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JAVIER ROMERO

**FILED**  
Superior Court of California  
County of Los Angeles

08/26/2025

David W. Slayton, Executive Officer / Clerk of Court  
By: E. Muñoz Deputy

**SUPERIOR COURT OF THE STATE OF CALIFORNIA**

**COUNTY OF LOS ANGELES**

JAVIER EDGARDO ROMERO, individually and  
on behalf of others similarly situated, and as an  
aggrieved employee and Private Attorney General,

Plaintiff,

vs.

ALLIED ROOFING & WATERPROOFING,  
INC., a California corporation; and DOES 1  
through 50, inclusive,

Defendants.

Case No.: 21STCV12180

*Assigned for all purposes to the Hon.  
William F. Highberger, Dept. 10*

**[PROPOSED] ORDER GRANTING  
MOTION FOR PRELIMINARY  
APPROVAL OF CLASS ACTION  
AND PAGA SETTLEMENT**

Hearing Date: August 26, 2025

Hearing Time: 11:30 a.m.

Dept.: 10

Complaint Filed: March 30, 2021

FAC Filed: April 22, 2025

Trial Date: None Set

**~~PROPOSED~~ ORDER**

The Motion of Plaintiff Javier Edgardo Romero (“Plaintiff”) for Preliminary Approval of Class Action and PAGA Settlement (“Motion”) came on regularly for hearing before this Court on August 26, 2025. The Court, having considered the proposed Class Action and PAGA Settlement Agreement (“Settlement Agreement” or “Settlement”), attached as **Exhibit 1** to the Declaration of Carlos Jimenez filed concurrently with the Motion and the declaration itself, having considered Plaintiff’s Motion for Preliminary Approval of Class Action and PAGA Settlement, memorandum of points and authorities in support thereof, and good cause appearing, HEREBY ORDERS THE FOLLOWING:

1. The Court GRANTS preliminary approval of the class action settlement as set forth in the Settlement Agreement and finds its terms to be within the range of reasonableness of a settlement that ultimately could be granted approval by the Court at a Final Fairness hearing. All terms used herein shall have the same meaning as defined in the Settlement Agreement. For purposes of the Settlement only, the Court finds that the proposed Class is ascertainable and that there is a sufficiently well-defined community of interest among the members of the Class in questions of law and fact. Therefore, for settlement purposes only, the Court grants conditional certification of the following settlement Class:

All current and former non-exempt employees of Defendant who worked in the State of California at any time during the Class Period.

2. For purposes of the Settlement only, the Court designates Plaintiff as Class Representative, and designates Protection Law Group, LLP as Class Counsel.

3. The Court designates ILYM Group, Inc. as the third-party Settlement Administrator.

4. The parties are ordered to implement the Settlement according to the terms of the Settlement Agreement.

5. The Court approves, as to form and content, the proposed Notice of Proposed Class Action Settlement and Final Approval Hearing (“Notice of Settlement”) attached as **Exhibit B** to

1 the Supplemental Declaration of Carlos Jimenez in Support of Motion for Preliminary Approval  
2 of Class Action and PAGA Settlement.

3 6. The Court finds that the form of notice to the Class regarding the pendency of the  
4 action and of the Settlement, the dates selected for mailing and distribution, and the methods of  
5 giving notice to members of the Class, satisfy the requirements of due process, constitute the best  
6 notice practicable under the circumstances, and constitute valid, due, and sufficient notice to all  
7 members of the Class. The form and method of giving notice complies fully with the requirements  
8 of California Code of Civil Procedure §382, California Civil Code §1781, California Rules of  
9 Court §§3.766 and 3.769, the California and United States Constitutions, and other applicable law.

10 7. The Court further approves the procedures for Class Members to opt-out of or  
11 object to the Settlement, as set forth in the Notice of Settlement and the Settlement Agreement.  
12 The procedures and requirements for filing objections in connection with the final fairness hearing  
13 are intended to ensure the efficient administration of justice and the orderly presentation of any  
14 Class Member's objection to the Settlement, in accordance with the due process rights of all Class  
15 Members.

