

FILED
Superior Court of California
County of Los Angeles

12/05/2024

David W. Slayton, Executive Officer / Clerk of Court

By: R. Alva Deputy

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

SOVATANA SAUT and JOHN HISATO
NAKATANI, individually and on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

MCKESSON CORPORATION, a Delaware
Corporation; and DOES 1-50, inclusive,

Defendants.

Case No. 22STCV28690

Assigned for All Purposes to:
Hon. Maureen Duffy-Lewis
Dept.: 38

**ORDER GRANTING PRELIMINARY
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT AGREEMENT,
APPROVAL OF NOTICE TO CLASS
MEMBERS, APPROVAL OF
SETTLEMENT ADMINISTRATOR,
AND SETTING HEARING FOR FINAL
APPROVAL OF SETTLEMENT**

Complaint Filed: September 1, 2022
FAC Filed: August 29, 2024
Trial Date: None Set

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2 This matter, having come before the Honorable Maureen Duffy-Lewis of the Superior Court of
3 the State of California, in and for the County of Los Angeles, on October 11, 2024, for the Motion by
4 Plaintiffs Sovatana Saut and John Hisato Nakatani (“Plaintiffs”) for Preliminary Approval of the Class
5 Action and PAGA Settlement that resolves the claims alleged by Plaintiffs and the Class against
6 Defendant McKesson Corporation (“Defendant”) (collectively referred to herein as the “Parties”). The
7 Court, having considered the briefs, argument of counsel and all matters presented to the Court, and
8 good cause appearing, hereby GRANTS Plaintiffs’ Motion for Preliminary Approval of Class Action
9 and PAGA Settlement.

10 IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

11 1. The Court provisionally certifies the following Class for purposes of settlement: all
12 persons who are or were employed by Defendant as hourly paid, non-exempt employees who worked
13 in distribution centers in the State of California at any time during the period from June 27, 2018
14 through April 7, 2024 (“Class Period”).

15 2. The Court preliminarily appoints Plaintiffs as Class Representatives for purposes of
16 settlement only;

17 3. The Court appoints James Hawkins and Christina Lucio of James Hawkins, APLC as
18 Class Counsel for purposes of settlement;

19 4. The Court preliminarily approves the class action portion of the Settlement as fair,
20 adequate, and reasonable, and approves the PAGA portion of the settlement based upon the terms set
21 forth in the Class Action and PAGA Settlement Agreement (the “Settlement”), including payment by
22 Defendant of the non-reversionary Gross Settlement Amount of \$2,250,000.00;

23 5. The Court preliminarily approves payment of reasonable attorneys’ fees and costs from
24 the Gross Settlement Amount in an amount of up to 35% of the Gross Settlement Amount (\$787,500),
25 plus actual litigation costs up to \$50,000.00;

26 6. The Court preliminarily approves the Class Representatives’ Service Payments to
27 Plaintiffs in an amount of up to \$10,000.00 each from the Gross Settlement Amount to compensate
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1 them for the burden, responsibility, time, effort, and risk involved in coming forward on behalf of the
2 Class and for their general releases of claims broader than the Class release;

3 7. The Court approves payment to the LWDA of 75% of the \$112,500.00 allocated to
4 PAGA penalties (\$84,375.00) from the Gross Settlement Amount;

5 8. The Court preliminarily approves ILYM Group, Inc. as the Settlement Administrator
6 and further approves distribution of up to \$13,550.00 from the Gross Settlement Amount to cover the
7 Settlement Administrator's expenses in administering this Settlement;

8 9. The Court orders Defendant to direct the distribution to the Class of the Notice of Class
9 Action and PAGA Settlement (the "Class Notice"), including notice of the opportunity to exclude
10 oneself from, or object to, the Settlement (except for its PAGA component); and

11 10. The Court orders the Parties to dismiss *Sovatana Saut, et al, v. Defendant McKesson*
12 *Corporation*, Case No. 2:22-cv-05707-DMG-KES, United States District Court, Central District of
13 California, within 65 days of this Court's final approval of the Class Action and PAGA settlement, as
14 well as the entry of the Order and Judgment.¹

15 11. The Final Fairness and Approval Hearing shall be held on February 14, 2025 at 9:30
16 a.m., before the Honorable Maureen Duffy Lewis, in Department 38 in the Superior Court of California,
17 Los Angeles County, in the Stanley Mosk Courthouse located at 111 North Hill Street, Los Angeles,
18 CA 90012. At that time, the Court shall determine, following dissemination of Notice to the Class,
19 whether to grant final approval to the Settlement.

20 **IT IS SO ORDERED.**

21
22 DATED: _____, 2024



Maureen Duffy-Lewis

HON. MAUREEN DUFFY-LEWIS

JUDGE OF THE SUPERIOR COURT

Maureen Duffy-Lewis / Judge

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26 ¹ While the Court's Minute Order, dated October 11, 2024, indicates that the Parties must submit evidence that *Sovatana*
27 *Saut, et al, v. Defendant McKesson Corporation*, Case No. 2:22-cv-05707-DMG-KES is dismissed before the Court signs
28 this Proposed Order granting preliminary approval, the Parties note that they discussed this issue with the Court during the
hearing and requested that the submission of proof of dismissal be deferred until after the Final Fairness and Approval
Hearing. The Court indicated that it agreed with this proposal. As such, the Proposed Order reflects this proposed process.

PROOF OF SERVICE

I am a resident of the State of California, County of Orange. I am over the age of eighteen years and not a party to the within action. My business address is 9880 Research Drive., Suite 200, Irvine, California 92618.

On October 15, 2024, I served on the interested parties in this action the following document(s) entitled:

- ORDER GRANTING PRELIMINARY APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT AGREEMENT, APPROVAL OF NOTICE TO CLASS MEMBERS, APPROVAL OF SETTLEMENT ADMINISTRATOR, AND SETTING HEARING FOR FINAL APPROVAL OF SETTLEMENT

[XX] BY ELECTRONIC SERVICE: Based on a court Order or an agreement by the parties to accept service by e-mail or electronic transmission, I caused the document(s) to be sent from the email address citlalli@jameshawkinsaplc.com to the persons at the e-mail addresses listed in the Service List below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

SERVICE LIST

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Attorneys for Defendant

[X] STATE: I declare under penalty of perjury, under the laws of the State of California, that the above is true and correct.

Executed on October 15, 2024, at Irvine, California.


Citlalli Gutierrez

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