



1           **ORDER GRANTING PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

2           The Motion for Preliminary Approval of Class Action Settlement came before this Court on  
3 June 17, 2015. The Court, having considered the proposed Settlement Agreement, attached hereto as  
4 **Exhibit 1**, and the Exhibits attached thereto (collectively, the "Settlement Agreement"); having  
5 considered the Motion for Preliminary Approval of Class Action Settlement filed by the parties;  
6 having considered the points and authorities and declarations submitted by the parties in support  
7 thereof; and good cause appearing, **HEREBY ORDERS THE FOLLOWING:**

8           1.       The Court grants preliminary approval of the Settlement as set forth in the Settlement  
9 Agreement and finds the terms to be within the range of reasonableness of a settlement that  
10 ultimately could be granted approval by the Court at the Final Approval Hearing.

11           2.       For settlement purposes only, the Court finds that: (1) the Settlement Class is  
12 ascertainable and so numerous that joinder of all members is impracticable; (2) there are questions  
13 of law and fact common to the Settlement Class, and that such questions predominate over  
14 questions affecting only individual class members; (3) the claims advanced by plaintiffs are typical  
15 of the class in that they have no interests in conflict with or antagonistic to those of the Settlement  
16 Class, and they have retained adequate counsel; and (4) a class action is superior to other available  
17 methods for resolving this controversy. Therefore, for settlement purposes only, the Court grants  
18 conditional certification of the following Settlement Class:

19           The Settlement Class collectively refers to: (1) the "Main Class," defined all  
20 individuals who are currently employed, or formerly were employed, as properly  
21 non-exempt janitorial employees of Defendant in California during the Class Period;  
22 and (2) the "Mileage Sub-Class" is defined as "all individuals who are currently  
23 employed, or formerly were employed, as properly non-exempt janitorial employees  
24 of Defendant in California during the Class Period who were required to use their  
25 personal vehicles for work-related purposes; specifically, to travel between worksites  
26 during their shifts.

27           3.       The Court designates named Plaintiffs Volodymyr Rybakov and Lyubov Rybakova  
28 as Class Representatives;

          4.       The Court designates the law firms of Sundeen Salinas & Pyle and the Law Offices  
of Aleksey G. Tovarian as Class Counsel;

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5. The Court confirms RG/2 Claims Administration LLC as the Claims Administrator;

6. A Final Approval Hearing on the question of whether the proposed settlement should be finally approved as fair, reasonable and adequate as to the members of the Settlement Class is scheduled in Department 35 of this Court on 10/30/15 [date], at 1:30 pm [time];

7. Counsel for the parties shall file memoranda, declarations, or other statements and materials in support of their request for final approval by no later than 9/30/15 [date];

8. Class Counsel shall file a motion for an award of attorneys' fees, reimbursement of litigation expenses, and class representative enhancement by no later than 9/30/15 [date];

9. The Court approves, as to form and content, the Class Notice, Opt-Out Form, and Mileage Sub-Class Dispute Form (collectively, "Class Notice"), which are attached hereto as **Exhibit A, Exhibit B, and Exhibit C** to the Settlement Agreement, respectively;

10. The Notice Date shall commence no later than 30 calendar days after the date of this Order;

11. The Class Notice shall provide at least 45 calendar days from the Notice Date for a proposed member of the Class to submit a timely and valid Opt-Out Form, Mileage Sub-Class Dispute Form, and written objections;

12. The Court directs the mailing of the Class Notice by first class mail to the members of the Settlement Class on the Notice Date;

13. The Court finds that the form of the notice to the Settlement Class regarding the pendency of the action and of this Settlement adequately informs Class Members of all material terms of the Settlement Agreement. The Court further finds that the proposed methods of distributing the Notice to Class Members via first class mail will provide the best practicable notice to Class Members. These forms and methods constitute the best notice practicable under the circumstances and constitute valid, due, and sufficient notice to all members of the Settlement Class. They comply fully with the requirements of California Code of Civil Procedure section 382, California Civil Code section 1781, California Rules of Court 3.766 and 3.769, the California and

1 United States Constitutions, and other applicable law;

2 14. The Court approves the procedures for Class Members to opt-out of, or object to the  
3 Settlement, as set forth in the Settlement Agreement and Class Notice;

4 15. The procedures and requirements for filing objections in connection with the Final  
5 Approval Hearing are intended to ensure the efficient administration of justice and the orderly  
6 presentation of any Class Member's objection to the Settlement Agreement, in accordance with the  
7 due process rights of all Class Members;

8 16. Counsel for the parties are hereby authorized to utilize all reasonable procedures in  
9 connection with the administration of the settlement that are not materially inconsistent with either  
10 this Order or the terms of the Settlement Agreement;

11 17. The Court orders the following schedule for further proceedings:

TIMING	EVENT
20 calendar days after Preliminary Approval Date	Defendant to provide Class Members' information to the Settlement Administrator
30 calendar days after Preliminary Approval Date	Mailing of Class Notice, Opt-Out Form and Mileage Sub-Class Dispute Form
45 calendar days after mailing of Class Notice	Last day for Class Members to submit a timely and valid Opt-Out Form, Mileage Sub-Class Dispute Form and written objections
10 business days prior to Final Approval Hearing	Last day for Class Counsel to file the Settlement Administrator's declaration specifying the due diligence taken with regard to mailing the Notice
[as determined by the Court]	Last day for filing and service of papers in support of final settlement approval and requests for attorneys' fees and costs
[as determined by the Court]	Hearing on final approval of class action settlement

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

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**IT IS SO ORDERED.**

Dated: JUN 17 2015

ALAN G. PERKINS  

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Judge of the Superior Court