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Attorneys for Plaintiff and all others similarly situated
BLANCA LUZ BENITEZ

FILED
Superior Court of California
County of Los Angeles

08/04/2025

David W. Slayton, Executive Officer / Clerk of Court

By: N. Navarro Deputy

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE**

BLANCA LUZ BENITEZ, an individual, on
behalf of herself and all others similarly
situated,

Plaintiffs,

vs.

CDM CORP., a Nevada Corporation; and
DOES 1 TO 50,

Defendants.

CASE NO.: 24STCV30660

[Assigned to Hon. Laura A. Seigle, Dept. 17]

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

*[Notice, Memorandum of Points and
Authorities and Declarations of Matthew A.
Haulk and Blanca Benitez filed concurrently
herewith]*

Date: August 4, 2025

Time: 9:00 a.m.

Dept.: 17

Complaint Filed: November 20, 2024

Trial: None

1 **TO ALL PARTIES AND THEIR COUNSEL OF RECORD:**

2 Plaintiff Blanca Benitez (“Plaintiff”) and Defendant CDM Corp. (Defendant) have reached
3 terms of settlement for a putative class action.

4 Plaintiff has filed a motion for preliminary approval of a class action settlement of the
5 claims asserted against Defendants in this action, memorialized in the CLASS ACTION AND
6 PAGA SETTLEMENT AGREEMENT (see DECLARATION OF MATT A. HAULK IN
7 SUPPORT OF PLAINTIFF’S MOTION FOR PRELIMINARY APPROVAL OF CLASS
8 ACTION SETTLEMENT [“Haulk Decl.”], at Exh. 1). The CLASS ACTION AND PAGA
9 SETTLEMENT AGREEMENT is referred to herein as the “Agreement.”

10 After reviewing the Agreement, the Notice process, and other related documents, and
11 having heard the argument of Counsel for respective parties **IT IS HEREBY ORDERED AS**
12 **FOLLOWS:**

13 1. The Court preliminarily finds that the terms of the proposed class action Settlement
14 are fair, reasonable, and adequate, pursuant to California Code of Civil Procedure § 382. In granting
15 preliminary approval of the class action settlement the Court has considered the factors identified
16 in *Dunk v. Ford Motor Co.*, 48 Cal. App. 4th 1794 (1996), as approved in *Wershba v. Apple*
17 *Computer, Inc.*, 91 Cal. App. 4th 224 (2001) and *In re Microsoft IV Cases*, 135 Cal. App. 4th 706
18 (2006).

19 2. The Court finds that the Settlement has been reached as a result of intensive, serious
20 and non-collusive arms-length negotiations with the assistance of a neutral private mediator, Arthur
21 Eidelhoch, Esq. The Court further finds that the parties have conducted thorough investigation and
22 research, and the attorneys for the parties are able to reasonably evaluate their respective positions.
23 The Court also finds that settlement at this time will avoid additional substantial costs, as well as
24 avoid the delay and risks that would be presented by the further prosecution of the action. The Court
25 finds that the risks of further prosecution are substantial.

26 3. The parties’ Settlement is granted preliminary approval as it meets the criteria for
27 preliminary settlement approval. The Court finds that it is appropriate to notify the members of the
28 proposed settlement Class of the terms of the proposed settlement.

1 4. The parties' proposed notice plan is constitutionally sound because individual
2 notices will be mailed to all Class Members whose identities are known to the parties, and such
3 notice is the best notice practicable. The parties' proposed Class Notice (DECLARATION OF
4 MATTHEW A. HAULK IN SUPPORT OF PLAINTIFF'S MOTION FOR PRELIMINARY
5 APPROVAL OF CLASS ACTION SETTLEMENT, Exhibit 2) is sufficient to inform Class
6 Members of the terms of the Settlement, their rights under the Settlement, their rights to object to
7 the Settlement, their right to receive a payment under the settlement or elect not to participate in
8 the Settlement, and the processes for doing so, and the date and location of the final approval
9 hearing and are therefore approved.

10 5. The following persons are certified as Class Members solely for the purpose of
11 entering a settlement in this matter:

12 All individuals who are or were employed as a non-exempt employee in the State of
13 California who worked for CDM Corp. during the Class Period.

