

02/02/2024

David W. Slayton, Executive Officer / Clerk of Court

By: R. Aspiras Deputy

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Attorneys for Plaintiff and the proposed Class Members

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

ROMULO GOMEZ, individually, and on
behalf of himself and others similarly situated,

PLAINTIFF,

vs.

HYDROFORM USA INCORPORATED.; and
DOES 1 to 50, Inclusive,

DEFENDANTS.

Case No.: 21STCV37693

Case Assigned for All Purposes to Hon.
William F. Highberger

**[PROPOSED] PRELIMINARY
APPROVAL ORDER**

Date: ~~December 27, 2023~~ ^{02/02/2024}

Time: 1:30 p.m.

Dept.: SSC-10

The Motion for Preliminary Approval of a Class Action Settlement came before this Court. The Court having considered the papers submitted in support of the motion of the Parties,
HEREBY ORDERS THE FOLLOWING:

1. The Court grants Preliminary Approval of the Settlement and the Settlement Class based upon the terms set forth in the Class Action and PAGA Settlement Agreement and Class Notice ("Settlement Agreement" or "Settlement") filed herewith. The Settlement appears to be fair, adequate, and reasonable to the Class.

2. The Settlement falls within the range of reasonableness and appears to be presumptively valid, subject only to any objections that may be raised at the final fairness hearing

1 and final approval by this Court.

2 3. A final fairness hearing on the question of whether the proposed Settlement,
3 attorney's fees to Class Counsel, and the Class Representative's enhancement fee should be finally
4 approved as fair, reasonable and adequate as to the members of the Class is scheduled for ~~May 2,~~^{10:00}
5 2024, at ~~10:00 a.m.~~^{10:00 a.m.} (Pacific Time), in Department SSC-10.

6 4. The Court approves, as to form and content, the Notice of Class Action Settlement
7 and Hearing Date for Final Court Approval (Exhibit 1, hereinafter "Notice Packet") in substantially
8 the form attached to the Settlement Agreement. The objection/opt-out deadline shall be sixty (60)
9 days from the date of the mailing of the Notice Packet in order to provide Class Members and
10 PAGA Group Members ample time to review and consider their options under the proposed
11 settlement. The Court approves the procedure for Class Members to object to the Class Settlement
12 as set forth in the Notice Packet.

13 5. The Court directs the mailing of the Notice Packet by first class mail to the Class
14 Members in accordance with the Implementation Schedule set forth below. The Court finds that the
15 dates selected for the mailing and distribution of the Notice Packet, as set forth in the
16 Implementation Schedule, meet the requirements of due process and provide the best notice
17 practicable under the circumstances and shall constitute due and sufficient notice to all persons
18 entitled thereto.

19 6. It is ordered that the Settlement Class is preliminarily certified for settlement
20 purposes only.

21 7. The Court appoints Darren M. Cohen of Kingsley & Kingsley, APC as Class
22 Counsel.

23 8. The Court appoints Romulo Gomez as the Class Representative.

24 9. The Court appoints ILYM Group, Inc. as the Settlement Administrator.

25 10. The Court orders the following Implementation Schedule for further proceedings:


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a.	Preliminary Approval Hearing	December 27, 2023 DOED
b.	Deadline for Defendants to Provide Class Data to the Settlement Administrator	January 11, 2024 DOED (15 days after Preliminary Approval)
c.	Settlement Administrator to Mail Notice Packets to Class Members	January 25, 2024 DOED (29 days after Preliminary Approval)
d.	Deadline to submit a Request for Exclusion from the Class Settlement, Object to the Class Settlement, or Submit a Dispute	March 25, 2024 DOED (60 days after the Notice Date)
e.	Deadline for Class Counsel to file Motion for Final Approval of Settlement	April 10, 2024 DOED (16 court days prior to Final Approval Hearing)
f.	Deadline for Class Counsel to file Motion for Attorneys' Fees	April 10, 2024 DOED (16 court days prior to Final Approval Hearing)
g.	Final Fairness Hearing and Final Approval	May 2, 2024 DOED FKICJ E E

DATED: 02/02/2024


 The Honorable William F. Highberger
 Judge of the Superior Court

(PROOF OF SERVICE)
[CCP 1013(a)(3)]
STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is 16133 Ventura Boulevard, Suite 1200, Encino, California 91436.

On November 17, 2023, I served all interested parties in this action the following documents described as **[PROPOSED] PRELIMINARY APPROVAL ORDER** by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

Christopher B. Cato
GORDON REES SCULLY MANSUKHANI, LLP
633 West Fifth Street, 52nd Floor
Los Angeles, CA 90071

☐ **(BY MAIL)** I am “readily familiar” with the firm’s practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage fully prepaid at Encino, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☒ **BY ELECTRONIC MAIL THROUGH CASE ANYWHERE:** On interested parties set forth on the attached service list.

☒ **(STATE)** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on November 17, 2023, at Woodland Hills, California.



Michelle A. Tanzer