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on behalf of herself and other aggrieved employees

FILED
Superior Court of California
County of Los Angeles
06/26/2024

David W. Slayton, Executive Officer / Clerk of Court
By: I. Arellanes Deputy

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9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **FOR THE COUNTY OF LOS ANGELES—CENTRAL DISTRICT**

11 LOBURDES VENTURA, on behalf of herself
and other aggrieved employees,

12 Plaintiff,

13 vs.

14 BLUE CHIP 2000 COMMERCIAL
CLEANING, INC.; and DOES 1 to 100,
15 inclusive,

16 Defendants.

Case No.: 21STCV33483

[Assigned for all purposes to the Honorable
Kenneth R. Freeman, Dept. 14]

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

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1 The Motion for Preliminary Approval of a Settlement came before this Court on April 23,
2 2024 at 10:30 a.m. in Department 14 of Los Angeles County Superior Court located at 312 North
3 Spring St., Los Angeles, California 90012. The Court, having considered the proposed Class
4 Action Settlement Agreement attached as **Exhibit 1** to the Declaration of Antonia McKee in
5 Support of Plaintiff’s Motion for Preliminary Approval of Class Action Settlement, and the Exhibits
6 attached thereto (hereafter collectively, the “Settlement” or “Settlement Agreement”); having
7 considered the Motion for Preliminary Approval of Class Action Settlement filed by Plaintiff;
8 having considered the respective points and authorities and declarations submitted by Plaintiff in
9 support thereof; and good cause appearing, **HEREBY ORDERS THE FOLLOWING:**

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

17 all California non-exempt/hourly employees employed by Blue Chip 2000
18 Commercial Cleaning, Inc. during the period of time between September
19 10, 2017, through March 17, 2023.

20 1. For purposes of the settlement, the Court further designates named Plaintiff
21 Loburdes Ventura as Class Representative, and Joseph Lavi, Esq. of Lavi & Ebrahimian, LLP as
22 Class Counsel.

23 2. The Court appoints CPT Group as the Settlement Administrator.

24 3. A final fairness hearing on the question of whether the proposed settlement should
25 be finally approved as fair, reasonable and adequate as to the members of the Settlement Class is
26 scheduled in Department 14 of this Court, located at 312 North Spring St., Los Angeles, California
27 90012, on October 24, 2024, at 10:00 a.m.

28 4. At the final fairness hearing, the Court will consider: (a) whether the settlement

1 should be approved as fair, reasonable, and adequate for the class; (b) whether a judgment granting
2 approval of the settlement should be entered; and (c) whether Plaintiff’s application for an award of
3 attorneys’ fees, reimbursement of litigation expenses, and class representative service payment
4 should be granted.

5 5. Counsel for the parties shall file memoranda, declarations, or other statements and
6 materials in support of their request for final approval by no later than September 24, 2024.

7 6. Class Counsel shall file a motion for an award of attorneys’ fees, reimbursement of
8 litigation expenses and class representative enhancement by no later than September 24, 2024.

9 7. The Court approves, as to form and content, the Class Notice which is attached to
10 the Settlement Agreement as **Exhibit A**.

11 8. Within twenty (20) calendar days after the entry of this Order, Defendant shall
12 provide the Settlement Administrator the name, last known mailing address, Social Security
13 number, and number of Class Period Workweeks and PAGA Pay Periods worked by each Class
14 Member (“Class Data”).

15 9. Within fourteen (14) calendar days of receipt of the Class Data from Defendant, the
16 Settlement Administrator shall mail the Class Notice to all Class Members via first-class U.S. mail.

17 10. Class Members shall have sixty (60) calendar days from the date of the postmark
18 on the Class Notice to return to the Settlement Administrator a Request for Exclusion, dispute to
19 workweeks, or Objection (“Response Deadline”). If a Class Notice is re-mailed, the response date
20 for written objections will be extended an additional fourteen (14) days (“Extended Response
21 Deadline”).

