
23 Putative Class Members' Released Claims, as defined in the Settlement Agreement, against Defendants in  
24 any court or tribunal;

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1 11. IT IS FURTHER ORDERED that any party to this case, including Putative Class Members,  
2 may appear at the Final Approval Hearing in person, remotely by telephone or video conference, or by  
3 counsel, and may be heard to the extent allowed by the Court, in support of or in opposition to, the Court's  
4 determination of the good faith, fairness, reasonableness and adequacy of the proposed Settlement, the  
5 requested attorneys' fees and litigation expenses, and any Order of Final Approval and Judgment regarding  
6 such Settlement, fees and expenses, unless that Putative Class Member has timely submitted an Exclusion  
7 Form. However, no person, except Class Counsel and counsel for Defendants, shall be heard in opposition  
8 to such matters unless such person has complied with the conditions set forth in the Notice of Class Action  
9 Settlement;  
10

11 12. IT IS FURTHER ORDERED that the Court grants preliminary approval of David M. Saldana  
12 of Employee Law Group as Class Counsel;

13 13. IT IS FURTHER ORDERED that, in the event of the occurrence of the Effective Date, as  
14 defined in the Settlement Agreement:

15 (a) All Putative Class Members who declined to submit a valid Exclusion Form, and their successors,  
16 shall conclusively be deemed to have given full releases of any and all Released Claims as defined  
17 in the Settlement Agreement against Defendants, their affiliated and related companies and  
18 business concerns, their franchisors, their purchasers and/or successors, their parents, members,  
19 subsidiaries, past and present, and each of them, as well as each of their insurers, partners, trustees,  
20 directors, shareholders, officers, agents, attorneys, servants, and employees, past and present, and  
21 each of them, including, but not limited to, any individual or entity which could be jointly liable  
22 with Defendants;  
23

24 (b) All Putative Class Members who submitted a valid Exclusion Form, and their successors, shall  
25 not be bound by the terms of the Settlement;  
26

27 (c) All Putative Class Members who fail to submit a valid Exclusion Form, and their successors, shall  
28

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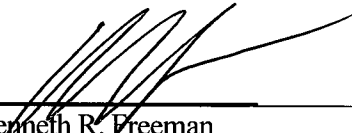
1 conclusively be deemed to have given full releases of any and all Released Claims as defined in  
2 the Settlement Agreement against Defendants, their affiliated and related companies and business  
3 concerns, their franchisors, their purchasers and/or successors, their parents, members,  
4 subsidiaries, past and present, and each of them, as well as each of their insurers, partners, trustees,  
5 directors, shareholders, officers, agents, attorneys, servants, and employees, past and present, and  
6 each of them, including, but not limited to, any individual or entity which could be jointly liable  
7 with Defendants, except as to any and all claims arising under the Fair Labor Standards Act (29  
8 U.S.C. §§201, et seq.);

9  
10 14. IT IS FURTHER ORDERED that if, for any reason, the Court does not execute and file an  
11 Order of Final Approval, or if the Effective Date does not occur for any reason whatsoever, the proposed  
12 Settlement Agreement and the proposed Settlement subject of this Order and all evidence and proceedings  
13 had in connection therewith, shall revert without prejudice to the status quo ante rights of the parties to the  
14 litigation as more specifically set forth in the Settlement Agreement.

15  
16 15. IT IS FURTHER ORDERED that, pending further order of this Court, all proceedings in this  
17 matter except those contemplated herein and in the Settlement Agreement are stayed.

18 IT IS SO ORDERED.

19  
20 Date: 6-7-2021

  
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Hon. Kenneth R. Freeman  
Judge of the Superior Court of California

06/10/2021