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14 Attorneys for Plaintiff, Aggrieved Employees, and Putative Class

15 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
16 **COUNTY OF KERN**

17 **KHALID ABU-DAYYEH** and **AMINAH**  
18 **UWAIS**, individually and on behalf of all  
19 others similarly situated,

20 Plaintiffs,

21 v.

22 **GUIDANCE RESIDENTIAL, LLC**, a  
23 Delaware Limited Liability Company, and  
24 **DOES 1 to 100**, inclusive,

25 Defendants.

26 **CASE NO.** BCV-20-102367

27 **[PROPOSED] ORDER:**

- 28 (1) **GRANTING CONDITIONAL CERTIFICATION OF SETTLEMENT CLASS AND PRELIMINARY APPROVAL OF SETTLEMENT;**
- (2) **APPROVING CLASS NOTICE AND RELATED MATERIALS;**
- (3) **APPOINTING SETTLEMENT ADMINISTRATOR; AND**
- (4) **SCHEDULING FINAL APPROVAL HEARING**

Date: January 13, 2021

Time: 8:30 a.m.

Dept.: 17

Judge: Honorable Thomas S. Clark

**FILED**  
**KERN COUNTY**  
**JAN 13 2021**  
**BY \_\_\_\_\_ DEPUTY**

1 TO ALL PARTIES AND THEIR RESPECTIVE COUNSEL OF RECORD:

2 The Motion for Preliminary Approval of a Class Action Settlement came before this Court,  
3 on January 13, 2021, the Honorable Thomas S. Clark presiding. The Court having considered  
4 the papers submitted in support of the application of the parties, HEREBY ORDERS  
5 THE FOLLOWING:

6 1. The Court grants preliminary approval of the Settlement and the Settlement Class  
7 based upon the terms set forth in the Stipulation and Agreement of Compromise and Settlement of  
8 Class and Representative Action (“Settlement Agreement”) filed with the Declaration of Craig J.  
9 Ackermann on December ~~14~~<sup>22</sup>, 2020. All terms used herein shall have the same meaning as defined  
10 in the Settlement Agreement. The Settlement Agreement appears to be fair, adequate and  
11 reasonable to the Class.

12 2. The Settlement falls within the range of reasonableness and appears to be  
13 presumptively valid, subject only to any objections that may be raised at the final fairness hearing  
14 and final approval by this Court.

15 3. A final fairness hearing on the question of whether the proposed Settlement,  
16 attorneys’ fees and costs to Class Counsel, and the Class Representatives’ Enhancement  
17 Awards should be finally approved as fair, reasonable and adequate as to the members of the  
18 Class is scheduled in Department 17 on the date and time set forth in the implementation  
19 schedule in Paragraph 10 below.

20 4. This Court approves, as to form and content, the Class Notice, in substantially the  
21 form attached to the Settlement Agreement as **Exhibit A**. The Court approves the procedure for  
22 Class Members to participate in, to opt out of, and to object to, the Settlement as set forth in the  
23 Stipulation of Settlement.

24 5. The Court directs the mailing of the Class Notice by first class mail to the Class  
25 Members in accordance with the Implementation Schedule set forth below. The Court finds the  
26 dates selected for the mailing and distribution of the Notice, as set forth in the Implementation  
27 Schedule, meet the requirements of due process and provide the best notice practicable under the  
28



1 circumstances and shall constitute due and sufficient notice to all persons entitled thereto.

2 6. It is ordered that the Settlement Class is preliminarily certified for settlement  
3 purposes only.

4 7. The Court confirms Plaintiffs Khalid Abu-Dayyeh and Aminah Uwais as Class  
5 Representatives, and Craig J. Ackermann of Ackermann & Tilajef, P.C. and Amir Seyedfarshi of  
6 Employment Rights Law Group, APC as Class Counsel.

7 8. The Court confirms Phoenix Settlement Administration as the Settlement  
8 Administrator.

9 9. To facilitate administration of the Settlement pending final approval, the Court  
10 hereby enjoins Plaintiffs and all Class Members from filing or prosecuting any claims, suits or  
11 administrative proceedings (including filing claims with the Division of Labor Standards  
12 Enforcement of the California Department of Industrial Relations) regarding claims released by  
13 the Settlement, unless and until such Class Members have filed valid Requests for Exclusion with  
14 the Settlement Administrator and the time for filing claims with the Settlement Administrator has  
15 elapsed.

16 10. The Court orders the following **Implementation Schedule** for further proceedings:


17	a.	Deadline for Defendant to Submit Class Member Information to Settlement Administrator	[30 days after the Preliminary Approval Date]
18			
19			
20	b.	Deadline for Settlement Administrator to Mail Notice to Class Members	[Within 45 days following the Preliminary Approval Date]
21			
22	c.	Deadline for Class Members to Postmark Challenges	[60 days after mailing of the Class Notice]
23			
24	d.	Deadline for Class Members to Postmark Requests for Exclusion	[60 days after mailing of the Class Notice]
25			
26	e.	Deadline for Class Members to submit any Objections to Settlement	[60 days after mailing of the Class Notice]
27			
28			

1	f.	Deadline for Settlement Administrator to file Declaration of Due Diligence and Proof of Mailing	[30 days prior to Final Approval and Fairness Hearing]
2			
3	g.	Deadline for Class Counsel to file Motion for Final Approval of Settlement and Motion for Attorneys' Fees, Costs, and Enhancement Award	[16 Court days prior to Final Approval and Fairness Hearing]
4			
5			
6	h.	<b>Final Approval and Fairness Hearing</b>	<u>8/13/2021</u> , 2021 at <u>3:30</u> a.m./p.m.
7			
8	i.	Deadline for Settlement Administrator to mail the Settlement Awards, Enhancement Award, and PAGA Payments, and to wire transfer the Attorneys' Fees and Costs (if Settlement is Effective)	[Within 30 days of the Effective Date]
9			
10			
11	j.	Settlement Administrator to File Proof of Payment of Settlement Awards, Enhancement Award, Attorneys' Fees and Costs (if Settlement is Effective)	[180 calendar days after the Effective Date]
12			
13			

14 11. If any of the dates in this Implementation Schedule falls on a weekend, bank or  
 15 court holiday, the time to act shall be extended to the next business day.

17 **IT IS SO ORDERED.**

19 Dated: 1-13-21

18   
 20 HON. THOMAS S. CLARK  
 21 SUPERIOR COURT JUDGE OF CALIFORNIA