22 11. The Court finds that the forms of Class Notice to the Class regarding the pendency
23 of the action and of this settlement, and the methods of giving notice to members of the Class
24 constitute the best notice practicable under the circumstances and constitute valid, due, and
25 sufficient notice to all members of the Settlement Class. They comply fully with the requirements
26 of California Code of Civil Procedure section 382, California Civil Code section 1781, California
27 Rules of Court 3.766 and 3.769, the California and United States Constitutions, and other
28 applicable law.

1 12. The Court further approves the procedures for Class Members to participate in, opt
2 out of, or object to the Settlement, as set forth in the Settlement Agreement and Class Notice.

3 13. Any Class Member who wishes to object to the Settlement must do so in writing or
4 verbally at the Final Approval Hearing. Written objections must be postmarked on or before the
5 Response Deadline.

6 14. Class Members who wish to exclude themselves from the Settlement must mail a
7 written Election Not to Participate to the Settlement Administrator. The written Election Not to
8 Participate must include: (1) the Class Member's name, address, telephone number or email
9 address; (2) include a statement clearly indicating that you do not wish to participate in the
10 settlement and would like to exclude yourself from the Class; and (4) be postmarked by the
11 Response Deadline and returned to the Settlement Administrator at the specified address stated in
12 the Class Notice. Any Class Member who returns a timely, valid, and signed Request for
13 Exclusion will not participate in or be bound by the Settlement and subsequent judgment and will
14 not receive any payment from the Settlement.

15 15. Pending the Fairness Hearing, all proceedings in this action, other than proceedings
16 necessary to carry out or enforce the terms and conditions of the Settlement Agreement and this
17 Order, are stayed.

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

21 17. The Court orders the following Implementation Schedule for further proceedings:

Event	Timing
Class Data: Last day for Defendant to provide the Settlement Administrator the Class Data	20 calendar days after the Court's entry of this Order
Notice Date: last day for Settlement Administrator to mail Class Notice to Class Members.	14 calendar days after receipt of the Class Data from Defendant
Response Deadline: (i) last day for Settlement Class Members to submit Elections Not to Participate; and (ii) last day for class members to submit Objections.	60 calendar days after the date of mailing of the Class Notice (unless extended)

1 2 3	Last day for class counsel to file motion for award of attorneys' fees, costs, and enhancement payment.	September 24, 2024
4 5	Last day for parties to file motion and supporting documents for final approval of class action settlement.	September 24, 2024
6	Last day for Plaintiffs to respond to Objections	5 calendar days prior to the final fairness hearing
7	Hearing on final approval of class action settlement.	October 24, 2024, at 10:00 a.m.

18. The Fairness Hearing and related prior deadlines set forth above may, from time to time and without further notice to the Class (except those who have filed timely and valid objections), be continued or adjourned by Order of the Court.

IT IS SO ORDERED.

Dated: 06/26/2024



[Handwritten Signature]

Hon. Kenneth R. Freeman
 Judge of the Superior Court
 Kenneth R. Freeman / Judge

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am an employee in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 8889 W. Olympic Blvd., Suite 200, Beverly Hills, California 90211.

On May 8, 2024, I served the foregoing documents, described as:

- **[PROPOSED] ORDER GRANTING PLAINTIFF’S MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT”**

on all interested parties in this action by placing a true copy thereof in a sealed envelope, addressed as follows:

Daniel Whang (SBN 223451) dwhang@seyfarth.com Laura Heyne (SBN 279478) lheyne@seyfarth.com SEYFARTH SHAW LLP 2029 Century Park East, Suite 3500 Los Angeles, California 90067 Telephone: (310) 277-7200 Facsimile: (310) 201-5219	<i>Attorneys for Defendant:</i> Blue Chip 2000 Commercial Cleaning Inc.
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(BY ELECTRONIC SERVICE) Pursuant to California Rules of Court Rule 2.251, Code of Civil Procedure section 1010.6, and the Court Order Authorizing Electronic Service, I sent such document via use of CASEANYWHERE.

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

Executed May 8, 2024, at Beverly Hills, California.

/s/ K. Alondra Iglesias
Alondra Iglesias