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14 SUPERIOR COURT OF THE STATE OF CALIFORNIA
15 FOR THE COUNTY OF LOS ANGELES
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17 JAMES WEDEL, CHARLES MCWHALES,
SIMON MASHIAN, FAUSTO
18 HERNANDEZ, MICHAELA VIVANT,
MARJAN SVETKO, PEI EN CHONG
19 SAMPSON, individually and on behalf of all
others similarly situated,

20 Plaintiffs,

21 v.

22 DOUGLAS EMMETT, INC., a Maryland
23 Corporation; BARRINGTON PACIFIC, LLC,
a California limited liability company;
24 DOUGLAS EMMETT MANAGEMENT,
LLC, a Delaware limited liability company;
25 and DOES 1–50, inclusive,

26 Defendants.
27
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Case No. 20STCV03962
Hon. David S. Cunningham, Dept. 11

**Notice of Ruling re June 24, 2024 Hearing on
Plaintiffs' Motion for Preliminary Approval of
Class Action Settlement and Providing for
Notice**


Action Filed: Jan. 30, 2020
Trial Date: not set

1 PLEASE TAKE NOTICE that the Court heard Plaintiffs' Motion for Preliminary Approval
2 of Class Action Settlement and Providing for Notice at the June 24, 2024 hearing. The Court granted
3 preliminary approval of the class action settlement. Attached as Attachment A is a true and correct
4 copy of the Court's order on the June 24 hearing.

5 The Final Approval Hearing shall take place on January 13, 2025, at 11:00 a.m.

6
7 Dated: June 24, 2024

WARREN TERZIAN LLP
GERAGOS & GERAGOS, APC

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10 Erick Kuyلمان

Counsel for Plaintiffs

Attachment A

Electronically Received 03/05/2024 04:51 PM

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FILED
Superior Court of California
County of Los Angeles

06/24/2024

David W. Slayton, Executive Officer / Clerk of Court

By: T. Lewis Deputy

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

JAMES WEDEL, CHARLES MCWHALES,
SIMON MASHIAN, FAUSTO
HERNANDEZ, MICHAELA VIVANT,
MARJAN SVETKO, PEI EN CHONG
SAMPSON, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

DOUGLAS EMMETT, INC., a Maryland
Corporation; BARRINGTON PACIFIC, LLC,
a California limited liability company;
DOUGLAS EMMETT MANAGEMENT,
LLC, a Delaware limited liability company;
and DOES 1-50, inclusive,

Defendants.

Case No. 20STCV03962

**~~EXHIBIT 5~~ - [PROPOSED] ORDER
GRANTING PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT AND PROVIDING
FOR NOTICE**

Assigned to the Hon. David S. Cunningham

Date: March 19, 2024

Time: 11:00 a.m.

Dept.: 11

Action Filed: Jan. 30, 2020

Trial Date: not set

**[PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL
OF CLASS ACTION SETTLEMENT AND PROVIDING FOR NOTICE**

1 Pending before the Court is the Motion for Preliminary Approval of Class Action Settlement
2 (“Motion”) relating to the Amended Settlement Agreement (“Settlement”) between plaintiffs James
3 Wedel, Charles McWhales, Simon Mashian, Fausto Hernandez, Michaela Vivant, Marjan Svetko,
4 and Pei en Chong Sampson (collectively, “Plaintiffs”) and defendants Douglas Emmett, Inc.;
5 Douglas Emmett Management, LLC; Barrington Pacific, LLC; and Universal Protection Service,
6 LP (collectively, “Defendants”). Plaintiffs and Defendants are collectively referred to as the
7 “Parties.” Having read and considered the moving papers, including the Amended Settlement
8 Agreement, and finding good cause, the Court finds and orders as follows:

9 1. Based upon the Court’s review of the Settlement and the papers filed in support of
10 the request for preliminary approval, there is sufficient evidence to suggest the proposed Settlement
11 might be fair, adequate, and reasonable to Class Members. Accordingly, the Motion for Preliminary
12 Approval is **GRANTED**.

13 2. This Order incorporates by reference the definitions in the Amended Settlement
14 Agreement and all terms defined therein shall have the same meaning in this Order.

15 3. The Court hereby conditionally certifies the following class (“Class”) for settlement
16 purposes: “All leaseholders at the Barrington Plaza Apartments, 11740 Wilshire Boulevard, Los
17 Angeles, California, as of January 29, 2020.”

18 4. The Court’s preliminary approval includes the following:

19 a. James Wedel, Charles McWhales, Simon Mashian, Fausto Hernandez,
20 Michaela Vivant, Marjan Svetko, and Pei en Chong Sampson are designated as Class
21 Representatives.

22 b. Warren Terzian LLP, located at 222 N. Pacific Coast Highway, Suite 200,
23 Los Angeles, CA 90245, and Geragos & Geragos, APC, located at 644 S Figueroa St, Los Angeles,
24 CA 90017, are designated as Class Counsel.

25 c. CPT Group, Inc., located at 50 Corporate Park, Irvine, CA 92606, is
26 designated as the Settlement Administrator. The Settlement Administrator is authorized to perform
27 such services as are set forth in this Order and Section VII (“Settlement Administration”) of the
28

1 Amended Settlement Agreement.

2 5. The Court approves the Class Notice (attached as **Exhibit A** hereto), the Exclusion
3 Form (attached as **Exhibit B** hereto), and the Objection Form (attached as **Exhibit C** hereto).

