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Superior Court of California
County of Los Angeles

07/21/2023

David W. Slayton, Executive Officer / Clerk of Court

By: A. He Deputy

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FAUSTINO GUZMAN

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

FAUSTINO GUZMAN, as an individual and
on behalf of all others similarly situated,

Plaintiff,

vs.

PRIME PLATING, INC., a California
corporation; PRIME PLATING
AEROSPACE, INC., a Nevada corporation;
and DOES 1 through 100, inclusive,

Defendants.

Case No. 19STCV21182

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*[Assigned for all purposes to the Hon. ~~Stewart~~
M. Rice, Dept. SSC-1]*

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

Date: July 21, 2023
Time: 10:30 a.m.
Dept.: SSC-1

Action Filed: June 18, 2019
Trial Date: None Set

1 The Motion of Plaintiff Faustino Guzman (“Plaintiff”) for Preliminary Approval of Class Action
2 Settlement will come on regularly for hearing before this Court on July 21, 2023 at 10:30 a.m. The
3 Court, having considered the proposed Class Action and PAGA Settlement Agreement and Class
4 Notice (the “Settlement”), attached as Exhibit 3 to the Declaration of Elizabeth Nguyen filed
5 concurrently with the Motion; having considered Plaintiff’s Motion for Preliminary Approval of Class
6 Action Settlement, Memorandum of Points and Authorities in support thereof, and supporting
7 declarations filed therewith; and good cause appearing, HEREBY ORDERS THE FOLLOWING:

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

13 Therefore, for settlement purposes only, the Court grants conditional certification of the following
14 Settlement Class:

15 All current and former non-exempt employees of Schmidt Industries, Inc.
16 d.b.a. Prime Plating and Prime Plating Aerospace, Inc. and all non-exempts
17 that Excel Staffing, Inc. assigned to work at Schmidt Industries, Inc. d.b.a.
18 Prime Plating and Prime Plating Aerospace, Inc. (collectively
19 “Defendants”) who worked at any time in California between June 18, 2015
20 and the date of preliminary approval.

21 2. The proposed Fifth Amended Complaint attached as Exhibit 3 to the Declaration of
22 Elizabeth Nguyen is hereby approved and shall be filed by Plaintiff Faustino Guzman within five (5)
23 court days of this Order being signed by the Court.

24 3. For purposes of the Settlement, the Court designates named Plaintiff Faustino Guzman
25 as Class Representative, and Scott M. Lidman, Elizabeth Nguyen, and Milan Moore of Lidman Law,
26 APC and Paul Haines of Haines Law Group, APC as Class Counsel.

27 4. The Court designates Phoenix Class Action Administration Solutions as the third-party
28 Settlement Administrator for mailing notices.

5. The Court approves, as to form and content, the Court Approved Notice of Class Action
Settlement and Hearing Date for Final Court Approval (“Class Notice”) and is attached to the Settlement

1 as Exhibit A.

2 6. The Court finds that the form of notice to the Settlement Class regarding the pendency of
3 the action and of the Settlement, and the methods of giving notice to members of the Settlement Class,
4 constitutes the best notice practicable under the circumstances, and constitute valid, due, and sufficient
5 notice to all members of the Settlement Class. The form and method of giving notice complies fully
6 with the requirements of California Code of Civil Procedure section 382, California Civil Code section
7 1781, California Rules of Court 3.766 and 3.769, the California and United States Constitutions, and
8 other applicable law.

9 7. The Court further approves the procedures for Settlement Class Members to opt out of or
10 object to the Settlement, as set forth in the Class Notice.

11 8. The procedures and requirements for filing objections in connection with the Final
12 Fairness Hearing are intended to ensure the efficient administration of justice and the orderly
13 presentation of any Settlement Class Member's objection to the Settlement, in accordance with the due
14 process rights of all Settlement Class Members.

15 9. The Court directs the Settlement Administrator to mail the Class Notice to the members
16 of the Settlement Class in accordance with the terms of the Settlement.

17 10. The Class Notice shall provide at least 60 calendar days' notice for members of the
18 Settlement Class to opt out of, or object to, the Settlement.

19 11. The Final Fairness Hearing on the question of whether the Settlement should be finally
20 approved as fair, reasonable, and adequate is scheduled in Department 1 of this Court, located at 312
21 North Spring Street, Los Angeles, California, 90012 on ~~February 14, 2023~~ at ~~10:00~~ a.m. /
22 ~~p.m.~~

23 12. At the Final Fairness Hearing, the Court will consider: (a) whether the Settlement should
24 be finally approved as fair, reasonable, and adequate for the Settlement Class; (b) whether a judgment
25 granting final approval of the Settlement should be entered; and (c) whether Plaintiff's application for
26 reasonable attorneys' fees, reimbursement of litigation expenses, service award to Plaintiff, and payment
27 to the Labor and Workforce Development Agency ("LWDA") for penalties under the Labor Code
28 Private Attorneys General Act ("PAGA") should be granted.

13. Counsel for the parties shall file memoranda, declarations, or other statements and materials in support of their request for final approval of the Settlement, attorneys' fees, litigation expenses, Plaintiff's service award, settlement administration costs, and payment to the LWDA for PAGA penalties prior to the Final Fairness Hearing according to the time limits set by the Code of Civil Procedure and the California Rules of Court.

14. An implementation schedule is below:

Event	Date
Defendants to provide Class Data to Settlement Administrator	20 calendar days after issuance of the preliminary approval order
Settlement Administrator to mail Notice Packets to Class Members	14 calendar days after receiving Class Information from Defendant
Deadline for Class Members to request exclusion from, submit disputes, or object to, the Settlement	60 calendar days after mailing of the Notice by the Settlement Administrator
Deadline for Plaintiff to file Motion for Final Approval of Class Action Settlement:	Revised 1/11/2023
Final Fairness Hearing:	Revised 1/11/2023, 2023 at Folsom a.m./p.m.

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

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

IT IS SO ORDERED.



Stuart M. Rice

Dated: 1/11/23, 2023

Stuart M. Rice / Judge
Honorable ~~Stewart M. Rice~~
Judge of the Superior Court