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

**04/17/2023**

David W. Slayton, Executive Officer / Clerk of Court

By: I. Arellanes Deputy

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

BELIA RAMIREZ, as an individual and on  
behalf of all others similarly situated,

Plaintiff,

vs.

RUBBERCRAFT CORPORATION OF  
CALIFORNIA, LTD., a California Corporation;  
and DOES 1 through 100,

Defendants.

Case No. 20STCV11935

*[Assigned for all Purposes to the Hon.  
Kenneth R. Freeman, Dept. 14]*

**AMENDED ~~PROPOSED~~ ORDER  
GRANTING PRELIMINARY  
APPROVAL OF CLASS ACTION  
SETTLEMENT**

Date: March 23, 2023  
Time: 10:00am  
Dept: 14

Action Filed: March 25, 2020  
Trial Date: None Set

1 **PROPOSED ORDER**

2 The Motion of Plaintiff Belia Ramirez (“Plaintiff”) for Preliminary Approval of Class  
3 Action Settlement came regularly for hearing before this court on March 23, 2023, at 10:00 a.m.  
4 The Court, having considered the proposed Stipulation of Settlement (“Settlement Agreement”),  
5 attached as Exhibit A to the Declaration of Fletcher W. Schmidt filed concurrently with the  
6 Motion; having considered Plaintiff’s Motion for Preliminary Approval of Class Action  
7 Settlement, the memorandum of points and authorities in support thereof, and supporting  
8 declarations filed therewith; and good cause appearing, HEREBY ORDERS THE FOLLOWING:

9 1. The Court GRANTS preliminary approval of the class action settlement as set  
10 forth in the Settlement Agreement, and finds its terms to be within the range of reasonableness of  
11 a settlement that ultimately could be granted approval by the Court at a Final Fairness hearing.

12 2. The Court preliminarily approves the terms of the Settlement Agreement and finds  
13 that they fall within the range of approval as fair, adequate and reasonable. Based on a review of  
14 the papers submitted by Plaintiff, the Court finds that the Settlement is the result of arms’-length  
15 negotiations conducted after Plaintiff and/or Plaintiff’s counsel adequately investigated the claims  
16 and became familiar with the strengths and weaknesses of the claims. The assistance of an  
17 experienced mediator in the settlement process supports the Court's conclusion that the Settlement  
18 is non-collusive and reasonable. The Settlement is presumptively valid, subject only to any  
19 objections that may be raised pursuant to the terms of the Settlement Agreement.

20 3. For purposes of the Settlement, the Court finds that the proposed Settlement Class  
21 is ascertainable and that there is a sufficiently well-defined community of interest among the  
22 members of the Settlement Class in questions of law and fact. Therefore, for settlement purposes  
23 only, the Court grants conditional certification of the following Settlement Class:  
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25  
26 All current and former non-exempt employees who performed work for  
27 Defendant in the State of California during the time period of March 25, 2016  
28 through April 1, 2021 (the “Class Period”).

1           4.     For purposes of the Settlement, the Court designates named Plaintiff Belia  
2 Ramirez as Class Representative, and designates Paul K. Haines, Fletcher W. Schmidt, and  
3 Alexandra R. McIntosh of Haines Law Group, APC as Class Counsel.

4           5.     The Court designates Phoenix Settlement Administrators as the third-party  
5 Settlement Administrator for mailing notices.

6           6.     The Court approves, as to form and content, the Notice of Class Action Settlement  
7 (“Class Notice”) and the Notice of Settlement Award (collectively referred to as the “Notice  
8 Packet”) attached as Exhibit B to the Declaration of Fletcher W. Schmidt.

9           7.     The Court finds that the form of notice to the Settlement Class regarding the  
10 pendency of the action and of the Settlement, and the methods of giving notice to Settlement Class  
11 Members, constitute the best notice practicable under the circumstances, and constitute valid, due,  
12 and sufficient notice to all Settlement Class Members. The form and method of giving notice  
13 complies fully with the requirements of California Code of Civil Procedure section 382, California  
14 Rules of Court 3.766 and 3.769, the California and United States Constitutions, and other  
15 applicable law.