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

18 9. The Notice of Settlement shall provide 60 calendar days' notice for Class Members  
19 to submit disputes, opt-out of, or object to the Settlement.

20 10. The hearing on Plaintiff's Motion for Final Approval of Settlement on the question  
21 of whether the Settlement should be finally approved as fair, reasonable, and adequate is scheduled  
22 in Department 10 of this Court, located at 312 North Spring Street, Los Angeles, California 90012,  
23 on \_\_\_\_\_, 2026 at \_\_\_\_\_ a.m/p.m.

24 11. At the Final Fairness hearing, the Court will consider: (a) whether the Settlement  
25 should be approved as fair, reasonable, and adequate for the Class; (b) whether a judgment granting  
26 final approval of the Settlement should be entered; and (c) whether Plaintiff's application for  
27

service and release awards, settlement administration costs, and Class Counsel's attorney's fees and costs, should be granted.

12. Counsel for Plaintiff shall file memoranda, declarations, or other statements and materials in support of their request for final approval of Plaintiff's application for service and release awards, settlement administration costs, Class Counsel's attorneys' fees and costs, prior to the hearing on Plaintiff's Motion for Final Approval of Settlement according to the time limits set by the Code of Civil Procedure and the California Rules of Court.

13. An implementation schedule is below:

| Event                                                                                               | Date                                                                            |
|-----------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|
| Defendant to provide class contact information to Settlement Administrator no later than:           | <u>9/9/25</u><br>[14 calendar days following preliminary approval]              |
| Settlement Administrator to mail the Notice of Settlement to the Class no later than:               | <u>9/16/25</u><br>[7 calendar days following provision of contact information]  |
| Deadline for Class Members to submit disputes, request exclusion from, or object to the Settlement: | <u>11/17/25</u><br>[60 calendar days after mailing of the Notice of Settlement] |
| Deadline for Plaintiff to file Motion for Final Approval of Class Action Settlement:                | <u>12/17/25</u><br>[16 court days before the Final Approval Hearing]            |
| Hearing on Motion for Final Approval of Settlement<br>(suggested date January 12, 2026)             | <u>1/12/26 11 a.m.</u>                                                          |

14. Pending the Final Fairness hearing, all proceedings in this action, other than proceedings necessary to carry out or enforce the terms and conditions of the Settlement and this Order, are stayed. To facilitate administration of the Settlement pending final approval, the Court

1 hereby enjoins Plaintiff and all members of the Class from filing or prosecuting any claims, or  
2 suits regarding claims released by the Settlement, unless and until such Class Members have filed  
3 valid Requests for Exclusion with the Settlement Administrator.

4 15. The Court has preliminarily approved Settlement Administration Costs not to  
5 exceed \$8,000.00, with a final determination to be made at the Final Fairness Hearing.

6 16. The Court has preliminarily approved Class Counsel's Attorneys' Fees not to  
7 exceed \$166,650.00, for Plaintiff's firm, with a final determination to be made at the Final Fairness  
8 Hearing.

9 17. The Court has preliminarily approved Class Counsel's Costs not to exceed  
10 \$50,000.00, for Plaintiff's firm, with a final determination to be made at the Final Fairness Hearing.

11 18. The Court has preliminarily approved the Service and Release Award to  
12 Representative Plaintiff in an amount not to exceed \$7,500.00, with a final determination to be  
13 made at the Final Fairness Hearing.

14 19. PAGA Penalties in the amount not to exceed \$40,000.00 (\$30,000.00 to the Labor  
15 and Workforce Development Agency ("LWDA") and \$10,000.00 to the PAGA Members).

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

19  
20 **IT IS SO ORDERED.**

21  
22 DATED: 08/26/2025

23 By:



Hon. William F. Highberger  
JUDGE OF THE SUPERIOR COURT