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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE

NOV 22 2024

DAVID H. YAMASAKI, Clerk of the Court

BY: CC H DEPUTY

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE**

ERIC HAROLD PETERSON, individually, and
on behalf of all others similarly situated,

Plaintiff,

v.

PJ PRINTERS, an unknown entity; and DOES 1
through 10, inclusive,

Defendants.

Case No.: 30-2022-01247546-CU-OE-CXC

CLASS ACTION

[Assigned for all purposes to: Hon. William
D. Claster, Dept. CX101]

**~~FURTHER REVISED [PROPOSED]~~
ORDER GRANTING PLAINTIFF'S
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

1 The Court has before it Plaintiff Eric Harold Peterson ("Plaintiff") Motion for
2 Preliminary Approval of Class Action Settlement. Having reviewed the Motion for Preliminary
3 Approval of Class Action Settlement, the Declarations of Justin F. Marquez, Plaintiff Eric
4 Harold Peterson, and Lisa Mullins, the Class Action Settlement Agreement (which is referred
5 to here as the "Settlement Agreement"), the Supplemental Memorandum of Points and
6 Authorities, the Further Supplemental Memorandum of Points and Authorities, and good cause
7 appearing, the Court hereby finds and orders as follows:

8 1. The Court finds on a preliminary basis that the Settlement Agreement appears to
9 be fair, adequate, and reasonable and therefore meets the requirements for preliminary approval.
10 The Court grants preliminary approval of the Settlement and the Settlement Class based upon
11 the terms set forth in the Settlement Agreement between Plaintiff and Defendant PJ Printers
12 ("PJP" or "Defendant," and together with Plaintiff, the "Parties"), attached to the Further
13 Supplemental Declaration of Justin F. Marquez in Support of Plaintiff's Motion for Preliminary
14 Approval of Class Action Settlement as Exhibit 1.

15 2. The Settlement falls within the range of reasonableness of a settlement which
16 could ultimately be given final approval by this Court, and appears to be presumptively valid,
17 subject only to any objections that may be raised at the Final Approval Hearing and final
18 approval by this Court. The Court notes that Defendant has agreed to create a common fund of
19 \$360,800.00 to cover (a) settlement payments to class members who do not validly opt out; (b)
20 Class Representative service payment of up to \$10,000.00 for Plaintiff; (c) Class Counsel's
21 attorneys' fees, not to exceed 35% of the Gross Settlement Amount (\$126,280.00), and up to
22 \$20,000.00 in costs for actual litigation expenses incurred by Class Counsel; and (d) Settlement
23 Administration Costs of up to \$8,195.00. PJP already made \$100 settlement payments directly
24 to certain Settlement Class members totaling \$10,800. PJP will receive credit for such payments
25 against the Gross Settlement Amount, and, therefore, shall only pay \$350,000 of new money.

26 3. The Court preliminarily finds that the terms of the Settlement appear to be within
27 the range of possible approval, pursuant to California Code of Civil Procedure § 382 and
28 applicable law. The Court finds on a preliminary basis that: (1) the settlement amount is fair

1 and reasonable to the class members when balanced against the probable outcome of further
2 litigation relating to class certification, liability and damages issues, and potential appeals; (2)
3 significant informal discovery, investigation, research, and litigation have been conducted such
4 that counsel for the Parties at this time are able to reasonably evaluate their respective positions;
5 (3) settlement at this time will avoid substantial costs, delay, and risks that would be presented
6 by the further prosecution of the litigation; and (4) the proposed settlement has been reached as
7 the result of ~~intensive, serious, and~~ non-collusive negotiations between the Parties with the
8 assistance of a well-respected class action mediator. Accordingly, the Court preliminarily finds
9 that the Settlement Agreement was entered into in good faith.

10 4. A final fairness hearing on the question of whether the proposed settlement,
11 attorneys' fees and costs to Class Counsel and the class representative's enhancement award
12 should be finally approved as fair, reasonable and adequate as to the members of the class is
13 hereby set in accordance with the Implementation Schedule set forth below.

