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MODEL FORMS

Where this Order Form is used, then any proposed stipulated order submitted to the Court must be accompanied by a "redlined" or "compare" version of this Form, so that the Court may readily see all modifications that were made to this Form. This procedure is intended to save you and the Court time, and promote faster processing of these proposed orders.

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

[],
Plaintiff,
v.
[],
Defendant.

Case No.: _____

CLASS ACTION CASE

**[PROPOSED] ORDER GRANTING
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

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

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

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

14 *[Class definition.]*

- 15 1. For purposes of the settlement, the Court further designates named Plaintiff
16 [] as Class Representative, and the law firms of [] as Class Counsel.
- 17 2. The Court confirms [] as the Claims Administrator.
- 18 3. A final fairness hearing on the question of whether the proposed settlement should be
19 finally approved as fair, reasonable and adequate as to the members of the Settlement Class is
20 scheduled in Department [] of this Court, located at 600 South Commonwealth
21 Avenue, Los Angeles, CA 90005, on _____ [date], at _____ [time].
- 22 4. At the final fairness hearing, the Court will consider: (a) whether the settlement should
23 be approved as fair, reasonable, and adequate for the class; (b) whether a judgment granting approval of
24 the settlement should be entered; and (c) whether Plaintiff’s application for an award of attorneys’ fees,
25 reimbursement of litigation expenses, and class representative enhancement should be granted.
- 26 5. Counsel for the parties shall file memoranda, declarations, or other statements and
27 materials in support of their request for final approval by no later than _____ [date].

1 6. Class Counsel shall file a motion for an award of attorneys’ fees, reimbursement of
2 litigation expenses and class representative enhancement by no later than _____ [date].

3 7. The Court approves, as to form and content, the Notice of Pendency of Class Action,
4 Proposed Settlement and Hearing Date for Court Approval (“Long Form Notice”), Notice of Proposed
5 Class Action Settlement (“Short Form Notice”), and Settlement Claim Form (“Claim Form”), which are
6 attached hereto as Exhibits “2,” “3,” and “4,” respectively.

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

9 9. The class notice shall provide at least 45 calendar days from the Notice Date for a
10 proposed member of the Class to opt out of settlement, object to the settlement, or submit a claim form
11 (“Close of Claims Period”).

12 10. [*If direct mailed notice can be provided.*] The Court directs the mailing of the Long Form
13 Notice and Claim Form by first class mail to the members of the Settlement Class on the Notice Date.

14 11. [*If notice by publication will be used.*] Commencing on the Notice Date, the Short Form
15 Notice shall be published as follows: [*delineate and describe, as appropriate and necessary, the size,*
16 *location, specific date and publication names where notice will appear*].

17 12. [*If settlement website is to be used.*] On or before the Notice Date, the Short Form
18 Notice, the Long Form Notice, and Claim Form shall be made available on an internet website.

19 13. [*If settlement website is to be used.*] On or before the Notice Date, the parties shall also
20 set up a toll-free telephone number that Settlement Class members may call to obtain a copy of the
21 Long Form Notice and Claim Form.

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

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

4 16. To validly object to the Settlement Agreement, an objecting settlement class member
5 must provide the following information in the written objection: (i) the objecting settlement class
6 member's full name, current address, telephone number, and signature; (ii) the settlement class
7 member's objections to the Settlement Agreement; (iii) the reasons for the settlement class member's
8 objections; (iv) whether the settlement class member intends to appear at the Fairness Hearing with or
9 without separate counsel; and (v) if the settlement class member intends to appear at the Fairness
10 Hearing with separate counsel, the identities of all attorneys who will separately represent the
11 settlement class member. In addition, any settlement class member objecting to the Settlement
12 Agreement shall provide a list of any other objections submitted by the objector, or the objector's
13 separate counsel, to any class action settlements submitted in any court in the United States, whether
14 state, federal or otherwise, in the previous five years. If the settlement class member or the settlement
15 class member's separate counsel has not objected to any other class action settlement in any court in the
16 United States in the previous five years, the settlement class member shall affirmatively so state in the
17 written objection.

18 17. The procedures and requirements for filing objections in connection with the Fairness
19 Hearing are intended to ensure the efficient administration of justice and the orderly presentation of any
20 Class Member's objection to the Settlement Agreement, in accordance with the due process rights of all
21 Class Members.

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

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

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20. To facilitate administration of the Settlement pending final approval, the Court hereby enjoins all Class Members from filing or prosecuting any claims, suits or administrative proceedings regarding claims released by the Settlement unless and until such Class Members have filed valid Requests for Exclusion with the Claims Administrator and the time for filing claims with the Claims Administrator has elapsed.

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

Event	Timing
Last day for defendant to provide class member data for preparation of the Notice.	_____ [date] (10 days after Preliminary Approval)
Notice Date: [<i>as appropriate</i>] (i) last day for claims administrator to mail class notice and claim form to class members; (ii) the beginning of publication notice to class; (iii) last day to set-up and make settlement website available to public; and (iv) last day to set up and make available toll-free telephone number.	_____ [date] (30 days after Preliminary Approval)
Last day for claims administrator to complete publication notice to class.	_____ [date] (30 days after Notice Date)
Last day for class counsel to file motion for award of attorneys' fees, reimbursement of litigation expenses and class representative enhancement.	_____ [date] (30 days after Notice Date)
Close of Claims Period: [<i>as appropriate</i>] (i) last day for class members to submit opt-outs; (ii) last day for class members to submit objections; and (iii) last day for class members to submit claim forms.	_____ [date] (45 days after Notice Date)
Last day for Plaintiff to respond to objections.	_____ [date] (15 days after receipt of objection)
Last day for claims administrator to provide declaration of mailing of class notice and claim form.	_____ [date] (45 days after Notice Date)

Event	Timing
Last day for parties to file motion and supporting documents for final approval of class action settlement.	_____ [date] (14 calendar days before hearing on Final Approval)
Last day for claims administrator to provide declaration of aggregate claim share amount.	_____ [date], (7 days before final approval hearing)
Hearing on final approval of class action settlement.	_____ [date] at _____ [time] (approximately 95 days after Preliminary Approval)

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

IT IS SO ORDERED.

Dated: _____

Judge of the Superior Court