14 6. Plaintiff is appointed the Class Representative. The Court finds Plaintiff's counsel
15 are adequate, as they are experienced in wage and hour class action litigation and have no conflicts
16 of interest with absent Class Members, and that they adequately represented the interests of absent
17 class members in the Litigation. Matthew A. Haulk and Jose M. Herrera of Haulk & Herrera LLP
18 are appointed Class Counsel.

19 7. The Court appoints ILYM Group, Inc. to act as the Administrator, pursuant to the
20 terms set forth in the Agreement.

21 8. Class Members will be bound by the Agreement unless they submit a timely and
22 valid written request to be excluded from the Settlement within 45 days after mailing of the Class
23 Notice or, and in the case of a re-mailed Notice, forty-five (45) days from the original mailing or
24 fourteen (14) days from the date of re-mailing, whichever is greater, or in accordance with the terms
25 of the Agreement.

26 9. Any Request for Exclusion shall be submitted to the Administrator rather than filed
27 with the Court. Class members are not required to send copies of the Request for Exclusion to
28 counsel. The Administrator shall file a declaration concurrently with the filing of any motion for

1 final approval, authenticating a copy of every Request for Exclusion received by the administrator.

2 10. Prior to the Final Approval Hearing, Plaintiff shall file a timely motion for final
3 approval of the Settlement as provided in the Agreement.

4 11. Defendants are directed to provide the Administrator the Class Data in the manner
5 and within the time frame specified in the Agreement.

6 12. The Administrator is directed to mail the approved Class Notice by first-class mail
7 to the Class Members in accordance with the Agreement.

8 13. A final approval hearing will be held on Ö^&\{ à^!Â ÊÖEGÍ Á, at
9 JKECÁÊ Æ, in Department 17 of this Court, to determine whether the settlement should be
10 granted final approval as fair, reasonable, and adequate as to the Participating Class Members. At
11 that time, the Court will hear all evidence and arguments necessary to evaluate the Settlement.
12 Participating Class Members and their counsel may support or oppose the Settlement, if they so
13 desire, in accordance with the procedures set forth in the Class Notice and this Order. Non-
14 Participating Class Members shall not have a right to object to the class action components of the
15 Settlement.

16 14. As set forth in the Notice, any Participating Class Member may appear at the final
17 approval hearing in person or by his or her own attorney and show cause why the Court should not
18 approve the settlement, or object to the motion for awards of the Class Representative Service
19 Payment and Attorney's Fees and Costs. For any written comments or objections to be considered
20 at the hearing, the Participating Class Member must submit a written objection in accordance with
21 the deadlines set forth in the Class Notice, or as otherwise permitted by the Court.

22 15. Any written objection shall be submitted to the Administrator rather than filed with
23 the Court. Class Members are not required to send copies of the Objection Form to counsel. The
24 Administrator shall provide a declaration consistent with its obligations in the Agreement.

25 16. The Court reserves the right to continue the date of the final approval hearing
26 without further notice to Class Members.

27 17. Class Counsel shall give notice to any objecting party of any continuance of the
28 hearing of the motion for final approval.

1 18. The Court retains jurisdiction to consider all further applications arising out of or in
2 connection with the settlement.

3 **IT IS SO ORDERED.**

4
5 DATED: 08/04/2025



By: _____

Laura Seigle
Honorable Laura A. Seigle
Judge of the Superior Court
Laura A. Seigle / Judge

PROOF OF SERVICE


Blanca Luz Benitez v. CDM Corp.