4 6. The Settlement Administrator is directed to disseminate the Class Notice, including
5 the Exclusion Form and the Objection Form, to Class Members via email and first-class U.S. Mail
6 in accordance with the schedule set forth below in Paragraph 11. The Court finds that this notice
7 procedure meets the requirements of Rule 3.766(d) of the California Rules of Court and due process,
8 and constitutes the best practicable notice under the circumstances.

9 7. The Class Notice shall be accompanied by the Exclusion Form that a Class Member
10 may use to request exclusion from the Settlement. Any completed Exclusion Form shall be submitted
11 to the Settlement Administrator, not filed with the Court. The Settlement Administrator shall send a
12 copy of any completed Exclusion Form to all counsel. The Settlement Administrator shall file a
13 declaration concurrently with the filing of any motion for final approval, authenticating a copy of
14 every Exclusion Form received by the Settlement Administrator. Class Members who do not timely
15 request exclusion shall be bound by all orders or judgments that may be entered by the Court.

16 8. The Class Notice shall be accompanied by an Objection Form that a Class Member
17 may use to object to the Settlement. Any completed Objection Form shall be submitted to the
18 Settlement Administrator, not filed with the Court. The Settlement Administrator shall send a copy
19 of any completed Objection Form to all counsel. The Settlement Administrator shall file a
20 declaration concurrently with the filing of any motion for final approval, authenticating a copy of
21 every Objection Form received by the Settlement Administrator.

22 9. The Final Approval Hearing shall be held in this Court, located at 312 North Spring
23 Street, Los Angeles, CA 90012, Department 11, on January 13, 2025, ~~2024~~, at 11:00 am
24 at which time the Court will determine whether the Settlement should be granted final approval. At
25 that time, the Court will also consider Class Counsel's motion for attorneys' fees, litigation expenses,
26 and any proposed service awards to the Class Representative and, if deemed warranted, additional
27 Class members who provided assistance to Class Counsel. The Court reserves the right to adjourn
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1 or continue the date of the Final Approval Hearing and retains jurisdiction to consider all further
 2 matters arising out of or connected with the proposed Settlement. The Settlement Administrator shall
 3 give notice to any objecting party of any continuance of the hearing of the motion for final approval.

4 10. The Court hereby adopts the following dates for performance of the specified
 5 activities leading to the Final Approval Hearing:

Proposed Deadline	Event
14 days after entry of Court’s Order granting Preliminary Approval	Deadline for Defendants to provide the Class List (including Class Member name, address, email, and telephone number information) to the Settlement Administrator
14 days after entry of Court’s Order granting Preliminary Approval	Deadline for Settlement Administrator to email the Court-Approved Class Notice to Class members for whom an email address is available, mail the Summary Class Notice to Class members for whom an email address is not available, and establish the settlement website (“Notice Date”)
14 days after Notice Date	Deadline for Settlement Administrator to mail the Class Notice to last known address of any Class members for whom an email notice was bounced back as undeliverable
60 days after Notice Date	Last day for Class members to sign and submit a completed Exclusion Form to the Settlement Administrator
60 days after Notice Date	Last day for Class members to sign and submit a completed Objection Form to the Settlement Administrator
16 Court days prior to Final Approval Hearing	Deadline for Plaintiffs to file Motion for Final Approval of Settlement, including Class Counsel’s request regarding attorneys’ fees, litigation expenses, and service awards
10 days prior to Final Approval Hearing	Deadline for parties respond to any objections to the Settlement
To be set by the Court [approximately 150 days after entry of Preliminary Approval]	Final Approval Hearing

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11. The Parties are ordered to carry out the Settlement in the manner provided in this

Order.

IT IS SO ORDERED.

06/24/2024

Dated: _____



Hon. David S. Cunningham
Los Angeles County Superior Court Judge

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

3
4 I am over the age of 18 and not a party to this action. I am employed in the county where the
5 service occurred; my business address is 222 N. Pacific Coast Highway, Suite 2000, Los Angeles,
6 CA 90245.

7 On the undersigned date, I caused to be served the following documents:

8 **Notice of Ruling re June 24, 2024 Hearing on Plaintiffs’ Motion**
9 **for Preliminary Approval of Class Action Settlement and**
10 **Providing for Notice**

11 I caused the documents to be served on the interested parties:

12 Mark Geragos
13 Ben Meiselas
14 Geragos & Geragos, APC
15 644 South Figueroa Street
16 Los Angeles, CA 90071
17 geragos@geragos.com
18 meiselas@geragos.com

19 *Counsel for Plaintiffs*

20 Dana Fox
21 Dawn Flores-Oster
22 Matthew Harrison
23 Kellian Summers
24 Lewis Brisbois Bisgaard & Smith LLP
25 633 West Fifth Street, Suite 4000
26 dana.fox@lewisbrisbois.com
27 dawn.flores-oster@lewisbrisbois.com
28 matthew.harrison@lewisbrisbois.com
29 kellian.summers@lewisbrisbois.com
30 *Counsel for Defendants*
31 *Barrington Pacific, LLC and*
32 *Douglas Emmett Management, LLC*


33 Arthur J. Chapman
34 David A. Napper
35 Jill Johnson
36 Chapman Glucksman Dean & Roeb, APC
37 11900 W. Olympic Boulevard, Suite 800
38 Los Angeles, California 90064-0704
39 achapman@cgdrlaw.com
40 dnapper@cgdrlaw.com
41 jjohnson@cgdrlaw.com

42 *Counsel for Defendant Douglas Emmett,*
43 *Inc.*

44 I electronically served the documents via CaseAnywhere on all the interested parties.

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

3 Dated: June 24, 2024



Erick Kuylman

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