

**FILED/ENDORSED**  
 JUL 21 2023  
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13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
 14 **FOR THE COUNTY OF SACRAMENTO**

15 VINCENT RAMSEY JR., individually and on  
 16 behalf of all others similarly situated,  
 17 Plaintiff,  
 18 vs.  
 19 PACKAGING CORPORATION OF AMERICA,  
 20 et al.,  
 21 Defendants.

Case No. 34-2021-00313350-CU-OE-GDS  
 [Consolidated with 34-2022-00316273-CU-OE-GDS]

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

Date: May 26, 2023  
 Time: 9:00 a.m.  
 Dept.: 28

Reservation No.: 2721493

22 VINCENT RAMSEY JR., individually and on  
 behalf of all others similarly situated,  
 23 Plaintiff,  
 24 vs.  
 25 PACKAGING CORPORATION OF AMERICA,  
 26 et al.,  
 27 Defendants.

Complaint Filed: December 29, 2021  
 FAC Filed: July 1, 2022  
 Trial Date: None

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

BY FAX

1 Plaintiff Vincent Ramsey's ("Plaintiff") application for an Order Granting Plaintiff's Motion  
2 for Preliminary Approval of Class Action Settlement was filed with the Court on May 4, 2023, and  
3 the Court issued a tentative ruling in advance of the hearing scheduled for May 26, 2023.

4 The Court has considered the Stipulation Re: Settlement of Class and PAGA Action  
5 ("Stipulation") and all other papers filed in this action.

6 NOW THEREFORE, IT IS HEREBY ORDERED:

7 1. This Court grants preliminary approval of the Stipulation between Plaintiff and  
8 Defendants Packaging Corporation of America and PCA Central California Corrugated, LLC  
9 (collectively "Defendants") filed herewith. The Stipulation appears to be fair, adequate, and  
10 reasonable to the Class.

11 2. The Class Representative and Defendants (hereafter, "Settling Parties"), through their  
12 counsel of record in the Litigation, have reached an agreement to settle the class and PAGA claims in  
13 the Litigation as set forth in the Stipulation, on behalf of the Class (as defined below and in the  
14 Stipulation).

15 3. The Court hereby conditionally certifies the following Class for settlement purposes  
16 only: non-exempt employees who worked for Defendant in California and who were paid overtime  
17 and/or shift differential wages during the Class Period (December 21, 2020, through February 18,  
18 2022).

19 Should for whatever reason the Settlement Agreement not become Final, the fact that the  
20 Parties were willing to stipulate to certification of a class as part of the Stipulation shall have no  
21 bearing on, or be admissible in connection with, the Litigation or the issue of whether a class should  
22 be certified in a non-settlement context.

23 4. The Court appoints and designates: (a) Plaintiff Vincent Ramsey as the Class  
24 Representative and (b) Plaintiff Vincent Ramsey as the Class Representative, and Larry W. Lee, Max  
25 W. Gavron, and Kwanporn "Mai" Tulyathan of Diversity Law Group, P.C. and Kelsey A. Webber  
26 and Shaelyn A. Stewart of Webber Law Group as Class Counsel for the Class. Class Counsel is  
27 authorized to act on behalf of the Class with respect to all acts or consents required by, or which may  
28 be given, pursuant to the Stipulation, and such other acts reasonably necessary to finalize the

1 Stipulation and its terms. Any Class Member may enter an appearance through his or her own  
2 counsel at such Class Member's own expense. Any Class Member who does not enter an appearance  
3 or appear on his or her own behalf will be represented by Class Counsel.

4 5. The Court hereby approves the terms and conditions provided for in the Stipulation.  
5 The Court finds that on a preliminary basis the Stipulation falls within the range of reasonableness of  
6 a settlement, including the amount of the PAGA penalties, and appears to be presumptively valid,  
7 subject only to any objections that may be raised by Class Members. It appears to the Court on a  
8 preliminary basis that the settlement is fair, adequate, and reasonable as to all potential Class  
9 Members when balanced against the probable outcome of further litigation relating to liability and  
10 damages issues. It also appears that substantial investigation and research have been conducted so  
11 that counsel for the Settling Parties are able to reasonably evaluate their respective positions. It  
12 appears to the Court that settlement at this time will avoid substantial additional costs by all Settling  
13 Parties, as well as avoid the delay and risks that would be presented by the further prosecution of the  
14 Litigation. It also appears that settlement has been reached as a result of intensive, serious, and non-  
15 collusive arm's length negotiations facilitated by an experienced and neutral mediator.

16 6. A Final Approval Hearing on the question of whether the proposed Stipulation, the  
17 allocation of payments to Participating Class Members, attorneys' fees and costs to Class Counsel,  
18 settlement administration costs to the Administrator, payment to the California Labor and Workforce  
19 Development Agency, payment to PAGA Members, and Class Representative Service Award should  
20 be finally approved as fair, reasonable, and adequate as to the members of the Class is hereby set for  
21 11/17/2023, at 9:00 a.m. in this Court.

22 7. The Court hereby approves, as to form and content, the Notice To Class Members Re:  
23 Pendency of a Class Action and Notice of Hearing On Proposed Settlement ("Class Notice") to be  
24 sent to Class Members, which is attached to this Order as **Exhibit A**. The Court finds that  
25 distribution of the Class Notice to Class Members substantially in the manner and form set forth in  
26 the Stipulation and, as supplemented by the Court's Order, if at all, meets the requirements of due  
27 process and shall constitute due and sufficient notice to all parties entitled thereto.

28 8. The Court appoints and designates Phoenix Settlement Administrators as the

1 Administrator. The Court hereby directs the Administrator to provide the approved Class Notice to  
2 Class Members using the procedures set forth in the Stipulation.

3 9. Any Class Member may choose to opt out of and be excluded from the settlement as  
4 provided in the Stipulation and Class Notice, and by following the instructions to opt out. Any person  
5 who timely and properly opts out of the settlement will not be bound by the Stipulation or have any  
6 right to object, appeal, or comment thereon, with the exception of the Settled PAGA Claims, for  
7 which there is no opt out. Any Opt Outs must be in writing and signed by each such Class Member  
8 opting out and must otherwise comply with the requirements delineated in the Class Notice. Class  
9 Members who have not requested exclusion by submitting a valid and timely Opt Out by the deadline  
10 shall be bound by all determinations of the Court, the Stipulation, and Judgment.

11 10. Any Class Member may object to the Stipulation or express his or her views regarding  
12 the Stipulation and may present evidence and file briefs or other papers that may be proper and  
13 relevant to the issues to be heard and determined by the Court as provided in the Class Notice.

14 11. The Motion for Final Approval shall be filed by the Class Representative no later than  
15 sixteen (16) court days before the Final Approval Hearing.

16 12. The Court reserves the right to adjourn or continue the date of the Final Approval  
17 Hearing and all dates provided for in the Stipulation without further notice to the Class and retains  
18 jurisdiction to consider all further applications arising out of or connected with the Stipulation.

19 **IT IS SO ORDERED.**

20  
21 DATED: 7/21/23



22   
23 HON. LAURI A. DAMRELL

24 SUPERIOR COURT OF CALIFORNIA

25 LAURI A. DAMRELL