

FILED
San Francisco County Superior Court



JUN 30 2023

CLERK OF THE COURT
BY: Chadwick E. Green
Deputy Clerk

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO
DEPARTMENT 304

LESLIE SUAREZ, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

INTEGRATED SECURITY SERVICES,
INC.; and DOES 1 through 20, inclusive,

Defendants.

Case No. CGC-21-596612

ORDER GRANTING PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT

1 WHEREAS, the above-entitled action is pending before this Court as a putative class
2 action (the "Action");

3 WHEREAS, Plaintiff Leslie Suarez ("Plaintiff"), individually and on behalf of all others
4 similarly situated and on behalf of aggrieved employees have applied to this Court for an order
5 preliminarily approving the settlement of the Action in accordance with the Amended Joint
6 Stipulation of Class and Representative PAGA Action Settlement (the "Settlement" or
7 "Agreement") entered into by Plaintiff and Defendant Integrated Security Services, Inc.
8 ("Defendant") which sets forth the terms and conditions for a proposed settlement upon the terms
9 and conditions set forth therein (Plaintiff and Defendant shall be collectively referred to herein as
10 the "Parties"); and

11 WHEREAS, the Court has read and considered Plaintiff's Motion for Preliminary
12 Approval of Class Action Settlement.

13 NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

14 1. This Order incorporates by reference the definitions in the Settlement attached as
15 Exhibit 1 to the Second Supplemental Declaration of Alexander G.L. Davies in Support of
16 Plaintiff's Motion for Preliminary Approval of Class Action Settlement filed June 30, 2023 and all
17 terms defined therein shall have the same meaning in this Order.

18 2. The Court finds on a preliminary basis that (a) the Settlement is fair, adequate and
19 reasonable; (b) sufficient investigation and research have been conducted such that counsel for
20 the Parties are able to reasonably evaluate their respective positions; (c) the Settlement is the
21 result of arm's-length negotiations; and (d) the Settlement is within the range of possible final
22 approval.

23 3. With respect to the Class and for purposes of proceeding pursuant to California
24 Code of Civil Procedure § 382 for approval of the settlement only, the Court finds on a
25 preliminary basis that (a) Class Members are ascertainable and so numerous that joinder of all
26 Class Members is impracticable; (b) there are questions of law and fact common to the Class that
27 predominate over any questions affecting only individual Class Members; (c) Plaintiff's claims
28 are typical of the Class' claims; (d) class certification is a superior method for implementing the

1 Settlement and adjudicating this Action in a fair and efficient manner; (e) the Class
2 Representatives can fairly and adequately protect the Class' interests; and (f) Class Counsel are
3 qualified to serve as counsel for the Class.

4 4. Accordingly, solely for purposes of effectuating this Settlement, the Court
5 hereby conditionally certifies the following class for settlement purposes only: all current and
6 former non-exempt employees who are or were employed by Defendant in California at any time
7 from May 8, 2017 through January 15, 2023.

8 5. Plaintiff Leslie Suarez is hereby preliminarily appointed and designated, for
9 all purposes, as the Class Representative and Aegis Law Firm, PC is hereby preliminarily appointed
10 and designated as counsel for the Class ("Class Counsel"). Class Counsel is authorized to act on
11 behalf of the Class Members with respect to all acts or consents required by, or which may be given
12 pursuant to, the Settlement, and such other acts reasonably necessary to consummate the Settlement.
13 Any Class Member may enter an appearance either personally or through counsel of such
14 individual's own choosing and at such individual's own expense. Any Class Member who does
15 not enter an appearance or appear on his or her own will be represented by Class Counsel.

16 6. Should, for whatever reason, the Settlement not become final, the fact that the
17 Parties were willing to stipulate to certification of the Class as part of the Settlement shall have no
18 bearing on, nor be admissible in connection with, the issue of whether a class should be certified in
19 a non-settlement context.

