



This motion is on for continued hearing. Previously, the court issued a tentative ruling denying the motion due to three noted deficiencies. The parties appeared at oral argument and the court did not adopt the tentative ruling but instead continued the motion to permit plaintiff to address the noted deficiencies. Since then, plaintiff has filed (1) a second amended complaint, (2) a declaration of Lisa Mullins and exhibits, and (3) the declaration of counsel Lisa B. Iturriaga and exhibits. Exhibit 1 to the declaration of counsel is a revised class action and PAGA settlement agreement.

The court has broad discretion in determining whether a class action settlement is (1) fair and reasonable, (2) the class notice is adequate, and (3) certification of the class is proper. (*In re Cellphone Fee Termination Cases* (2010) 186 Cal.App.4th 1380, 1389.) Further, the court reviews the moving papers along with the entirety of the court file to determine that the settlement is genuine, meaningful, and consistent with the underlying purposes of the PAGA-related statute. (Lab. Code, § 2699(1); *O'Connor v. Uber Technologies, Inc.* (N.D. Cal. 2016) 201 F.Supp.3d 1110.) The court must also determine whether the PAGA settlement appears fundamentally fair, reasonable, and adequate. (*Ibid.*)

The court has carefully considered the revised class action and PAGA settlement agreement and plaintiff's moving papers filed in connection with the motion, as well as the entire court file. The court determines a sufficient showing has been made that the settlement is fair,

reasonable, genuine, meaningful, and consistent with the purpose of PAGA.

For the purposes of the settlement, the court hereby certifies the class as "all current and former hourly paid or non-exempt employees employed by Defendants within the State of California at any time during the Settlement Period" from July 10, 2020 through February 11, 2025 or whenever the workweeks at issue reaches 30,800 workweeks, whichever comes earlier if defendants make such an election pursuant to the escalator provision of the revised settlement agreement.

The court preliminarily approves the revised class action and PAGA action settlement agreement attached as Exhibit 1 to the supplemental declaration of counsel Lisa B. Iturriaga. The court also approves the proposed form of the notice.

The court appoints and designates Danielle Ferriera as the class representative. The court appoints and designates Kashif Haque, Samuel Wong, Jessica L. Campbell of Aegis Law Firm, P.C., and any other attorneys associated with the law firm. as class counsel. The court appoints and designates ILYM Group, Inc. as the settlement administrator.

The court also incorporates by reference all findings and orders set forth in the Proposed Order submitted in connection with the instant motion, with the addition of the word "revised" for all references to the "class action and PAGA settlement agreement."

The final approval hearing is scheduled for **July 15, 2025 at 8:30 a.m.**  
**in Department 42.** The motion for final approval shall be filed and  
served in accordance with Code of Civil Procedure section 1005(b).

Case Management Conference

In light of the above ruling on motion for preliminary approval, the  
case management conference scheduled February 11, 2025 is vacated.