

FILED
Clerk of the Superior Court

Dec. 22, 2023
DTH

1 Tuvia Korobkin (SBN 268066)
2 tuvvia@abramsonlabor.com
3 Rijenea Appling (SBN 246290)
4 rijenea@abramsonlabor.com
5 **ABRAMSON LABOR GROUP**
6 1700 W. Burbank Blvd.
7 Burbank, California 91506
8 Tel: (213) 493-6300
9 Fax: (213) 723-2522

By: T. Abas

~~CLERK OF THE SUPERIOR COURT~~
~~SUPERIOR COURT OF CALIFORNIA~~
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6 Attorneys for Plaintiff

7 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
8 **FOR THE COUNTY OF SAN DIEGO**
9

10 ERNEST RABELAS, on behalf of himself and
11 all others similarly situated,

Case No.: 37-2023-00003165-CU-OE-CTL

CLASS ACTION

12 Plaintiff,

[Assigned for all purposes to Hon.
Gregory W. Pollack, Dept. C-71]

13 vs.

h.f.
**[PROPOSED] ORDER GRANTING
PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

14 ARAM LOGISTICS, INC., a California
15 corporation; and DOES 1 through 100, inclusive,

Date: December 22, 2023
Time: 9:30 a.m.
Dept.: C-71

16 Defendants.
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Action Filed: January 24, 2023
Trial Date: None Set

1 The Motion of Plaintiff Ernest Rabelas (“Plaintiff”) for Preliminary Approval of Class
2 Action Settlement (the “Motion”) came on regularly for hearing before this Court on December
3 22, 2023 at 9:30 a.m. This Court, having considered the proposed Settlement Agreement (the
4 “Settlement”) attached to the Declaration of Tuvia Korobkin filed concurrently with the Motion;
5 and having considered the Motion, Memorandum of Points and Authorities in support thereof,
6 and supporting declarations filed therewith; and good cause appearing, HEREBY ORDERS AS
7 FOLLOWS:

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

15 All current and former employees who worked for ALI in California at
16 any time from January 24, 2022 through August 4, 2023 (the “Class
 Period”).

17 2. For purposes of the Settlement, the Court designates Plaintiff as Class
18 Representative, and designates Abramson Labor Group as Class Counsel.

19 3. The Court designates ILYM Group, Inc. as the third-party Settlement
20 Administrator for mailing notices.

21 4. The Court approves, as to form and content, the Class Notice and Notice of
22 Estimated Settlement Award attached as Exhibits A and B, respectively, to the Settlement, (the
23 “Notice Packet”).

24 5. The Court finds that the form of notice to the Settlement Class regarding the
25 pendency of the action and of the Settlement, and the methods of giving notice to members of
26 the Settlement Class, constitute the best notice practicable under the circumstances, and
27 constitute valid, due, and sufficient notice to all of the Settlement Class members. The form and
28 method of giving notice complies fully with the requirements of California Code of Civil

1 Procedure section 382, California Civil Code section 1781, California Rules of Court 3.766 and
2 3.769, the California and United States Constitutions, and other applicable law.

3 6. The Court further approves the procedures to opt out of or object to the Settlement,
4 as set forth in the Class Notice.

5 7. The procedures and requirements for filing objections in connection with the Final
6 Approval Hearing are intended to ensure the efficient administration of justice and the orderly
7 presentation of any valid objection to the Settlement in accordance with due process.

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

10 9. The Final Approval Hearing on the question of whether the Settlement should be
11 finally approved as fair, reasonable, and adequate is scheduled in Department C-71 of this Court,
12 located at 330 W. Broadway, San Diego, California 92101 on May 17, 2024 at
13 9:30 a.m./p.m.

14 10. At the Final Approval Hearing, the Court will consider: (a) whether the Settlement
15 should be finally approved as fair, reasonable, and adequate for the Settlement Class; (b) whether
16 a judgment granting final approval of the Settlement should be entered; and (c) whether
17 Plaintiff's application for reasonable attorneys' fees, reimbursement of litigation expenses,
18 service payment to Plaintiff, settlement administration costs, and payment to the Labor &
19 Workforce Development Agency ("LWDA") for penalties under the Labor Code Private
20 Attorneys General Act ("PAGA") should be granted.

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

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1 12. An implementation schedule is below:

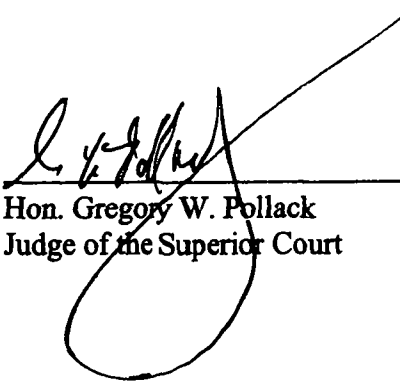
Event	Date
ALI to provide Class Data to the Settlement Administrator no later than [10 Court days after preliminary approval]:	January 9, 2024
Settlement Administrator to mail Notice Packets to Settlement Class members no later than [10 Court days after receiving Class Data]:	January 24, 2024
Deadline for Settlement Class members to request exclusion from, or object to, the Settlement [60 calendar days after mailing]:	March 25, 2024
Deadline for Plaintiff to file Motion for Final Approval of Class Action Settlement:	April 15, 2024
Final Approval Hearing:	May 17, 2024 @ 9:30 a.m.

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

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

19 **IT IS SO ORDERED.**

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21 Dated: _____, 2023


Hon. Gregory W. Pollack
Judge of the Superior Court