

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

FAUSTINO RAMOS and ALBERTO MEZA
SOLIS, as individuals and on behalf of all others
similarly situated,

Plaintiffs,

vs.

HYATT DIE CAST AND ENGINEERING
CORPORATION–SOUTH, a California
corporation; PARTNERS PERSONNEL –
MANAGEMENT SERVICES, LLC, a Delaware
limited liability company; NEXEM PARTNERS,
LLC, a Delaware limited liability company; and
DOES 1 through 100,

Defendants.

Case No. 30-2020-01174518-CU-OE-CXC

*[Assigned for all purposes to the Hon.
Melissa R. McCormick, Dept. CX-104]*

**ORDER GRANTING PRELIMINARY
APPROVAL OF CLASS AND PAGA
ACTION SETTLEMENT**

Date: November 9, 2023
Time: 2:00 p.m.
Dept.: CX-104

Complaint Filed: December 14, 2020
Trial Date: None Set

1 The Motion of Plaintiffs Faustino Ramos and Alberto Meza Solis (“Plaintiffs”) for
2 Preliminary Approval of Class Action Settlement came on regularly for hearing before this Court
3 on November 9, 2023 at 2:00 p.m. This Court, having considered the proposed Joint Stipulation
4 of Class Action and Private Attorneys General Act Settlement (the “Settlement”), the Amendment
5 to the Joint Stipulation of Class Action and Private Attorneys General Act Settlement; having
6 considered Plaintiffs’ Motion for Preliminary Approval of Class Action Settlement,
7 Memorandum of Points and Authorities in support thereof, and supporting declarations filed
8 therewith; and good cause appearing, HEREBY ORDERS THE FOLLOWING:

9 1. The Court GRANTS preliminary approval of the class action settlement as set
10 forth in the Settlement and finds its terms to be within the range of reasonableness of a settlement
11 that ultimately could be granted approval by the Court at a Final Fairness Hearing. For purposes
12 of the Settlement, the Court finds that the proposed Settlement Class is ascertainable and that
13 there is a sufficiently well-defined community of interest among the members of the Settlement
14 Class in questions of law and fact. Therefore, for settlement purposes only, the Court grants
15 conditional certification of the following Settlement Class:

16 All current and former non-exempt, hourly employees of Defendant
17 Hyatt Die, whether employed directly by Defendant Hyatt Die or
18 supplied to Defendant Hyatt Die by Defendants Partners Personnel
19 or Nexem Partners as temp workers, who worked at Defendant
 Hyatt Die’s California facilities at any time from July 2, 2017,
 through July 14, 2022 (the “Class Period”).

20 2. The Aggrieved Employees are defined as “all current and former non-exempt,
21 hourly employees of Defendant Hyatt Die, whether employed directly by Defendant Hyatt Die or
22 supplied to Defendant Hyatt Die by Defendants Partners Personnel or Nexem Partners as
23 temporary staffing agency workers, who worked at Defendant Hyatt Die’s California facilities at
24 any time from October 7, 2019 through July 14, 2022 (the “PAGA Period”).”

25 3. For purposes of the Settlement, the Court designates named Plaintiffs Faustino
26 Ramos and Alberto Meza Solis as Class Representatives, and designates Paul K. Haines and Sean
27 M. Blakely, of Haines Law Group, APC, and Michael Nourmand and James A. De Sario of The
28 Nourmand Law Firm, APC, as Class Counsel.

1 4. The Court designates ILYM Group, Inc. as the third-party Settlement
2 Administrator for mailing notices.

3 5. The Court approves, as to form and content, the proposed Class Notice, Notice of
4 Change of Address, and Request for Exclusion Form, attached as Exhibits A, B, and C,
5 respectively, to this Order. Certified Spanish translations of the Class Notice, Notice of Change
6 of Address, and Request for Exclusion Form are attached to this Order as Exhibits D, E, and F,
7 respectively. The Joint Stipulation of Class Action and Private Attorneys General Act Settlement
8 and the Amendment to the Joint Stipulation of Class Action and Private Attorneys General Act
9 Settlement are attached to this Order as Exhibits G and H, respectively.

10 6. The Court finds that the form of notice to the Settlement Class regarding the
11 pendency of the action and of the Settlement, and the methods of giving notice to members of the
12 Settlement Class, constitute the best notice practicable under the circumstances, and constitute
13 valid, due, and sufficient notice to all of the Settlement Class members. The form and method of
14 giving notice complies fully with the requirements of California Code of Civil Procedure section
15 382, California Civil Code section 1781, California Rules of Court 3.766 and 3.769, the California
16 and United States Constitutions, and other applicable law.

17 7. The Court further approves the procedures for the Settlement Class members to
18 opt out of or object to the Settlement, or to submit a dispute, as set forth in the Class Notice.

19 8. The procedures and requirements for filing objections in connection with the Final
20 Fairness Hearing are intended to ensure the efficient administration of justice and the orderly
21 presentation of any Settlement Class member's objection to the Settlement in accordance with the
22 due process rights of all members of the Settlement Class.

23 9. The Court directs the Settlement Administrator to mail the Class Notice to the
24 members of the Settlement Classes in accordance with the terms of the Settlement.

25 10. The Class Notice shall provide at least sixty (60) calendar days' notice for
26 Settlement Class members to opt out of, or object to, the Settlement, or to submit a dispute.

27 11. The Final Approval Hearing on the question of whether the Settlement should be
28 finally approved as fair, reasonable, and adequate is scheduled in Department CX-104 of this

Court, located at 751 West Santa Ana Boulevard, Santa Ana, California 92701 on April 18, 2024 at 2:00 p.m.

12. At the Final Approval Hearing, the Court will consider: (a) whether the Settlement should be finally approved as fair, reasonable, and adequate for the Settlement Class; (b) whether a judgment granting final approval of the Settlement should be entered; and (c) whether Plaintiffs' application for reasonable attorneys' fees, reimbursement of litigation expenses, service payments to Plaintiffs, settlement administration costs, and payment to the Labor & Workforce Development Agency ("LWDA") for penalties under the Labor Code Private Attorneys General Act should be granted.

13. Counsel for the parties shall file memoranda, declarations, or other statements and materials in support of their request for final approval of the Settlement, attorneys' fees, litigation expenses, Plaintiffs' enhancement award, payment to the LWDA, and settlement administration costs, prior to the Final Approval Hearing according to the time limits set by the Code of Civil Procedure and the California Rules of Court.

14. An implementation schedule is below:

Event	Date
Defendant to provide Class Data to the Settlement Administrator no later than [30 calendar days after preliminary approval]:	December 11, 2023
Settlement Administrator to mail the Notice Packet to Settlement Class members no later than [15 calendar days after receiving Class Data]:	December 26, 2023
Deadline for Settlement Class members to submit a request exclusion, dispute, or objection to, the Settlement [60 calendar days after mailing]:	February 26, 2024
Deadline for Plaintiffs to file their Motion for Final Approval of Class Action Settlement:	March 25, 2024
Final Approval Hearing (Settlement Class members may orally object in person or through counsel at the Final Approval Hearing whether or not they submit written objections):	April 18, 2024 at 2:00 p.m.

1 15. Pending the Final Approval Hearing, all proceedings in this action, other than
2 proceedings necessary to carry out or enforce the terms and conditions of the Settlement and this
3 Order, are stayed.

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

7 **IT IS SO ORDERED.**

8
9 Dated: November 9, 2023



Melissa R. McCormick
Judge of the Superior Court