

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 48

24STCV02391

**NEENA JARAMILLO-JOHNSON vs LOGIC AUTOMOTIVE
GROUP LLC**

July 29, 2025

8:30 AM

Judge: Honorable Thomas D. Long
Judicial Assistant: Emily Ma Reyes
Courtroom Assistant: Roger E. Lomeli

CSR: None
ERM: None
Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): KEVIN M. GRIGORIAN for Haig B Kazandjian (Telephonic) (via CourtConnect)

For Defendant(s): SPENCER W. WALDRON for Kelsey Lynne Javier (via CourtConnect) (Telephonic)

NATURE OF PROCEEDINGS: PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT

The matter is called for hearing.

The Court issues a Tentative Ruling, and both sides submit.

The Tentative Ruling is adopted as the Final Ruling of the Court.

The PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT filed by Neena Jaramillo-Johnson on 05/13/2025 is Granted.

On January 30, 2024, Plaintiff Neena Jaramillo-Johnson filed this action against Defendant Logic Automotive Group, LLC.

On February 13, 2025, the Plaintiff filed a First Amended Complaint ("FAC") against Defendants for various Labor Code violations and for civil penalties under the Private Attorney General Act ("PAGA"). The Plaintiff brings the action as a class and representative action on behalf of current and former employees who were/are employed in California and who were/are paid on an hourly non-exempt basis. (FAC, ¶5.)

On May 13, 2025, the Plaintiff filed a Motion for Preliminary Approval of a Class Action Settlement.

a. Class Certification Appropriate

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A class action is proper “when the question is one of a common or general interest, of many persons, or when the parties are numerous, and it is impracticable to bring them all before the court.” (Code of Civil Procedure §382.) The party seeking certification bears the burden of establishing the existence of an ascertainable class and a well-defined community of interest among class members. (Dunk v. Ford Motor Co. (1996) 48 Cal.App.4th 1794, 1806 (Dunk).)

The proposed class consists of approximately 127 Class Members who worked approximately 8,507 workweeks as of December 4, 2024. (Declaration of Kazandjian, ¶¶9, 11.) These class members share common questions that predominate this action, including the same violations of meal and rest break policies, minimum wage and overtime policies, and wage statements. (Motion at pp. 14 - 15.) Based on the commonality of issues and numerosity of class members, class resolution is a superior method of adjudication.

The Plaintiff’s claims, as alleged in the FAC, are typical of the class and arise from the same common questions, and the Plaintiff is an adequate representative whose interests align with the class. (See Declaration of Kazandjian, ¶¶21, 36.)

Additionally, the proposed class Counsel is adequate and qualified to represent the class. Plaintiff’s Counsel has worked on more than 70 similar actions. (Declaration of Kazandjian, ¶¶23, 36 - 37.)

Accordingly, class certification is appropriate.

b. PAGA Penalties Appropriate

A Court must review and approve any PAGA penalties sought as part of a proposed settlement agreement. (Labor Code §2699, subd.[1].) For cases filed before June 19, 2024, “civil penalties recovered by aggrieved employees shall be distributed as follows: 75 percent to the Labor and Workforce Development Agency for enforcement of labor laws and education of employers and employees about their rights and responsibilities under this code, to be continuously appropriated to supplement and not supplant the funding to the agency for those purposes; and 25 percent to the aggrieved employees.” (Labor Code §2699, subd.[i][effective June 27, 2016 to June 30, 2024].) The PAGA penalties here comply with this requirement. (See Declaration of Kazandjian, ¶¶8, 26.) Additionally, a proposed PAGA settlement must be submitted to LWDA at the same time that it is submitted to the Court for review and approval. (Labor Code §2699, subd.[1][2].) Plaintiff’s Counsel declares that a copy of the settlement was sent to LWDA when filing this

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motion. (Declaration of Kazandjian, ¶18 & Exhibit 3.)