16           8.     The Court further approves the procedures for Settlement Class Members to opt-  
17 out of or object to the Settlement, as set forth in the Class Notice and the Settlement Agreement.

18           9.     The procedures and requirements for submitting objections in connection with the  
19 Final Approval Hearing are intended to ensure the efficient administration of justice and the  
20 orderly presentation of any Settlement Class Member’s objection to the Settlement, in accordance  
21 with the due process rights of all Settlement Class Members.

22           10.    The Court directs the Settlement Administrator to mail the Notice Packet to the  
23 Settlement Class Members in English and Spanish, in accordance with the terms of the Settlement.

24           11.    The Class Notice shall provide at least 60 calendar days’ notice for Settlement  
25 Class Members to submit disputes, opt-out of, or object to the Settlement.

26           12.    The Final Approval Hearing on the question of whether the Settlement Agreement  
27 should be finally approved as fair, reasonable and adequate is scheduled on September 14, 2023  
28 at 10:00 a.m. in Department 14 of this Court, located at 312 N. Spring Street, Los Angeles,

1 California 90012. The Court reserves the right to continue the date of the Final Approval Hearing  
2 without further notice to the Settlement Class Members. The Court retains jurisdiction to consider  
3 all further applications arising out of or in connection with the Settlement Agreement.

4 13. At the Final Approval Hearing, the Court will consider: (a) whether the Settlement  
5 Agreement should be approved as fair, reasonable, and adequate for the Settlement Class; (b)  
6 whether a judgment granting final approval of the Settlement should be entered; and (c) whether  
7 Plaintiff's application for an incentive award, settlement administration costs, payment to the  
8 California Labor and Workforce Development Agency ("LWDA") for its 75% share of civil  
9 penalties under the Private Attorneys General Act ("PAGA"), Labor Code section 2698 *et seq.*,  
10 and Class Counsel's attorneys' fees and costs should be granted.

11 14. Counsel for the parties shall file memoranda, declarations, or other statements and  
12 materials in support of their request for final approval of the Settlement and Plaintiff's application  
13 for an enhancement payment, settlement administration costs, payment to the LWDA for its share  
14 of PAGA penalties, and Class Counsel's attorneys' fees and costs prior to the Final Approval  
15 Hearing according to the time limits set by the Code of Civil Procedure and the California Rules  
16 of Court.

17 15. An implementation schedule is provided below:

<b>Event</b>	<b>Date</b>
Defendant to provide class contact information to Settlement Administrator no later than:	Within 15 Days of the Date of this Order
Settlement Administrator to mail the Notice Packet to the Settlement Class Members no later than:	Within 15 Days of Receipt of Class Contact Information
Deadline for Class Members to submit disputes, request exclusion from, or object to the Settlement:	60 Days After Mailing of Notice Packet
Deadline for Plaintiff to file Motion for Final Approval of Class Action Settlement:	At least 16 court days prior to Final Approval Hearing
Final Approval Hearing	September 14, 2023 at 10:00 a.m.

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26 16. Pending the Final Approval Hearing, all proceedings in this action, other than  
27 proceedings necessary to carry out or enforce the terms and conditions of the Settlement and this  
28 Order, are stayed.


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

4           18. In the event the Settlement is not finally approved, or otherwise does not become  
5 effective in accordance with the terms of the Settlement, this Order shall be rendered null and  
6 void and shall be vacated, and the parties shall revert to their respective positions as of before  
7 entering into the Settlement.

8 **IT IS SO ORDERED.**

9           Dated: 09/14/23  
10           09/14/23, 2023



11   
12 Honorable Kenneth R. Freeman  
13 Judge of the Superior Court  
14 **Kenneth R. Freeman / Judge**