14 5. The Court provisionally certifies for settlement purposes only the following class
15 (the "Settlement Class"): "all persons employed by PJP in California and classified as hourly-
16 paid, non-exempt workers who worked for PJP during the Class Period."

17 6. "Class Period" means the period from February 28, 2018 to September 12, 2023.

18 7. The Court finds, for settlement purposes only, that the Settlement Class meets the
19 requirements for certification under California Code of Civil Procedure § 382 in that: (1) the
20 Settlement Class Members are so numerous that joinder is impractical; (2) there are questions
21 of law and fact that are common, or of general interest, to all Settlement Class Members, which
22 predominate over individual issues; (3) Plaintiff's claims are typical of the claims of the
23 Settlement Class Members; (4) Plaintiff and Class Counsel will fairly and adequately protect
24 the interests of the Settlement Class Members; and (5) a class action is superior to other
25 available methods for the fair and efficient adjudication of the controversy.

26 8. The Court appoints as Class Representative, for settlement purposes only,
27 Plaintiff Eric Harold Peterson. ~~The Court further preliminarily approves Plaintiff's ability to~~
28 ~~request an incentive award up to \$10,000.00.~~

WDL 9. The Court appoints, for settlement purposes only, Justin F. Marquez, Benjamin H. Haber, and Arrash T. Fattahi of Wilshire Law Firm, PLC as Class Counsel. ~~The Court further preliminarily approves Class Counsel's ability to request attorneys' fees of up to 35% of the Total Settlement Amount (\$126,800.00), and costs not to exceed \$20,000.00.~~

10. The Court appoints ILYM Group, Inc. as the Settlement Administrator with reasonable administration costs estimated not to exceed \$8,195.00.

11. The uncashed funds shall be transmitted to the California Controller's Unclaimed Property Fund in the name of the class member.

12. The Court approves, as to form and content the Class Notice, attached to the Settlement Agreement. The Court finds on a preliminary basis that plan for distribution of the Notice to Settlement Class Members satisfies due process, provides the best notice practicable under the circumstances, and shall constitute due and sufficient notice to all persons entitled thereto.

13. The Parties are ordered to carry out the Settlement according to the terms of the Settlement Agreement.

14. Any class member who does not timely and validly request exclusion from the settlement may object to the Settlement Agreement.

15. The Court orders the following Implementation Schedule:

Defendant to provide Class List to the Settlement Administrator	December 6, 2024
Settlement Administrator to mail the Notice	December 20, 2024
Response Deadline	February 18, 2025
Deadline to file Motion for Final Approval, Request for Attorneys' Fees and Costs, and Service Award to Plaintiff	March 26, 2025
Final Approval Hearing	April 18, 2025 at 9:00 a.m. in Department CX101. The hearing may be continued to

another date without further notice to the
Class Members.

16. The Court further ORDERS that, pending further order of this Court, all proceedings in this lawsuit, except those contemplated herein and in the settlement, are stayed.

IT IS SO ORDERED.

DATE: 11/22/24



Hon. William D. Claster
Orange County Superior Court

PROOF OF SERVICE

Peterson v. PJ Printers, et al.

30-2022-01247546-CU-OE-CXC

STATE OF CALIFORNIA

)
) ss
)

COUNTY OF ORANGE

I, Zeyra Ceballos, state that I am employed in the aforesaid County, State of California; I am over the age of eighteen years and not a party to the within action; my business address is 15707 Rockfield Blvd., Suite 250, Irvine, California 92618. My electronic service address is zeyra.ceballos@wilshirelawfirm.com.

On November 21, 2024, I served the foregoing, **FURTHER REVISED [PROPOSED] ORDER GRANTING PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**, on the interested parties by placing a true copy thereof, enclosed in a sealed envelope by following one of the methods of service as follows:

Julie R. Trotter (SBN 209675)

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D. Eric Lystrup (SBN 325906)

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Attorneys for Defendant

(X) **BY E-MAIL:** I hereby certify that this document was served from Irvine, California, by e-mail delivery on the parties listed herein at their most recent known email address or e-mail of record in this action.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this **November 21, 2024**, at Irvine, California.



Zeyra Ceballos