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5 *Attorneys for Plaintiff Baikuntha Khanal,*
6 *et al, individually and on behalf of all others*
7 *similarly situated*

8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**

10 BAIKUNTHA KHANAL, individually and
11 on behalf of all others similarly situated,

12 Plaintiffs,

13 v.

14 SAN FRANCISCO HILTON, INC.,

15 Defendant.
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Case No. CV 14-1523-JSW

**~~PROPOSED~~ ORDER GRANTING
PLAINTIFF'S UNOPPOSED MOTION
FOR PRELIMINARY APPROVAL OF
CLASS SETTLEMENT**

Judge: The Honorable Jeffrey S. White

Ctrm: 5 - 2nd Floor
Action Filed: Jan. 6, 2014

1 1. The Court, ~~having heard argument and~~ reviewed briefing related to Plaintiff's
2 Unopposed Motion for Preliminary Approval of Class Settlement, ORDERS as follows:

3 2. The Court provisionally certifies the following Settlement Class pursuant to Rule
4 23 for settlement purposes only:

5 All non-managerial Banquet department servers and bussers who were employed
6 at the San Francisco Union Square Hilton during the Class Period of January 6,
7 2010 through the date of this Order and who have received a portion of the food
and beverage service charge for banquet events.

8 3. The Court finds that the prerequisites for a class action under Rule 23 of the
9 Federal Rules of Civil Procedure have been satisfied in that: (i) the Settlement Class certified
10 herein numbers approximately 1,000, and joinder of all such persons would be impracticable;
11 (ii) there are questions of law and fact that are common to the Settlement Class, and those
12 questions of law and fact common to the Settlement Class predominate over any questions
13 affecting any individual Settlement Class Member; (iii) the claims of the Named Plaintiff are
14 typical of the claims of the Class he seeks to represent for purposes of settlement; (iv) a class
15 action is superior to other available means of adjudicating this dispute; and (v) as set forth
16 below, Named Plaintiff and Class Counsel are adequate representatives of the Settlement Class.

17 4. Named Plaintiff Baikuntha Khanal is designated as representative of the
18 provisionally certified Settlement Class. The Court preliminarily finds that his is similarly
19 situated to absent Settlement Class Members and therefore typical of the Settlement Class, and
20 that he will be an adequate class representative. Counsel Shannon Liss-Riordan of Lichten &
21 Liss-Riordan, P.C., whom the Court finds is experienced and adequate counsel for purposes of
22 these settlement approval proceedings, is hereby designated as Class Counsel.

23 5. Analytics is hereby appointed as Settlement Administrator.

24 6. Upon preliminary review, the Court finds that the Settlement Agreement appears
25 fair, reasonable and adequate, and appears to be within the range of reasonableness of a
26 settlement which could ultimately be given final approval by this Court. Accordingly, the
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1 Settlement Agreement is preliminarily approved and is sufficient to warrant sending notice to
2 the Class.

3 7. A Fairness Hearing shall be held before this Court before the undersigned, Hon.
4 Jeffrey S. White, on August 14, 2026, at 9:00 a.m. in Courtroom 5, 2nd floor, Ronald V.
5 Dellums Federal Building & United States Courthouse, 1301 Clay Street, Oakland, CA 94612 to
6 determine whether the settlement of the Action should be approved as fair, reasonable, and
7 adequate, and finally approved pursuant to Rule 23(e) of the Federal Rules of Civil Procedure.

8 8. Papers in support of final approval of the Settlement Agreement and Fee and
9 Service Application must be filed at least 21 days prior to the Fairness Hearing.

10 9. Class Counsel, in conjunction with Defendants and the Settlement Administrator,
11 is hereby authorized to establish the means necessary to administer the proposed settlement and
12 implement the claim process, in accordance with the terms of the Settlement Agreement.

13 10. The form and content of the proposed Class Notice, and the notice methodology
14 described in the Settlement Agreement, are hereby approved as the best notice practicable.

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16 **IT IS SO ORDERED.**

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18 Date: March 24, 2026



U.S. DISTRICT COURT JUDGE
HON. JEFFREY S. WHITE