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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

OCT 21 2022

BY 
RAFAEL HERNANDEZ, DEPUTY

FILED

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO**

ROBERTO NAVARRO, as an individual and
on behalf of all others similarly situated,

Plaintiff,

vs.

PRIME CONVERTING CORPORATION, a
California Corporation; and DOES 1 through
100,

Defendants.

Case No.: CIVSB2106868

*[Assigned for all purposes to the Hon. David
Cohn; Dept. S-26]*

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: October 21, 2022
Time: 10:00 a.m.
Dept.: S-26

Complaint Filed: February 26, 2021
Trial Date: None set

1 The Motion of Plaintiff Roberto Navarro (“Plaintiff”) for Preliminary Approval of Class
2 Action Settlement came on regularly for hearing before this Court on October 21, 2022, at 10:00
3 a.m. The Court, having considered the proposed Stipulation of Settlement (the “Settlement
4 Agreement”), attached to the Declaration of Paul K. Haines filed concurrently herein; having
5 considered Plaintiff’s Motion for Preliminary Approval of Class Action Settlement,
6 Memorandum of Points and Authorities in support thereof, and supporting declarations filed
7 therewith; and good cause appearing, HEREBY ORDERS THE FOLLOWING:

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

15 All current and former non-exempt employees who worked for Defendant
16 Prime Converting Corporation in California from September 1, 2016, until
17 May 31, 2022 (the “Class Period”).

18 2. For purposes of the Settlement, the Court designates named Plaintiff Roberto
19 Navarro as Class Representative, and designates Paul K. Haines, Sean M. Blakely, and Alexandra
20 R. McIntosh of Haines Law Group, APC as Class Counsel.

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

23 4. The Court approves, as to form and content, the Class Notice and Notice of
24 Estimated Settlement Award attached as Exhibits 1 and 2, respectively, to the Settlement.

25 5. The Court finds that the form of notice to the Settlement Class regarding the
26 pendency of the action and of the Settlement, and the methods of giving notice to members of
27 the Settlement Class, constitute the best notice practicable under the circumstances, and
28 constitute valid, due, and sufficient notice to all members of the Settlement Class. The form and

1 method of giving notice complies fully with the requirements of California Code of Civil
2 Procedure section 382, California Civil Code section 1781, California Rules of Court 3.766 and
3 3.769, the California and United States Constitutions, and other applicable law.

4 6. The Court further approves the procedures for Settlement Class members to opt
5 out of or object to the Settlement, as set forth in the Class Notice.

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

10 8. The Court directs the Settlement Administrator to mail the Class Notice to the
11 members of the Settlement Class in accordance with the terms of the Settlement.

12 9. The Class Notice shall provide at least sixty (60) calendar days' notice for
13 members of the Settlement Class to opt out of, or object to, the Settlement.

14 10. The Final Fairness Hearing on the question of whether the Settlement Agreement
15 should be finally approved as fair, reasonable, and adequate is scheduled in Department S-26 of
16 this Court, located at 247 West Third Street, San Bernardino, CA 92415 on 3/13/23,
17 2023 at 10:00 a.m. / p.m.

18 11. At the Final Fairness Hearing, the Court will consider: (a) whether the Settlement
19 should be finally approved as fair, reasonable, and adequate for the Settlement Class; (b) whether
20 a judgment granting final approval of the Settlement should be entered; and (c) whether
21 Plaintiff's application for reasonable attorneys' fees, reimbursement of litigation expenses,
22 enhancement payment to Plaintiff, settlement administration costs, and payment to the Labor &
23 Workforce Development Agency ("LWDA") for penalties under the Labor Code Private
24 Attorneys General Act should be granted.

25 12. Counsel for the parties shall file memoranda, declarations, or other statements and
26 materials in support of their request for final approval of the Settlement, attorneys' fees, litigation
27 expenses, Plaintiff's class representative enhancement payment, payment to the LWDA, and
28 settlement administration costs, prior to the Final Fairness Hearing according to the time limits

1 set by the Code of Civil Procedure and the California Rules of Court.

2 13. An implementation schedule is below:

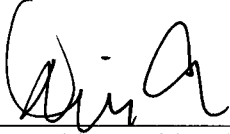
Event	Date
Defendant to provide Class Data to Settlement Administrator no later than [10 business days after preliminary approval]:	November 4, 2022
Settlement Administrator to mail Class Notice to Settlement Class members no later than [10 business days after receiving Class Data]:	November 18, 2022
Deadline for Settlement Class members to request exclusion from, or object to, the Settlement [60 days after mailing]:	January 17, 2023
Deadline for Plaintiff to file Motion for Final Approval of Class Action Settlement:	February 14, 2023
Final Fairness Hearing:	2/13, 2023 10:00 a.m.

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

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

19 **IT IS SO ORDERED.**

20 Dated: 10/21, 2022

21 
22 _____
23 Honorable David Cohn
24 Judge of the Superior Court

25 **DAVID COHN**