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14 Attorneys for Plaintiffs, HARRY HAHN and JAMES HONG, Individually,
15 and on behalf of themselves and all others similarly situated

16 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
17 **FOR THE COUNTY OF LOS ANGELES**

18 HARRY HAHN and JAMES HONG,)
19 Individually and on behalf of themselves and all)
20 others similarly situated,)
21)
22 Plaintiffs,)

23 v.)

24 HANIL DEVELOPMENT, INC., a California)
25 Corporation; AROMA SPA & SPORTS, LLC, a)
26 California limited liability company; HANIL)
27 ENGINEERING & CONSTRUCTION CO.,)
28 LTD., a Korean Corporation; BECHTEL H.J.)
29 DEVELOPMENT, INC., a California)
30 Corporation; and DOES 1-50, inclusive,)

31 Defendants.)
32)
33)
34)
35)

CASE NO. BC468669
[Assigned to Hon. J. Stephen Czuleger,
Dept. 3]

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

Hearing Date: April 10, 2015
Time: 8:30 a.m.
Dept.: 3

Complaint Filed: August 30, 2011

36 On April 10, 2015, at 8:30 a.m., this Court, the Honorable J. Stephen Czuleger
37 presiding, heard Plaintiffs' Motion for Approval of the Class Action Settlement in the above-
38 referenced matter.

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

APR 10 2015

Sherri R. Carter, Executive Officer/Clerk
By H. Kwon Balba, Deputy

REC'D
APR 03 2015
FILING WINDOW

ORIGINAL

1 Having carefully considered the Motion for Preliminary Approval of the Class Action
2 Settlement, the Declaration of Steven J. Lipscomb and all exhibits thereto, including the
3 proposed Settlement Agreement and proposed Class Notice, and after hearing argument from
4 counsel, IT IS HEREBY ORDERED THAT:

5 1. Preliminary Approval of the Settlement in this Class Action, as set forth in
6 Plaintiffs' Motion, is granted. The Court preliminary approves the parties' proposed Settlement,
7 finding the terms of the Settlement are fair, reasonable, and adequate at this point to warrant
8 dissemination of notice to the Class Members so that they can evaluate the terms themselves, and
9 to warrant the setting of a hearing to consider final approval of the Settlement. The Court finds
10 that the Settlement contains no obvious deficiencies and that the parties entered into the
11 Agreement in good faith, following arms-length negotiation between their respective counsel.
12

13 2. The Court hereby approves the form and procedures for disseminating the
14 Settlement Class Notice as set forth in the Agreement. The Court finds that the Notice to be
15 given constitutes the best notice practicable under the circumstances, and constitutes, valid, due,
16 and sufficient notice to Class Members in full compliance with the requirements of applicable
17 law;
18

19 3. The Class Notice will be mailed via U.S. Mail, postage paid, to all Class Members
20 on or before the 45th day after entry of this Order, or May 26, 2015 ;
21

22 4. The last day for Class Members to object or reject the terms of the settlement (if
23 applicable) will be 45 days after Notice is mailed to the Class Members, or July 10, 2015 ;
24

25 5. Class Counsel shall file an application for an award of attorneys' fees and costs
26 and for incentive awards not to exceed \$1,150,000 and for service payments not to exceed
27 \$30,000.00 total for all Representative Class Plaintiffs ("Fee Application") with 15 days after
28 Notice is mailed to the Class Members, or June 10, 2015 ;

1 6. The final approval hearing (“Fairness Hearing”) for the Settlement and Class
2 Counsel’s application for an award of attorneys’ fees and reimbursement of litigation expenses
3 shall be heard on August 14, 2015 at 8:30 a.m. in this Courtroom.

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5
6 DATED: April 10, 2015

J. STEPHEN CZULEGER

Hon. J. Stephen Czuleger

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PROOF OF SERVICE

1 STATE OF CALIFORNIA)
2) ss.
3 COUNTY OF LOS ANGELES)

4 I am employed in the County of Los Angeles, State of California. I am over the age of 18
5 and not a party to the within action; my business address is 10100 Santa Monica Boulevard, 12th
6 Floor, Los Angeles, California 90067-4113.

7 On April 3, 2015, I served the foregoing documents described [**PROPOSED**] **ORDER**
8 **GRANTING PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT** by
9 placing a true copy thereof enclosed in a sealed envelope addressed as follows:


Attorney	Phone/Fax	Party
Douglas Smith, Esq. Nathaniel Tarvin, Esq. GORDON & REES LLP 2211 Michelson Drive, Suite 400 Irvine, CA 92612 dsmith@gordonrees.com ntarvin@gordonrees.com	Tel: 949-255-6950 Fax: 949-474-2060	Attorneys for Defendants Hanil Development, Inc. and Aroma Spa & Sports, LLC
Yvonne Dalton, Attorney at Law Matthew Soroky, Esq. LEE, HONG, DEGERMAN, KANG & WAIMEY, APC 660 So. Figueroa Street, Suite 2300 Los Angeles, CA 90017 yvonne.dalton@lhlaw.com mailto:Yvonne.dalton@klhlaw.com msoroky@lhlaw.com	Tel: 213-623-2221 Fax: 213-623-2211	Attorneys for Defendants Hanil Development, Inc. and Aroma Spa & Sports, LLC

18 X **(BY MAIL)** I deposited such envelope in the mail at Los Angeles, California. The
19 envelope was mailed with postage thereon fully prepaid. I am "readily familiar" with the
20 firm's practice of collection and processing correspondence for mailing. It is deposited
21 with U.S. Postal Service on that same date in the ordinary course of business. I am aware
22 that on motion of party served, service is presumed invalid if postal cancellation date or
23 postage meter date is more than one day after date of deposit for mailing in affidavit.

24 **(BY ELECTRONIC TRANSFER)** I caused all of the pages of the above-entitled documents
25 to be sent to the recipients noted above via electronic transfer (E-MAIL) at the respective
26 email address indicated on the service list. This document was transmitted by email and
27 transmission reported without error.

28 **(BY FEDERAL EXPRESS)** I caused such envelope to be delivered to Federal Express for
overnight courier service to the offices of the addressee(s).

I declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct. Executed on April 3, 2015, at Los Angeles, California.


Bertha L. Jara