20 7. The Court hereby approves, as to form and content, the Class Notice attached as
21 Exhibit 3 to the Second Supplemental Declaration of Alexander G.L. Davies filed June 30, 2023,
22 to be distributed to Class Members. The Court finds that distribution of the Class Notice,
23 substantially in the manner and form set forth in the Settlement and this Order, meets the
24 requirements of due process, is the best notice practicable under the circumstances, and shall
25 constitute due and sufficient notice to all persons entitled thereto.

26 8. The Court hereby appoints ILYM Group, Inc., as the Settlement Administrator and
27 hereby directs the Settlement Administrator to disseminate the Class Notice using the procedures
28 set forth in the Settlement Agreement, including, but not limited to:

1 a. Sending Class Members the Court approved Notice Packet by first-class
2 mail and email, at their last known mailing and/or email addresses, within
3 ten (10) business days of receiving the Class List from Defendant.

4 b. Skip tracing and re-mailing all returned, undelivered mail within five (5)
5 days of receiving notice that a Notice Packet was undeliverable.

6 9. Class Members who wish to participate in the settlement provided for by the
7 Settlement Agreement do not need to respond to the Class Notice.

8 10. Any Class Member may choose to opt-out of and be excluded from the Class as
9 provided in the Class Notice. Any such person who chooses to opt-out of and be excluded from the
10 Class will not be entitled to any recovery under the Settlement and will not be bound by the
11 Settlement or have any right to object, appeal or comment thereon. Class Members who have not
12 requested exclusion/opted-out shall be Participating Class Members and bound by all
13 determinations of the Court, the Settlement, and the Final Judgment.

14 11. A Final Fairness and Approval Hearing shall be held before this Court on October
15 13, 2023 at 11:00 a.m. in Department 304 of the Superior Court for the State of California, County
16 of San Francisco, located at 400 McAllister Street, San Francisco, CA 94102. All papers in support
17 of final approval and related awards for fees, costs, and Plaintiff's incentive award must be filed
18 and served at least 16 court days before the Final Fairness and Approval Hearing.

19 12. Any Participating Class Member may object to the Settlement by following the
20 instructions for submitting written objections that are set forth in the Settlement Agreement and
21 Class Notice, and may appear at the Final Fairness and Approval Hearing. The Court shall retain
22 final authority with respect to the consideration and admissibility of any objections. Any
23 Participating Class Member who objects to the Settlement shall be bound by the order of the Court.

24 13. Pending the Final Approval and Fairness Hearing, all proceedings in this Action,
25 other than proceedings necessary to carry out or enforce the terms of the Settlement and this Order,
26 are hereby stayed.

27 14. Jurisdiction is hereby retained over this Action, the Parties to the Action, and each
28 of the Class Members for all matters relating to this Action, and this Settlement, including

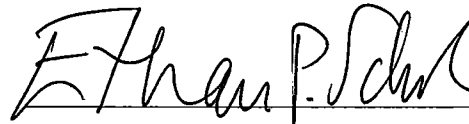
1 (without limitation) all matters relating to the administration, interpretation, effectuation, and/or
2 enforcement of this Settlement and this Order.

3 15. The Court reserves the right to adjourn or continue the date of any hearing and all
4 dates provided for in the Settlement, and retains jurisdiction to consider all further applications
5 arising out of or connected with the proposed Settlement.

6 16. Class Counsel shall submit a copy of this Order to the Labor and Workforce
7 Development Agency within 10 days after entry of order pursuant to Labor Code section
8 2699(l)(3).

9
10 IT IS SO ORDERED.

11
12 Dated: June 30, 2023



Ethan P. Schulman
Judge of the Superior Court


CERTIFICATE OF ELECTRONIC SERVICE
(CCP 1010.6(6) & CRC 2.260(g))

I, Felicia Green, a Deputy Clerk of the Superior Court of the County of San Francisco, certify that I am not a party to the within action.

On June 30, 2023, I electronically served ORDER GRANTING PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT via File & ServeXpress on the recipients designated on the Transaction Receipt located on the File & ServeXpress website.

Dated: JUN 30 2023

Brandon E. Riley, Court Executive Officer

By: 
Felicia Green, Deputy Clerk