MAR 0 8 2021 1 William L. Marder, Cal Bar No. 170131 POLARIS LAW GROUP, LLP 2 501 San Benito Street, Suite 200 Hollister, California 95023 3 Telephone: 831.531.4214 Facsimile: 831.634.0333 Email: bill@polarislawgroup.com 4 5 Dennis S. Hyun (State Bar No. 224240) HYUN LEGAL, APC 6 515 S. Figueroa St., Suite 1250 Los Angeles, CA 90071 7 (213) 488-6555 (213) 488-6554 facsimile 8 Email: dhyun@hyunlegal.com 9 Attorneys for Plaintiff and the Class 10 11 SUPERIOR COURT OF THE STATE OF CALIFORNIA 12 FOR THE COUNTY OF SAN JOAQUIN 13 BRITTANY TABORN, as an individual CASE NO. STK-CV-UOE-2019-8106 14 and on behalf of all others similarly <del>|PROPOSED|</del> ORDER GRANTING PLAINTIFF'S MOTION FOR PRELIMINARY situated. 15 Plaintiffs, APPROVAL OF CLASS ACTION 16 SETTLEMENT ٧. 17 TBD FEB 0.9 2021 Date: RINSE, INC., a Delaware corporation; and Time: TBD 9 am 18 DOES 1 through 50, inclusive, Dept.: 10D 19 Defendants. 20 21 22 23 24 25 26 27 28 1 [PROPOSED] ORDER GRANTING PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF CLASS

**ACTION SETTLEMENT** 

FILED BY FAX

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## TO ALL PARTIES AND THEIR RESPECTIVE COUNSEL OF RECORD:

Plaintiff Brittany Taborn's ("Plaintiff") Motion for Preliminary Approval of Class Action
Settlement came before this Court, the Honorable Barbara Kronlund, Judge presiding. The Court
having considered the papers submitted in support of the application of the parties, HEREBY
GRANTS THE MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT
AND ORDERS THE FOLLOWING:

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

- 6. It is hereby ordered that the Settlement Classes are preliminarily certified for settlement purposes, which are defined as:
  - a. All current and former non-exempt employees who worked for Defendant in the State of California and were paid on a flat-rate or piece-rate basis at any time from June 26, 2015, through and the date the Court enters an order granting preliminary approval of the Settlement ("Preliminary Approval Date") (the "Class Period"); and
  - All current and former California non-exempt employees who worked any shifts
     3.5 hours or longer for Defendant in the State of California during the Class
     Period.
- 7. The Court confirms Phoenix Settlement Administrators as the Settlement Administrator.
- 8. The Court orders the following schedule for further proceedings:

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a.	Deadline for Defendant to Submit	20 business days after Order
	Class Data to Settlement	granting Preliminary Approval
	Administrator	
b.	Deadline for Settlement	7 calendar days after receipt of
	Administrator to Mail the Class	Class Data from Defendant
	Notice	
c.	Deadline for Class Members to	30 calendar days after mailing of
	Postmark Requests for	the Notice of Proposed Class
	Exclusions	Action Settlement to Class
		Members
d.	Deadline for Receipt by Court	30 calendar days after mailing of
	and Counsel of any Objections to	the Notice of Proposed Class
	Settlement	Action Settlement to Class

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		Members
e.	Deadline for Class Counsel to file	16 Court days before Final
	Motion for Final Approval of	Approval Hearing
	Settlement and Approval of	
	Attorneys' Fees, Costs,	
	Administration Costs, and	
	Enhancement Award	
f.	Final Fairness Hearing and Final	9:00 a.m. on
	Approval	July 30 ,2021

IT IS SO ORDERED.

Dated: MAR 0 8 2021

HON, BARBARA KRONLUND JUDGE OF THE SUPERIOR COURT

## **PROOF OF SERVICE**

I, Megan Tittle, am employed by POLARIS LAW GROUP LLP, in the County of San Benito, California. I am over the age of 18 and not a party to the within action. My business address is 501 San Benito Street, Suite 200, Hollister, California 95023.

On this date I caused to be served the [PROPOSED] ORDER GRANTING PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION

**SETTLEMENT** on the parties in this action, by placing copies of the same in envelopes, addressed as follows and delivered in the manner indicated:

Thomas M. McInerney, Esq.
Lisa M. Bowman, Esq.
Ogletree, Deakins, Nash, Smoak & Stewart, P.C.
One Embarcadero Center, Suite 900
San Francisco, CA 94111

X (By Mail) I caused each envelope, with postage prepaid to be placed in the United States mail at Hollister, California. I am readily familiar with the business practices of the firm regarding the collection and processing of correspondence for mailing with the United States Postal Service. Pursuant to such business practices, and in the ordinary course of business, all correspondence is deposited with the United States Postal Service on the same day it is placed for collection and mailing.

- \_\_(By Courier) I delivered the envelopes to UPS who contracted to deliver the envelope to the addressee on the \_\_ same day \_\_ next day.
- (By Hand) I delivered the envelope to addressee.
- \_\_(By Telecopier) I also caused each document to be sent by telecopier to the fax numbers stated above. The transmissions were reported as complete and without error.
- \_\_ (By E-Mail) I caused each document to be send via e-mail to the e-mail stated above via Drop Box.

  The transmission was reported as complete and without error.

I declare under penalty of perjury that the foregoing is true and correct. Executed at Hollister, CA on January 6, 2021.

Megan Tittle