

JAN 16 2025

CLERK OF THE COURT
BY: Alicia Wheeler
Deputy Clerk

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO
DEPARTMENT 304

JAVIER JIRON, an individual, on behalf of
himself and all others similarly situated,

Plaintiff,

vs.

WIPRO LIMITED, an India corporation; and
DOES 1 TO 50,

Defendants.

Case No. CGC-23-608621

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

1 Plaintiff Javier Jiron ("Plaintiff") and Defendant Wipro Limited ("Defendant") have
2 reached terms of settlement for a putative class and representative action.

3 Plaintiff filed a Motion for Preliminary Approval of Class Action and PAGA Settlement as
4 memorialized in the Settlement Agreement.¹

5 The Court having reviewed the papers filed in support of this motion, including the
6 Settlement Agreement, and the record in the matter, HEREBY ORDERS AS FOLLOWS:

7 1. This Order incorporates by reference the definitions in the Settlement Agreement
8 and all terms defined therein shall have the same meaning as set forth in the Settlement Agreement.

9 2. The Court grants preliminary approval of the settlement based upon the terms set
10 forth in the Settlement Agreement. The Court preliminarily finds that the terms of the Settlement
11 are fair, reasonable, and adequate, fall within the range of final approval, and appear to be
12 presumptively valid. The Court finds that the Settlement has been reached as a result of intensive,
13 serious and non-collusive arms-length negotiations with the assistance of a neutral private
14 mediator, Kelly Knight, Esq. The Court further finds that the parties have conducted thorough
15 investigation and research, and the attorneys for the parties were able to reasonably evaluate their
16 respective positions.

17 3. Solely for the settlement purposes, the Court certifies the following Class:

18 All current and former sales employees who worked for Defendant in California and
19 incurred necessary and reasonable business expenses at any time or times between
20 August 24, 2019, through January 8, 2025, and excluding persons who are currently
21 represented by counsel and have a civil action pending, and also excluding any
22 persons who opt-out of the class.

23 4. For settlement purposes only, the Court finds the proposed Class meets the
24 requirements for certification under Code of Civil Procedure section 382.

25 5. For settlement purposes only, Plaintiff Javier Jiron is appointed as the Class
26 Representative. The Court preliminarily finds that Plaintiff will adequately represent the Class in

27 ¹ "Settlement Agreement" or "Settlement" or "Agreement" refers to the Class Action and PAGA
28 Settlement Agreement and Class Notice attached as Exhibit 1 to the Declaration of Matthew Haulk
filed on November 15, 2024 as amended by the First Amendment to Class Action and PAGA
Settlement Agreement and Class Notice attached as Exhibit 1 to the Second Supplemental
Declaration of Matthew Haulk filed on January 13, 2025.

1 accordance with Code of Civil Procedure section 382 for settlement purposes.

2 6. For settlement purposes only, Matthew A. Haulk and Jose M. Herrera of Haulk &
3 Herrera LLP are appointed as Class Counsel. The Court preliminarily finds that Class Counsel will
4 represent the interests of the Class fairly and adequately in accordance with Code of Civil
5 Procedure section 382 for settlement purposes.

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

8 8. The Court hereby approves, as to form and content, the Class Notice, attached as
9 Exhibit 2 to the Second Supplemental Declaration of Matthew Haulk on January 13, 2025.

10 9. The Court finds that the proposed notice plan set forth in the Settlement Agreement
11 is reasonable; that it constitutes due, adequate and sufficient notice to all persons entitled to be
12 provided with notice; that it meets due process requirements; and such notice is the best notice
13 practicable. The parties' proposed notice plan is sufficient to inform Class Members of the terms
14 of the Settlement, their rights under the settlement, their rights to object to the Settlement, their
15 right to receive a payment under the settlement or elect not to participate in the Settlement, and the
16 processes for doing so, and the date and location of the final approval hearing.

17 10. The Court hereby directs the Parties and the Settlement Administrator to execute the
18 notice plan in accordance with the terms of the Settlement Agreement.

19 11. The procedures set forth in the Settlement Agreement for objecting to and
20 requesting exclusion from the proposed settlement are approved. The deadline for Class Members
21 to submit written objections or requests for exclusion is (45) days after mailing of the Class Notice.
22 The deadline shall be extended an additional fourteen (14) days for all Class Members whose
23 notice is re-mailed.

24 12. Class Members will be bound by the Agreement unless they submit a timely and
25 valid written request to be excluded from the Settlement within 45 days after mailing of the Class
26 Notice.

27 13. Defendants are directed to provide the Settlement Administrator the Class Data in
28 the manner and within the time frame specified in the Agreement.

1 14. A Final Approval Hearing is set for May 27, 2025, at 9:00 a.m., in Department 304,
2 to determine whether the settlement should be granted final approval as fair, reasonable, and
3 adequate as to the Participating Class Members. As set forth in the Notice, any Participating Class
4 Member may appear at the final approval hearing in person or by his or her own attorney and show
5 cause why the Court should not approve the settlement, or object to the motion for awards of the
6 Attorney's Fees and Costs and the Class Representative Enhancement. For any written comments
7 or objections to be considered at the hearing, the Participating Class Member must submit a written
8 objection in accordance with the deadlines set forth in the Class Notice. Non-Participating Class
9 Members shall not have a right to object to the class action components of the Settlement.

10 15. Plaintiff's Motion for Final Approval of Class Action and PAGA Settlement and
11 corresponding application for fees, costs, and service award shall be filed no later than sixteen (16)
12 court days prior to the Final Approval Hearing.

13 16. The Court reserves the right to continue the date of the final approval hearing.

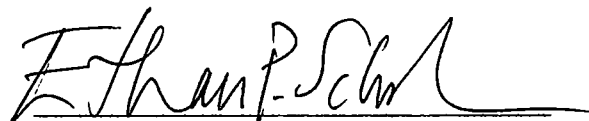
14 17. Class Counsel shall give notice to any objecting party of any continuance of the
15 final approval hearing.

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

18 19. Class Counsel shall submit a copy of this Order to the Labor and Workforce
19 Development Agency within ten (10) days after entry of this Order pursuant to Labor Code section
20 2699(s)(3).

21 IT IS SO ORDERED.

22 Dated: January 16, 2025



Ethan P. Schulman.
Judge of the Superior Court

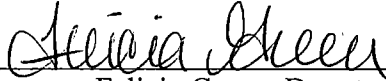
CERTIFICATE OF ELECTRONIC SERVICE
(CCP 1010.6(6) & CRC 2.260(g))

I, Felicia Green, a Deputy Clerk of the Superior Court of the County of San Francisco, certify that I am not a party to the within action.

On January 16, 2025, I electronically served ORDER GRANTING PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT via File & ServeXpress on the recipients designated on the Transaction Receipt located on the File & ServeXpress website.

Dated: JAN 16 2024

Brandon E. Riley, Court Executive Officer

By: 
Felicia Green, Deputy Clerk