

F I L E D
Clerk of the Superior Court

AUG 25 2015

By: R. CERSOSIMO, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

MELISSA GUILOFF, Individually and
on Behalf of Other Members of the Public Similarly
Situating,

Plaintiff,

v.

INTERNATIONAL TRAINING AND
EXCHANGE, INC., and DOES 1-10, Inclusive,

Defendants.

Case No. 37-2014-00025454-CU-OE-CTL

Hearing Date: August 21, 2015

Hearing Time: 10:30 a.m.

Judge: Honorable Judith F. Hayes

Dept.: C-68

CLASS ACTION

**[PROPOSED] ORDER GRANTING
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

[IMAGED FILE]

Action Filed: July 30, 2014

1 On August 21, 2015, this Court conducted a hearing on the Motion for Preliminary Approval of
2 Class Action Settlement.

3 Having considered the Joint Stipulation of Settlement and Release ("Settlement Agreement" or
4 "Settlement") and all of the legal authorities, arguments, and documents submitted in support thereof
5 and GOOD CAUSE appearing, IT IS HEREBY ORDERED that the Motion for Preliminary Approval
6 of Class Action Settlement is GRANTED, subject to the following findings and orders:

7 1. This Order incorporates by reference the definitions in the Settlement Agreement, and all
8 terms defined therein shall have the same meaning as set forth in the Settlement Agreement.

9 2. The Settlement Class ("Class") is defined as "any and all instructors (including teachers
10 and substitutes) employed by the defendant International Training And Exchange, Inc. during the period
11 July 30, 2010 through July 1, 2015."

12 3. The class action settlement set forth in the Settlement Agreement, entered into among the
13 parties and their counsel, is preliminarily approved as it appears to be proper, to fall within the range of
14 reasonableness, to be the product of arm's-length and informed negotiations, to treat all members of the
15 Class ("Class Members") fairly, and to be presumptively valid, subject only to any objections that may
16 be raised at the final approval hearing. Additionally, the fees and costs of the Settlement Administrator
17 and Class Counsel appear, on a preliminary basis, to be within the range of reasonableness.
18 Additionally, the payment of the civil penalties to the California Labor & Workforce Development
19 Agency under the California Labor Code Private Attorneys General Act of 2004 ("PAGA") is approved.

20 4. The Court approves, as to form and content, the proposed Settlement Packet, which is the
21 Notice of Class Action Settlement.

22 5. The Court directs mailing, by First-Class U.S. mail, of the Settlement Packet in
23 accordance with the schedule set forth below. The Court finds that the method selected for
24 communicating the Settlement to Class Members is the best notice practicable under the circumstances,
25 constitutes due and sufficient notice to all persons entitled to notice, and thereby satisfies due process.

26 6. Named Plaintiff Melissa Guiloff is a suitable class representative and is appointed Class
27 Representative for the Class.

7. The Dente Law Firm and Robbins Arroyo LLP have demonstrated to the Court's satisfaction that they are experienced in class action litigation and will adequately represent the interests of all Class Members. Accordingly, the Court appoints The Dente Law Firm and Robbins Arroyo LLP Firm as Class Counsel.

8. The Court approves Phoenix Settlement Administrators as the Settlement Administrator.

9. The Class Representative and all other members of the Settlement Class are hereby enjoined from filing or prosecuting any claims, suits or administrative proceedings regarding the Class Released Claims unless and until such members of the Settlement Class timely and appropriately have opted out of the Settlement.

10. The parties are directed to carry out the terms of this Order and the Settlement Agreement. The following dates shall govern for the purposes of this Settlement (based on a Preliminary Approval date of August 21, 2015):

<u>Event</u>	<u>Date</u>	<u>Timing</u>
Settlement Administrator provided with updated list of class names, addresses, telephone numbers (if available), social security numbers, sessions worked based on Defendant's payroll records.	August 28, 2015	5 business days after preliminary approval
Settlement Packet Mailed to Class Members.	September 7, 2015	10 days after provision of class data to Settlement Administrator
Last day to submit objections or opt-outs.	October 22, 2015	45 days after Settlement Packet mailed
Settlement Submitted to Court for Final Approval (includes filing of supplemental briefs, attorneys' fees request and request for reimbursement of costs).	NOV 17 2015	16 court days before Final Approval Hearing
Settlement Administrator provides all counsel with declaration of due diligence.	DEC - 1 2015	10 days before Final Approval Hearing

<u>Event</u>	<u>Date</u>	<u>Timing</u>
Final Approval Hearing.	DEC 11 2015 @ 10:30 a.m.	Proposed Hearing Date

DATED: 8-25-15


 THE HONORABLE JUDITH F. HAYES
 JUDGE OF THE SUPERIOR COURT

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