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ENDORSED
FILED
Superior Court of California
County of San Francisco
JUL 22 2016
CLERK OF THE COURT
By: ROSIE NOGUERA
Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN FRANCISCO

MIWANDA BARNES and ALLISON CAMILLE, individually, and on behalf of others similarly situated,

Plaintiffs,

vs.

SPRIG, INC., and DOES 1-20, inclusive,

Defendants.

Case No.: CGC-15-548154

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

Date: July 22, 2016
Time: 9:30 a.m.
Dept: 302

Trial Date: None Set

This matter is before the Court on Plaintiffs' unopposed Motion for Preliminary Approval of Joint Stipulation and Class Action and Private Attorneys General Act ("PAGA") Representative Action Settlement (the "Settlement Agreement") of the above-entitled case. The matter came on for hearing on July 22, 2016 in the above-identified Court, and the parties were represented by their respective counsel. The motion, having been fully considered by the Court, is ruled upon as follows:

WHEREAS, the Court has been advised that the parties to this action in this Court, through their respective counsel, have agreed, subject to Court approval following a hearing, to settle this putative class and representative action upon the terms and conditions set forth in the Settlement Agreement, a copy of which has been submitted as Exhibit 1 to the Declaration of James Kan in Support of Preliminary Approval of Class Action Settlement, filed on July 7, 2016;

WHEREAS, the California Labor and Workforce Development Agency ("LWDA") received notice of the settlement and the date, time, and location of the preliminary approval hearing, and the LWDA has not objected to the proposed Settlement Agreement;

NOW THEREFORE, based upon Plaintiffs' unopposed Motion for Preliminary Approval of the Settlement Agreement, its accompanying declarations and exhibits attached thereto, argument at hearing, and all of the files, records and papers filed in this class action and proceedings herein, and it appearing to the Court, upon preliminary examination, that the settlement set forth herein is within the range of reasonableness, and that a hearing should and will be held after notice to the Settlement Class to confirm that the Settlement Agreement therein is fair, adequate and reasonable, and to determine whether a Judgment should be entered in this action thereon:

IT IS HEREBY ORDERED THAT:

1. This Order preliminarily approves the Settlement Agreement, incorporates by reference the definitions in the Settlement Agreement, and all terms used herein shall have the same meaning as set forth in the Settlement Agreement.

2. This Court finds that the Settlement Agreement is within the range of reasonableness as to the Class. Based on a review of the papers submitted, the Court finds that the Settlement is the result of extensive arms-length negotiations conducted after Class Counsel had adequately investigated

the claims and became familiar with the strengths and weaknesses of those claims, the Settlement is presumptively valid because it is recommended by Class Counsel, and the Settlement is approved subject only to any objections that may be raised at the final fairness hearing and final approval by this Court. The assistance of an experienced mediator in the settlement process supports the Court's conclusion that the Settlement is non-collusive.

3. The Court finds that for the purposes of settlement, Plaintiffs have established in their moving papers and supporting declarations all of the requirement for certification of a provisional settlement class pursuant to C.R.C., Rule 3.769(d). Therefore, this Court certifies a provisional class for the purposes of this settlement defined as: All persons who worked as Sprig Servers in California at any time from September 1, 2013 through December 31, 2015.

4. The Court appoints and designates, for settlement purposes only, Settlement Services, Inc. as Settlement Administrator.

5. The Court appoints and designates, for settlement purposes only, Plaintiffs Miwanda Barnes and Allison Camille as Class Representatives, and the law firms of Goldstein Borgen, Dardarian & Ho ("GBDH") and Browne Labor Law as Class Counsel.

6. The Court approves the form and content of both the proposed Class Notice and the Share Form ("Class Notice"), attached as Exhibit A and B, respectively, to the Settlement Agreement. The Court finds that these documents will provide the Class with sufficient information to make an informed decision on whether to accept or object the settlement and on how to be heard in the proceedings. Notice shall be provided to the Class Members via first-class mail. Notice shall also be provided as set forth in the Settlement Agreement and below in the implementation schedule. The Parties may make non-substantive modifications to these documents in the course of finalizing them for mailing.

7. Defendant shall send a payment of $580,000 with fourteen (14) calendar days of this Order to the Settlement Administrator, who shall hold this payment in an escrow account and will not distribute any part of this payment unless and until the Court grants Final Approval.

8. Class Members will have sixty (60) calendar days from the date of the first mailing to

submit requests for exclusion and/or objections. Settlement Administrator will file with the Court and serve on the Parties any Request for Exclusion and/or written objections or statements of intention to object to the Settlement received from Class Members. Alternatively, Class Members may appear at the final approval hearing to object provided that the Parties shall have seven (7) court days to respond in writing to the objections made for the first time at the final approval hearing.

9. Class Members will have the right to challenge the number of Shifts Worked as shown on the Share Form, which must be post-marked no later than forty-five (45) days after the Notice is mailed.

10. Class Counsel will file a timely motion for final approval of settlement, including Class Counsel's application for award of attorneys' fees and costs, no later than ten (10) days before the Final Approval Hearing. In addition, prior to serving the motion for final approval, Class Counsel shall notify the LWDA of the date, time, and location of the final approval hearing.

11. The Final Approval Hearing shall be held on Oct. 28, 2016 in Department 302 of this Court, to determine whether the Settlement Agreement is fair, adequate, reasonable, and should be approved.

12. At least ten (10) days prior to the Final Approval Hearing, Settlement Administrator will file with the Court and serve on the Parties its certification of the completion and results of the Class Notice, and related processes. In the case of late-received Requests for Exclusion, objections or statements, the Settlement Administrator shall immediately file with the Court and serve on the Parties.

13. The dates of performance, unless otherwise modified by the Court, are as follows:

Within ten (10) days after the Preliminary Approval Date	Defendant to provide names, Social Security numbers, addresses, phone numbers, e-mail addresses, and the number of Shifts Worked of all Class Members to Settlement Administrator.
Within fourteen (14) days after the Preliminary Approval Date	Defendant to send the First Payment to the Settlement Fund to the Settlement Administrator.
Within twenty (20) days after the Preliminary Approval Date	Settlement Administrator to mail Class Notice.

Within forty-five (45) days after mailing of the Class Notice	Deadline for challenges to calculation of settlement award.
Sixty (60) days after mailing of the Class Notice	Deadline for Objections and/or Opt out
Within ten (10) days of the Final Approval Hearing	Class Counsel to file their motion for final approval and notify the LWDA of the final approval hearing details. Settlement Administrator to file and serve its certification of completed duties and results of Class Notice processes.
Oct. 28, 2016 (approximately 100 calendar days after entry of Preliminary Approval Order)	Final Approval Hearing.

IT IS SO ORDERED.

Date: 7/22, 2016

RICHARD ULMER

Judge of the Superior Court

RICHARD ULMER