

FILED
Clerk of the Superior Court

JUL 21 2023

By: A. Wagoner

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

JACQUELINE CORONADO, individually, and
on behalf of other members of the general
public similarly situated;

Plaintiff,

v.

FASHIONPHILE GROUP, LLC, a Delaware
limited liability company; and DOES 1 through
100, inclusive;

Defendants.

Case No.: 37-2022-00022669-CU-OE-NC

Assigned for All Purposes to:
Honorable Blaine K. Bowman
Department N-31

CLASS ACTION

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

Hearing Date: July 21, 2023
Hearing Time: 10:00 a.m.
Hearing Place: Department N-31

Complaint Filed: June 8, 2022
FAC Filed: April 12, 2023
Trial Date: 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,
3 the Honorable Blaine K. Bowman presiding, on July 21, 2023 at 10:00 a.m. The Court, having
4 considered the papers submitted in support of the Motion, **ORDERS THE FOLLOWING:**

5 1. The following Class is conditionally certified for purposes of settlement only: all
6 non-exempt, hourly employees who were employed by Defendant Fashionphile Group, LLC
7 (“Defendant”) in California at any time during the period from December 11, 2017 through June 2,
8 2023 (“Class,” “Class Members,” and Class Period”).

9 2. The Court grants preliminary approval of the settlement based upon the terms set
10 forth in the Class Action and PAGA Settlement Agreement (“Settlement Agreement,”
11 “Settlement,” or “Agreement”). Attached hereto as **Exhibit 1** is a true and correct copy of the
12 Agreement. Capitalized terms shall have the definitions set forth in the Agreement.

13 3. The settlement embodied in the Settlement Agreement appears to be fair, adequate,
14 and reasonable to the Class. The Settlement Agreement falls within the range of reasonableness and
15 appears to be presumptively valid, subject only to any objections that may be raised at the Final
16 Approval Hearing.

17 4. Plaintiffs Jacqueline Coronado and Eliza Sweet (“Plaintiffs”) are conditionally
18 approved to serve as the class representatives.

19 5. Douglas Han, Shunt Tatavos-Gharajeh, and Lizette Rodriguez of Justice Law
20 Corporation are conditionally approved as Class Counsel for the Class.

21 6. The Court confirms Phoenix Class Action Administration Solutions as the
22 Administrator.

23 7. The proposed Gross Settlement Amount of \$990,000 is conditionally approved.

24 8. The proposed payment of the Class Counsel Fees Payment to Class Counsel not to
25 exceed \$346,500 (35% of the Gross Settlement Amount) and Class Counsel Litigation Expenses
26 Payment to Class Counsel for actual litigation costs incurred not to exceed \$25,000 are
27 conditionally approved.

28 ///

1 9. The proposed Class Representative Service Payments not to exceed \$10,000 to each
2 Plaintiff (totaling \$20,000) for their services as the class representatives are conditionally approved.

3 10. The proposed payment of the Administration Expenses Payment not to exceed
4 \$15,000 to the Administrator for its services is conditionally approved.

5 11. The Court also conditionally approves the Private Attorneys General Act of 2004
6 (“PAGA”) Penalties not to exceed \$100,000 the Parties have allocated for the settlement of the
7 claims for PAGA penalties stemming from the alleged Labor Code violations. Seventy-five percent
8 (75%) of the PAGA Penalties (\$75,000) will be paid to the California Labor and Workforce
9 Development Agency, and the remaining twenty-five percent (25%) of the PAGA Penalties
10 (\$25,000) shall be distributed to Aggrieved Employees, on a pro rata basis.

11 12. A Final Approval Hearing on the question of whether the Settlement Agreement,
12 Class Counsel Fees Payment, Class Counsel Litigation Expenses Payment, and Class
13 Representative Service Payments should be finally approved as fair, reasonable, and adequate as to
14 all Class Members who do not submit valid and timely Requests for Exclusion from the Settlement
15 is scheduled on the date and time set forth below.

16 13. The Court approves, as to form and content, the Court Approved Notice of Class
17 Action and PAGA Settlement and Hearing Date for Final Court Approval (“Class Notice”), as
18 attached as Exhibit A to the Agreement. The Court also approves the procedure for Class Members
19 to participate in, to opt out of, and to object to the Settlement as set forth in the Class Notice.

20 14. The Court directs the mailing of the Class Notice to all identified Class Members
21 via first-class United States Postal Service mail in accordance with the implementation schedule set
22 forth below. The Court finds the dates selected for the mailing and distribution of the Class Notice,
23 as set forth in the implementation schedule below, meet the requirements of due process, provide
24 the best notice practicable under the circumstances, and shall constitute due and sufficient notice to
25 all persons entitled.

26 ///

27 ///

28 ///


1 15. To facilitate administration of the Settlement pending final approval, the Court
 2 hereby enjoins Plaintiffs and all Class Members from filing or prosecuting any claims, suits, or
 3 administrative proceedings (including, but not limited to, filing claims with the Division of Labor
 4 Standards Enforcement of the California Department of Industrial Relations) based on claims
 5 released by the Settlement unless and until such Class Members have filed valid requests for
 6 exclusion with the Administrator and the time for filing valid requests for exclusion with the
 7 Administrator has not elapsed.

8 16. The Court orders the following implementation schedule for further proceedings:

9 a.	Deadline for Defendant to submit Class Data to Administrator	No later than ten (10) calendar days after the Court grants Preliminary Approval of the Settlement
10 b.	Deadline for Administrator to mail the Class Notice to Class Members	No later than fourteen (14) calendar days after receiving the Class Data
11 c.	Deadline for Class Members to postmark requests for exclusion, written objections, and written disputes to the Administrator	Within forty-five (45) calendar days from the initial mailing of the Class Notice
12 d.	Deadline for Class Members to postmark requests for exclusion, written objections, and written disputes to the Administrator if the Class Notice was remailed	Within an additional fourteen (14) calendar days beyond the Response Deadline
13 e.	Deadline for Class Counsel to file Motion for Final Approval of Settlement, Class Counsel Fees Payment, Class Counsel Litigation Expenses Payment, and Class Representative Service Payments	Within sixteen (16) court days before Final Approval Hearing in conformity with Code of Civil Procedure section 1005
14 f.	Final Approval Hearing	12-22-23 at 10:00 a.m. p.m. in Department N-31

24 Dated: 7-21-23

IT IS SO ORDERED.

25 By: 
 26 Honorable Blaine K. Bowman
 27 Judge of the Superior Court
 28