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13 15165 Ventura Boulevard, Suite 400
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16 *Attorneys for Defendant*

17 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

18 **FOR THE COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE**

19 EDWARD PEREZ; GIOVANNY SAUCEDO;
20 individually, and on behalf of other members
21 of the general public similarly situated, and on
22 behalf of other aggrieved employees pursuant
23 to the California Private Attorneys General
24 Act,

25 Plaintiffs,

26 vs.

27 CENTINELA FEED, INC., a California
28 Corporation; and DOES 1 through 100,
inclusive,

Defendants.

Case No.: BC575341

Honorable Ann I. Jones
Department SSC11

CLASS ACTION

**JOINT STIPULATION REGARDING
FINAL APPROVAL HEARING DATE
AND FOR ORDER GRANTING
PERMISSION TO EXCEED THE PAGE
LIMIT ESTABLISHED BY CAL. R. CT.
RULE 3.1113(D); [PROPOSED] ORDER
THEREON**

Complaint Filed: March 12, 2015
FAC Filed: June 24, 2015
SAC Filed: May 9, 2017
Jury Trial Date: None Set

CONFORMED COPY
ORIGINAL FILED
Superior Court of California
County of Los Angeles

AUG - 6 2018

Sherri R. Carter, Executive Officer/Clerk
By: V. Jaime, Deputy

RECEIVED
LOS ANGELES SUPERIOR COURT
AUG 02 2018
B. SMITH

1 Plaintiffs Edward Perez and Giovanni Saucedo (“Plaintiffs”), individually, and on behalf
2 of all others similarly situated and on behalf of other aggrieved employees pursuant to the
3 California Private Attorneys General Act (“PAGA”), and Defendant Centinela Feed, Inc.
4 (“Defendant”) (collectively, the “Parties”), by and through their respective counsel of record,
5 hereby stipulate as follows:

6 WHEREAS, on March 12, 2015, Plaintiff Edward Perez commenced the above-
7 captioned action against Defendant in the Superior Court of California for the County of Los
8 Angeles, Case No. BC575341 (the “Action”);

9 WHEREAS, on June 24, 2015, Plaintiff Edward Perez filed an amended complaint,
10 which, *inter alia*, added Plaintiff Giovanni as a named plaintiff in the Action;

11 WHEREAS, on May 9, 2017, pursuant to stipulation and the Court’s order approving
12 said stipulation, Plaintiffs filed a Second Amended Class Action Complaint for Damages &
13 Enforcement Under the Private Attorneys General Act, California Labor Code § 2698, Et Seq.;

14 WHEREAS, the Parties reached a class-wide settlement, and on December 18, 2018,
15 Plaintiffs filed a Motion for Preliminary Approval of Class Action Settlement (“Motion for
16 Preliminary Approval”);

17 WHEREAS, on April 5, 2018, the Court entered an Order Granting Preliminary
18 Approval of Class Action Settlement (“Preliminary Approval Order”), and thereby preliminarily
19 approved the terms of the Parties’ Joint Stipulation of Settlement of Class Action, Amendment
20 No. 1 to Joint Stipulation of Settlement of Class Action, Amendment No. 2 to Joint Stipulation
21 of Settlement of Class Action, and Amendment No. 3 to Joint Stipulation of Settlement of Class
22 Action (together, “Settlement” or “Settlement Agreement”), and the proposed administration
23 procedures and associated deadlines; appointed Plaintiffs Edward Perez and Giovanni Saucedo
24 as Class Representatives, Lawyers for Justice, PC as Class Counsel, and Angeion Group as the
25 class action settlement administrator (“Settlement Administrator”); set a deadline of July 23,
26 2018 for Class Counsel to file a motion for final approval of class action settlement and motion
27 for Class Counsel Attorneys’ Fees and Costs, Class Representatives’ Enhancement Awards, and
28 Administrative Expenses; set the Final Approval Hearing on August 17, 2018 at 11:00 a.m.; and

1 conditionally certified the following class for settlement purposes only:

2 All individuals employed by Defendant in a non-exempt position in the State
3 of California at any time from March 12, 2011 through April 5, 2018;

4 WHEREAS, on May 3, 2018, the Settlement Administrator mailed the Court-approved
5 Notice of Class Action Settlement and Claim Summary Form (together, "Notice Packet") to one
6 thousand ninety-nine (1,099) individuals identified as Class Members in the data spreadsheet that
7 was provided by Defendant ("Class List");

8 WHEREAS, based on the May 3, 2018 mailing, the deadline for the Class Members to
9 submit a Request for Exclusion, Objection, and/or dispute regarding the time that each of them
10 was credited to have worked in California during the period from March 12, 2011 through April
11 5, 2018, was July 2, 2018 ("End of Notice Period");

12 WHEREAS, after the initial mailing of the Notice Packet, the Settlement Administrator
13 received a request from one (1) individual who was not identified in the Class List ("Omitted
14 Class Member") to be added to the Class and included in the Settlement, and it was determined
15 that the Omitted Class Member was employed by Defendant in a non-exempt position in the
16 State of California during the period from March 12, 2011 through April 5, 2018, and is,
17 therefore, a Class Member;

18 WHEREAS, the Settlement Administrator mailed a Notice Packet to the Omitted Class
19 Member, and based on this mailing, the End of Notice Period for the Omitted Class Member is
20 September 1, 2018, which is after the Final Approval Hearing on August 17, 2018;

21 WHEREAS, on July 23, 2018, Plaintiffs filed a Motion for Final Approval of Class
22 Action Settlement, Attorneys' Fees, Costs, and Enhancement Awards ("Motion for Final
23 Approval");