Los Angeles County Superior Court Case No.: 24STCV30660

1.	At the time of service, I was at least 18 years of age and not a party to this legal action.	
2.	My business address is 100 Pine Street, Suite 1250, San Francisco, CA 94111	
3.	I served copies of the following document(s): [PROPOSED] ORDER GRANTING PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT	
4.	I served the documents listed above in Item 3 on the following persons at the addresses listed: Mac E. Nehoray, Esq. Kambiz Drake, Esq. SOUTHERN CALIFORNIA ATTORNEYS, APC 24007 Ventura Boulevard, Suite 200 Calabasas, California 91302 Telephone: (818) 222-2227 Email: mac@socalatt.com kambiz@socalatt.com <i>Attorney for Defendants</i> <i>CDM Corp.</i>	
5.	a.	By Personal Service. I personally delivered the documents on the date shown below to the person(s) at the addresses listed above in Item 4. (1) For a party represented by an attorney, delivery was made to the attorney or at the attorney's office by leaving the documents in an envelope or package clearly labeled to identify the attorney being served with a receptionist or an individual in charge of the office. (2) For a party delivery was made to the party or by leaving the documents in the party's residence between the hours of eight in the morning and six in the evening with some person not less than 18 years of age.
	b.	By United States Mail. I enclosed the documents in a sealed envelope or package, in the mail at San Rafael, California, where I am a resident or employee in the County of Marin where the mailing occurred. I addressed the sealed envelope or package to the persons at the addresses in Item 4 and (specify one):
	(1)	Deposited the sealed envelope in a United States Postal Service mailbox with the postage fully prepaid on the date shown below
	(2)	Placed the envelope for collection and mailing on the date shown below, following our ordinary business practices and I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
	c.	By Overnight Delivery. Pursuant to California Rules of Court, Rule 8.25, I enclosed the documents on the date shown below in an envelope or package provided by an overnight delivery carrier and addressed to the person at the addresses in Item 4. I placed the

		envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.
d.		By Messenger Service. I served the documents on the date shown below by placing them in an envelope or package addressed to the person on the addresses listed in Item 4 and providing them to a professional messenger service for service.
e.		By Fax Transmission. Based on an agreement to accept service by fax transmission, I faxed the documents on the date shown below to the fax numbers of persons listed in Item 4. No error was reported by the fax machine that I used
f. X		By Electronic Transmission. I caused the documents to be electronically served via Case Anywhere on the date shown below to the recipients designated on the Service List with Case Anywhere.
6.	I served the documents by the means described above on June 18, 2025	

I declare under penalty of perjury that this document is signed in Los Angeles, California under the laws of the State of California and that the foregoing is true and correct.

June 18, 2025	Toni Gesin	
Date	(Type or Print Name)	(Signature of Declarant)

PLAINTIFF/PETITIONER: Blanca Luz Benitez
 DEFENDANT/RESPONDENT: CDM Corp.

CASE NUMBER:
 24STCV30660

**PROOF OF SERVICE BY FIRST-CLASS MAIL
 NOTICE OF ENTRY OF JUDGMENT OR ORDER**

(NOTE: You cannot serve the Notice of Entry of Judgment or Order if you are a party in the action. The person who served the notice must complete this proof of service.)

1. I am at least 18 years old and **not a party to this action**. I am a resident of or employed in the county where the mailing took place, and my residence or business address is *(specify)*:

2. I served a copy of the *Notice of Entry of Judgment or Order* by enclosing it in a sealed envelope with postage fully prepaid and *(check one)*:

- a. ☐ deposited the sealed envelope with the United States Postal Service.
 b. ☐ placed the sealed envelope for collection and processing for mailing, following this business's usual practices, with which I am readily familiar. On the same day correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service.

3. The *Notice of Entry of Judgment or Order* was mailed:

- a. on *(date)*:
 b. from *(city and state)*:

4. The envelope was addressed and mailed as follows:

a. Name of person served:

Street address:

City:

State and zip code:

b. Name of person served:

Street address:

City:

State and zip code:

c. Name of person served:

Street address:

City:

State and zip code:

d. Name of person served:

Street address:

City:

State and zip code:


☐ Names and addresses of additional persons served are attached. *(You may use form POS-030(P).)*

5. Number of pages attached:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

 (TYPE OR PRINT NAME OF DECLARANT)

_____
 (SIGNATURE OF DECLARANT)

PROOF OF SERVICE


Blanca Luz Benitez v. CDM Corp.

Los Angeles County Superior Court Case No.: 24STCV30660

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	(1)	Deposited the sealed envelope in a United States Postal Service mailbox with the postage fully prepaid on the date shown below
	(2)	Placed the envelope for collection and mailing on the date shown below, following our ordinary business practices and I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is

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f.	<input checked="" type="checkbox"/>	By Electronic Transmission. I caused the documents to be electronically served via Case Anywhere on the date shown below to the recipients designated on the Service List with Case Anywhere.
6.	I served the documents by the means described above on August 5, 2025	

I declare under penalty of perjury that this document is signed in Los Angeles, California under the laws of the State of California and that the foregoing is true and correct.

August 5, 2025	Toni Gesin	
Date	(Type or Print Name)	(Signature of Declarant)