Accordingly, the PAGA penalties are appropriate, subject to a finding that the settlement is fair.

c. Terms of Settlement Fair

Settlement of a class action requires court approval to prevent fraud, collusion, or unfairness to the class. (Dunk, supra, 48 Cal.App.4th at pp. 1800 - 1801.) In making the fairness determination, “a presumption of fairness exists where (1) the settlement is reached through arm’s-length bargaining; (2) investigation and discovery are sufficient to allow counsel and the court to act intelligently; (3) counsel is experienced in similar litigation; and (4) the percentage of objectors is small.” (Id. at p. 1802.)

The proposed settlement was reached through a mediation session with Todd Smith, Esq., “a respected mediator with extensive wage and hour class action experience.” (Declaration of Kazandjian, ¶6.) “Throughout the day, the arms-length negotiations were hard-fought and adversarial as the Parties exchanged extensive information on their legal and factual positions, and made numerous offers and counter-offers,” concluding with the parties accepting a mediator’s proposal. (Declaration of Kazandjian, ¶6.) “Prior to mediation, Plaintiffs obtained, through informal discovery, information regarding the payment of wages, time keeping, overtime, meal and rest periods, and the production of a representative sampling of detailed voluminous class-wide payroll and time punch data produced by Defendants in response to informal requests for information for the purpose of mediation.” (Declaration of Kazandjian, ¶7.) The settlement was therefore reached through arm’s-length bargaining with sufficient investigation to allow Counsel and the Court to act intelligently.

The Defendant will pay a gross settlement amount of \$212,675.00. (Declaration of Kazandjian, Exhibit 1 [“Settlement Agreement”] at p. 3, ¶1.22; Settlement Agreement at p. 6, ¶3.1.) Of this amount, \$10,00.00 will be paid to the Plaintiff as a class representative service award, no more than 40% will be paid as attorney fees (currently estimated to be \$85,070.00), no more than \$20,000.00 will be paid towards costs, \$6,250.00 will be paid for settlement administration, and \$25,000.00 will be paid for PAGA penalties. (Settlement Agreement at pp. 6 - 7, ¶¶3.2.1 - 3.2.5.) Of the PAGA payment, \$18,750.00 (75%) will be paid to the LWDA and \$ 6,250.00 (25%) will be paid to class members based on their number of workweeks during the class period. (Settlement Agreement at p. 7, ¶¶3.2.5, 3.2.4.1.)

Incentive payments are based on the expense and risk undertaken by the named Plaintiffs for the

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benefit of other class members. (Munoz v. BCI Coca-Cola Bottling Co. of Los Angeles (2010) 186 Cal.App.4th 399, 412.) Based on the Plaintiff's involvement in this action, a \$10,00.00 payment to the Plaintiff is reasonable.

The requested \$85,070.00 in attorney fees is reasonable and consistent with fee awards in class actions. Additionally, the requested \$20,000.00 in costs is reasonable.

The parties agreed to use ILYM Group, LLC as the settlement administrator. (Settlement Agreement at p. 1, ¶1.2.) Based on the Court's experience, the \$6,250.00 administration fee is reasonable.

As discussed above, Plaintiff's Counsel has extensive experience in labor and employment law, including class and representative actions.

There are no objectors to the settlement at this time, so at the preliminary approval stage, the proposed settlement is entitled to a presumption of fairness.

d. Notice Procedure Appropriate

The settlement administrator will send to all Class Members identified in the Class Data, via first-class USPS mail, the Class Notice with Spanish translation. Packets returned as non-delivered will be remailed to a forwarding address, or if no forwarding address is provided, the settlement administrator will otherwise attempt to determine a correct address. (Settlement Agreement at pp. 12 - 13.)

The content of the notice contains a brief explanation of the case, a statement regarding exclusion from the class, a procedure for exclusion, a statement that judgment will bind all non-excluded members, and a statement that any member who does not request exclusion may appear through counsel, in compliance with California Rules of Court, Rule 3.766(d). If a class member wants to be excluded, they must submit a written statement. (See Settlement Agreement, Exhibit A, ¶6.)

The Court finds that the proposed notice procedure is appropriate.

e. Conclusion

Accordingly, the Motion for Preliminary Approval of Class Action Settlement is hereby Granted.

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A hearing on Motion for Final Approval of Settlement is reserved for December 9, 2025, at 8:30 A.M., in Department 48 of the Stanley Mosk Courthouse.

Notice is waived.