

FILED
Superior Court of California
County of Los Angeles

SEP 27 2021

Sheri R. Carter, Executive Officer/Clerk
By *[Signature]* Deputy
Manuela Fregoso

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

BRENDAN KRICK, individually, and on
behalf of other members of the general public
similarly situated;

Plaintiff,

v.

SAG-AFTRA FEDERAL CREDIT UNION, an
unknown business entity; and DOES 1 through
100, inclusive;

Defendants.

Case No.: 20STCV34772

Honorable Elihu M. Berle
Department 6

CLASS ACTION

**REVISED [~~PROPOSED~~] ORDER GRANTING
PLAINTIFF'S MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT, CONDITIONAL
CERTIFICATION, APPROVAL OF CLASS
NOTICE, SETTING OF FINAL APPROVAL
HEARING DATE**

Hearing Date: September 20, 2021
Hearing Time: 10:00 a.m.
Hearing Place: Department 6

Complaint Filed: September 10, 2020
Jury Trial: None Set

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 The Motion for Preliminary Approval of Class Action Settlement came before this Court, the
3 Honorable Elihu M. Berle presiding, on August 20, 2021. The Court having considered the papers
4 submitted in support of the Motion, HEREBY ORDERS THE FOLLOWING:

5 1. The following Class is conditionally certified for purposes of settlement only: all hourly-
6 paid or non-exempt employees employed by Defendant SAG-AFTRA Federal Credit Union
7 (“Defendant”) within the State of California during the Class Period (“Class”). The Class Period is the
8 time period from September 10, 2016, through June 1, 2021 (“Class Period”).

9 2. The Court grants preliminary approval of the settlement based upon the terms set forth in
10 the Amended Joint Stipulation and Settlement Agreement (“Settlement Agreement,” “Settlement,” or
11 “Agreement”) attached hereto as **Exhibit 1**. Capitalized terms shall have the definitions set forth in the
12 Settlement Agreement.

13 3. The Settlement appears to be fair, adequate, and reasonable to the Class. The Settlement
14 falls within the range of reasonableness and appears to be presumptively valid, subject only to any
15 objections that may be raised at the final approval hearing and final approval by this Court.

16 4. Plaintiff Brendan Krick (“Plaintiff”) is conditionally approved as the Class
17 Representatives for the Class.

18 5. Douglas Han, Shunt Tatavos-Gharajeh, and Arsiné Grigoryan of Justice Law Corporation
19 are conditionally approved as Class Counsel for the Class.

20 6. A Final Approval hearing on the question of whether the Settlement Agreement, the
21 Attorney Fee Award, the Cost Award, and the Class Representative Enhancement Payment should be
22 finally approved as fair, reasonable, and adequate as to all Class Members who do not submit a valid
23 and timely request to exclude themselves from the class action Settlement (“Participating Class
24 Members”) is scheduled on the date and time set forth in Paragraph 13 below.

25 7. The Court confirms Phoenix Class Action Administration Solutions (“Phoenix”) as the
26 Settlement Administrator.

27 8. The proposed payment of Administration Costs is currently estimated to be \$4,000, but not
28 to exceed \$5,000, to Phoenix for its services is conditionally approved.

1 9. The ~~Court also hereby approves and orders payment from the Gross Settlement Amount~~
2 the Private Attorneys General Act of 2004 (“PAGA”) Payment of \$20,000, seventy-five percent (75%)
3 of which (\$15,000) will be paid to the California Labor and Workforce Development Agency (“LWDA”)
4 and twenty-five percent (25%) of which (\$5,000) shall be distributed to the aggrieved employees eligible
5 to recover the PAGA Payment that consist of all hourly-paid or non-exempt employees of Defendant
6 within the State of California during the period between from April 6, 2019 through June 1, 2021
7 (“PAGA Payment,” “Eligible Aggrieved Employees,” “PAGA Period,” and “Individual PAGA
8 Payments”), on a pro rata basis.

9 10. The Court approves, as to form and content, the Amended Notice of Class Action
10 Settlement (“Class Notice”) as attached as **Exhibit A** to the Settlement Agreement. The Court also
11 approves the procedure for Class Members to participate in, to opt out of, and to object to the Settlement
12 as set forth in the Class Notice. The Court approves, as to the form and content, of the Amended Election
13 Not To Participate or Opt-out Form (“Exclusion Form”) the Class Members may use to opt out of the
14 Settlement attached as **Exhibit B** to the Settlement Agreement. The Class Notice and Exclusion Form
15 are collectively known as the Notice Packet.

16 11. The Court directs the mailing of the Notice Packet to all identified Class Members via
17 first-class regular U.S. Mail in accordance with the implementation schedule set forth in paragraph 13
18 below. The Court finds the dates selected for the mailing and distribution of the Notice Packet, as set
19 forth in the Implementation Schedule, meet the requirements of due process and provide the best notice
20 practicable under the circumstances and shall constitute due and sufficient notice to all persons entitled
21 thereto.

22 12. To facilitate administration of the Settlement Agreement pending final approval, the
23 Court hereby enjoins Plaintiff and all Participating Class Members from filing or prosecuting any claims,
24 suits or administrative proceedings (including, but not limited to, filing claims with the Division of Labor
25 Standards Enforcement of the California Department of Industrial Relations) released by the Settlement
26 Agreement (the Released Claims and the PAGA Released Claims) unless and until such Participating
27 Class Members have filed valid requests for exclusion with the Settlement Administrator and the time
28 for filing valid requests for exclusion with the Settlement Administrator has not elapsed.

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

a.	Deadline for Defendant to submit Class Data to Settlement Administrator	October 4, 2021
b.	Deadline for Settlement Administrator to mail the Notice Packet to Class Members	October 18, 2021
c.	Deadline for Class Members to request for exclusion from Settlement or postmark objections to Settlement to the Settlement Administrator	December 17, 2021
e.	Deadline for Class Counsel to file Motion for Final Approval of Settlement	Sixteen (16) Court days before Final Approval Hearing in conformity with Code of Civil Procedure § 1005
f.	Deadline for Class Counsel to file Motion for Attorney Fee Award, Cost Award, and Class Representative Enhancement Payments	Sixteen (16) Court days before Final Approval Hearing in conformity with Code of Civil Procedure § 1005
g.	Final Approval Hearing and Final Approval	January 18, 2022 at 10:00 a.m. in Department 6

IT IS SO ORDERED.

Dated: 9/27/21

By


Honorable Elihu M. Berle
Judge of the Superior Court