24 WHEREAS, by way of the Motion for Final Approval, Plaintiffs move for final
25 approval of the Settlement and move for an award of Class Counsel Attorneys' Fees and Costs
26 to Lawyers for Justice, PC, Enhancement Awards to Plaintiffs, and Administrative Expenses to
27 Angeion Group, and the memorandum in support of the motion exceeds the page limit
28 established by California Rules of Court, Rule 3.1113(d);

1 WHEREAS, the Parties now seek an order keeping the Final Approval Hearing on
2 calendar for August 17, 2018 or continuing the Final Approval Hearing to a date and time the
3 Court deems appropriate after the End of Notice Period for the Omitted Class Member (i.e.,
4 September 1, 2018), as well as an order permitting the memorandum in support of the Motion
5 for Final Approval to exceed the page limit established by California Rules of Court, Rule
6 3.1113(d), in order to efficiently present the Court with adequate information to determine
7 whether to grant final approval of the Settlement and award Class Counsel Attorneys' Fees and
8 Costs, Enhancement Awards, and Administrative Expenses;

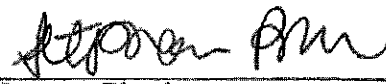
9 **THEREFORE, SUBJECT TO THIS COURT'S APPROVAL, THE PARTIES,**
10 **THROUGH THEIR RESPECTIVE COUNSEL, HEREBY STIPULATE TO AN ORDER**
11 **BY THE COURT AS FOLLOWS:**

- 12 1. With respect to the date and time of the Final Approval Hearing:
- 13 a. The Final Approval Hearing shall remain on calendar for August 17, 2018
14 at 11:00 a.m. in Department SSC11; or
- 15 b. The Final Approval Hearing that is currently-scheduled for August 17,
16 2018 at 11:00 a.m. in Department SSC11 shall be continued to a date and time that the Court
17 deems appropriate after September 1, 2018; and
- 18 2. Plaintiffs' memorandum in support of the Motion for Final Approval may exceed
19 the page limit established by California Rules of Court, Rule 3.1113(d).

20 **IT IS SO STIPULATED.**

21 Dated: August 2, 2018

LAWYERS for JUSTICE, PC

22 By: 
23 _____
24 Joanna Ghosh
Stephanie S. Ponak
Attorneys for Plaintiff

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26 ///
27 ///
28 ///

LAWYERS for JUSTICE, PC
410 West Arden Avenue, Suite 203
Glendale, California 91203

1 Dated: August 1, 2018

PEARSON, SIMON & WARSHAW, LLP

2
3 By: *DL Warshaw*
Daniel L. Warshaw
Bobby Pouya
Attorneys for Defendant

7 **[PROPOSED] ORDER**

8 The Court, having reviewed the Parties' Joint Stipulation Regarding Final Approval
9 Hearing Date and For An Order Granting Permission to Exceed the Page Limit Established by
10 Cal. R. Ct. Rule 3.1113(d) ("Stipulation"), orders as follows:

- 11 1. The Parties' Stipulation is approved.
12 2. With respect to the date and time of the Final Approval Hearing:
13 [] The Final Approval Hearing shall remain on calendar for August 17, 2018
14 at 11:00 a.m. in Department SSC11;

15 [OR]

- 16 The Final Approval Hearing that is currently-scheduled for August 17,
17 2018 at 11:00 a.m. shall be continued to October 17, 2018
18 at 10:00 a.m./p.m. in Department SSC11. *New Notice to*
19 3. *class shall be provided showing this new hearing date.*
Plaintiffs' memorandum in support of the Motion for Final Approval of Class

20 Action Settlement, Attorneys' Fees, Costs, and Enhancement Awards may exceed the page limit
21 established by California Rules of Court, Rule 3.1113(d). *and shall be filed*
and served on or before October 1, 2018

22 **IT IS SO ORDERED.**

23 Dated: 8/6/18

ANN I. JONES
The Honorable Ann I. Jones
Judge of the Superior Court

25 32048807.1

1 PROOF OF SERVICE

2 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

3 I am employed in the County of Los Angeles, State of California. I am over the age of 18
4 and not a party to the within action. My business address is 410 West Arden Avenue, Suite 203,
5 Glendale, California 91203.

6 On August 2, 2018, I served the following document described as: **JOINT**
7 **STIPULATION REGARDING FINAL APPROVAL HEARING DATE AND FOR**
8 **ORDER GRANTING PERMISSION TO EXCEED THE PAGE LIMIT ESTABLISHED**
9 **BY CAL. R. CT. RULE 3.1113(D); [PROPOSED] ORDER** on interested parties in this action
10 as follows:

11 Daniel L. Warshaw
12 Bobby Pouya
13 **PEARSON SIMON & WARSHAW, LLP**
14 15165 Ventura Blvd. Suite 400
15 Sherman Oaks, California 91403

16 *Attorneys for Defendant Centinela Feed, Inc.*

17 **BY U.S. MAIL**

18 As follows: I am "readily familiar" with the firm's practice of collection and processing
19 correspondence for mailing. Under that practice, it would be deposited with U.S. Postal
20 Service on that day with postage thereon fully prepaid at Los Angeles, California in the
21 ordinary course of business. I am aware that on motion of the party served, service is
22 presumed invalid if postal cancellation date or postage meter date is more than one day
23 after date of deposit for mailing an affidavit.

24 **STATE**

25 I declare under penalty of perjury under the laws of the State of California that the above
26 is true and correct.

27 Executed on August 2, 2018 at Glendale, California.

28 

Suzana Solis

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