

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/17/2025

JESSY MANGAHAS, and PITHCHAYA
WOHLFAHRT, *on behalf of themselves and all others
similarly situated,*

Plaintiffs,

-V-

EIGHT ORANGES INC., *et al.*,

Defendants.

22-cv-4150 (LJL)

ORDER

ORDER PRELIMINARILY APPROVING SETTLEMENT AND AUTHORIZING DISSEMINATION OF NOTICE OF SETTLEMENT

LEWIS J. LIMAN, United States District Judge:

1. The Court preliminarily approves the Joint Stipulation of Settlement and Release (the “Agreement”) attached as Exhibit A to the Declaration of Armando A. Ortiz, *see* Dkt. No. 194-1, and finds, pursuant to Rule 23(e)(1)(B)(i) of the Federal Rules of Civil Procedure, that it will likely be able to finally approve the Agreement under Rule 23(e)(2) as being fair, reasonable, and adequate to the Settlement Class.
2. The Court reaffirms Fitapelli & Schaffer, LLP as appropriate Class Counsel.
3. The Court appoints Rust Consulting as the Settlement Claims Administrator (the “Claims Administrator”). As set forth in the Agreement, the Claims Administrator’s reasonable costs and expenses shall be reimbursed from the Settlement Fund only to the extent those costs and expenses do not exceed \$35,000. Absent further order of the Court, any amount exceeding \$35,000 shall be paid outside of the Settlement Fund.
4. The Court approves as to form and content the Notice of Proposed Class Action

2. The Court reaffirms Fitapelli & Schaffer, LLP as appropriate Class Counsel.

3. The Court appoints Rust Consulting as the Settlement Claims Administrator (the “Claims Administrator”). As set forth in the Agreement, the Claims Administrator’s reasonable costs and expenses shall be reimbursed from the Settlement Fund only to the extent those costs and expenses do not exceed \$35,000. Absent further order of the Court, any amount exceeding \$35,000 shall be paid outside of the Settlement Fund.

4. The Court approves as to form and content the Notice of Proposed Class Action

Settlement (the “Notice”) attached as exhibit B to the Declaration of Armando A. Ortiz, *see* Dkt. No. 194-2, and authorizes distribution of the Notice to all Class Members in the manner set forth in the Agreement. The Court finds such notice reasonable under Rule 23(e)(1)(B).

5. As specified in the Notice, any Class Member may request exclusion from the Settlement Class in writing within thirty (30) calendar days from the date on which the Claims Administrator mails the Notice. Similarly, and as further specified in the Notice, Class Members may present written objections regarding the Agreement within thirty (30) calendar days from the date on which Claims Administrator mails the Notice.

6. The Court’s preliminary approval is subject to further consideration at a Fairness Hearing (the “Fairness Hearing”), where the Court will consider Plaintiffs’ motion for Final Approval and determine whether to finally approve the Agreement, including payment of attorneys’ fees and costs, as fair, reasonable, and adequate under Rule 23(e)(2). At the Fairness Hearing, the Court will additionally consider the Agreement’s compliance with the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.* *See Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199, 206 (2d Cir. 2015) (holding that “stipulated dismissals settling FLSA claims with prejudice require the approval of the district court . . . to take effect”); *see also* Dkt. No. 191 at 1 n.1 (noting substantive overlap between a Rule 23 fairness hearing and a *Cheeks* conference, and requesting one consolidated hearing).

7. Plaintiffs’ motion for Final Approval of the Agreement is due October 14. The Fairness Hearing is scheduled for October 21, 2025, at 12:00 PM, in Courtroom 15C of the Daniel Patrick Moynihan United States Courthouse, 500 Pearl St., New York, NY 10007-1312.

SO ORDERED.

Dated: July 17, 2025
New York, New York

A handwritten signature in black ink, appearing to read 'L. Liman', written over a horizontal line.

LEWIS J. LIMAN
United States District Judge