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13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **FOR THE COUNTY OF SAN JOAQUIN**

15 **SILVESTRE GONZALEZ**, an individual, on
16 behalf of himself and other similarly aggrieved
17 employees and the State of California

18 Plaintiff,

19 v.

20 **FLETCHLINCE, INC.**, a Tennessee
21 corporation; **HYDE GROUP, LLC**, a Nevada
22 limited liability company; and **DOES 1-50**,

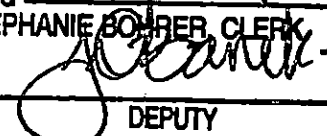
23 Defendants.

Case Number: STK-CU-UOE-2022-0003439

[Assigned for all purposes to the Honorable Erin
Guy Castillo, Dept. 10B]

~~CC~~
**[PROPOSED] ORDER GRANTING
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

Date:
Time:
Dept. 10B
Honorable Erin Guy Castillo

Filed **AUG 29 2023**
STEPHANIE BOLLINGER, CLERK
By  **DEPUTY**

~~PROPOSED~~ ^{EC} ORDER

This matter having come for hearing on August 29, 2023, regarding Plaintiff's unopposed *Motion for Preliminary Approval of Class Action and PAGA Settlement* (the "Motion") on the terms set forth in the parties' *Class Action and PAGA Settlement Agreement and Class Notice* (the "Settlement") attached as **Exhibit 1** to the concurrently filed *Declaration of Jeremy F. Bollinger in Support of Plaintiff's Motion for Preliminary Approval of Class Action and PAGA Settlement*. Having considered the Settlement, all papers and proceedings held herein, and having reviewed the entire record in this action, the Court hereby finds and orders:

1. The Court grants Plaintiff leave to file the overlength brief attached to the Motion.
2. The Court grants preliminary approval of the Settlement and the "Class" (as that term is defined in the Motion) based upon the terms set forth in the Settlement. All terms used herein shall have the same meaning as defined in the Motion. The resolution set forth in the Settlement appears to be fair, adequate, and reasonable to the Class.
3. The Settlement falls within the range of reasonableness and is presumptively valid, subject only to any objections that may be raised at the final fairness hearing and final approval by this Court.
4. A final fairness hearing on the question of whether the proposed Settlement, the attorneys' fees and costs to Plaintiff's counsel, Moss Bollinger LLP, and Plaintiff's enhancement award should be finally approved as fair, reasonable, and adequate as to the members of the Class is scheduled in Department 1 on the date and time set forth in the implementation schedule below.
5. This Court approves, as to form and content, the *Notice of Class Action and PAGA Settlement and Hearing Date for Final Court Approval* ("Class Notice") to be distributed to the Class Members pursuant to the Settlement in substantially the same form as is attached to the Settlement. The Court approves the procedure for Class Members to participate in, to opt out of, and to object to the Settlement as set forth in the Settlement.
6. The Court directs the mailing of the Class Notice by first class mail to the Class Members in accordance with the implementation schedule set forth below. The Court finds the dates selected for the mailing and distribution of the Class Notice, as set forth in the implementation schedule,

1 meet the requirements of due process and constitute the best notice practicable under the circumstances
2 and due and sufficient notice to all persons entitled thereto.

3 7. The Court preliminarily certifies the Class, as defined in the Motion, for settlement
4 purposes.

5 8. The Court confirms Plaintiff Silvestre Gonzalez ("Plaintiff" or "Class Representative")
6 as class representative.

7 9. The court confirms Jeremy F. Bollinger, Dennis F. Moss, Ari E. Moss, and Jorge A.
8 Flores of Moss Bollinger, LLP as class counsel.

9 10. The court appoints Phoenix Settlement Administrators as the settlement administrator.

10 11. To facilitate administration of the Settlement pending final approval, the court hereby
11 enjoins Plaintiff and all members of the Class from filing or prosecuting any claims, suits, or
12 administrative proceedings (including filing claims with the Division of Labor Standards Enforcement
13 of the California Department of Industrial Relations) regarding claims released by the Settlement,
14 unless and until such Class Members have filed valid requests for exclusion with the Settlement
15 Administrator and the time for filing claims with the Settlement Administrator has elapsed.

16 12. The Court orders the following Implementation Schedule for further proceedings:
17

18 a.	Deadline for Defendants to Submit Class Data to the Settlement Administrator	[Within twenty-eight (28) calendar days of this order.]
19 b.	Deadline for Settlement Administrator to Mail Notice Packets to all Class Members	[Within fourteen (14) calendar days of this order.]
20 c.	Deadline for Class Members to Postmark Challenges to Calculation of Workweeks	[Within forty-five (45) days after mailing of the Class Notice.]
21 d.	Deadline for Class Members to Postmark Requests for Exclusion	[Within forty-five (45) days after mailing of the Class Notice.]

1	e.	Deadline for Class Members to Submit Any Objections to Settlement	[Within forty-five (45) days after mailing of the Class Notice.]
2			
3	f.	Deadline for Settlement Administrator to Provide Class Counsel with Declaration of Due Diligence	[At least thirty (30) calendar days prior to final approval and fairness hearing.]
4			
5	f.	Final Approval and Fairness Hearing	<u>January 31, 2024</u> , 2023 at <u>9:00</u> a.m./p.m.
6			
7			

8 13. If any of the dates in this implementation schedule fall on a weekend, bank or court
9 holiday, the time to act shall be extended to the next business day.

10 **IT IS SO ORDERED.**

11
12 Dated: August 29, 2023

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12 

13 Hon. Erin Guy Castillo

14 Judge of the Superior Court, County of San Joaquin

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18 Defendant's waived any defect in
19 the notice of this hearing and
20 agreed to the request.
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