

1 DAVID G. SPIVAK (SBN 179684)
david@spivaklaw.com
2 CHRISTINA J. PREJEAN (SBN 314772)
christina@spivaklaw.com
3 THE SPIVAK LAW FIRM
4 8605 Santa Monica Bl
PMB 42554
5 West Hollywood, CA 90069
Telephone: (213) 725-9094
6 Facsimile: (213) 634-2485

7 Attorneys for Plaintiff(s),
8 MARIA VELEZ and CLAUDIA TORREZ, and all others similarly situated

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

10 **FOR THE COUNTY OF SACRAMENTO**

11 **(UNLIMITED JURISDICTION)**

12 MARIA VELEZ and CLAUDIA TORREZ, on
13 behalf of themselves and as “aggrieved
employees” on behalf of other “aggrieved
14 employees” under the Labor Code Private
Attorneys General Act of 2004,

15 *Plaintiff(s),*

16 vs.

17
18 RENAISSANCE FOOD GROUP, LLC, a
19 Delaware limited liability company; GH FOODS,
CA, LLC, a California limited liability company;
20 CALAVO GROWERS, INC., a California
corporation; and DOES 1–50, inclusive,

21 *Defendants.*
22
23
24

Case No. 34-2019-00250841

**NOTICE OF PLAINTIFFS’ MOTION
AND MOTION FOR APPROVAL OF
PAGA SETTLEMENT**

Action filed: February 19, 2019
Hearing Date: August 5, 2022
Hearing Time: 9:00 a.m.
Hearing Dept.: 25, The Honorable Jill H.
Talley

**Submitted Herewith Under Separate
Cover:**

1. Memorandum of Points and Authorities;
2. Declarations of David Spivak, Claudia Torrez, and Maria Velez; and
3. [Proposed] Order and Judgment Approving PAGA Settlement



SPIVAK LAW

Mail:
8605 Santa Monica Bl
PMB 42554
West Hollywood, CA 90069
(213) 725-9094 Tel
(213) 634-2485 Fax
SpivakLaw.com

Office:
15303 Ventura Bl
Ste 900
Sherman Oaks, CA 91403

1 TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on August 5, 2022 at 9:00 a.m., or as soon thereafter as the
3 matter may be heard, in Department 25 of the Sacramento County Superior Court, located at
4 Superior Court for the State of California, County of Sacramento, Hall of Justice, 813 6th Street,
5 Sacramento, CA 95814, Plaintiffs Maria Velez (“Velez”) and Claudia Torrez (“Torrez”)
6 (collectively, “Plaintiffs”) will and hereby do move this Court for an order approving the PAGA
7 Action Settlement Agreement (the “Settlement”)¹ between Plaintiffs and Defendant Renaissance
8 Food Group, LLC, Defendant GH Foods, CA, LLC, and Defendant Calavo Growers, Inc.
9 (collectively “Defendants”) (Plaintiffs and Defendants are collectively the “Parties”).

10 The PAGA Settlement is on behalf of Plaintiffs and all current and former hourly, non-
11 exempt California employees Defendants employed at any time during the PAGA Period (the
12 “PAGA Collective Members”). The “PAGA Period” means the period from December 16, 2017,
13 through November 05, 2020. Plaintiffs allege that Defendants are liable to them and other PAGA
14 Collective Members for violations of the Labor Code that were alleged in the Action, or that could
15 have been alleged in the Action based on the facts alleged in the Action, which includes, but is
16 not limited to, alleged violations of Labor Code sections 201-204, 221, 226, 226.7, 510, 512,
17 558.1, 1194, 1197, 1198, and 2698 *et seq.* (“PAGA Released Claims”).

18 The Motion is based on this Notice of Motion and Motion, the attached Memorandum of
19 Points and Authorities, the declarations of David Spivak, Claudia Torrez, and Maria Velez, the
20 PAGA Settlement, all papers and pleadings on file with the Court in this action, all matters
21 judicially noticeable, and on such oral and documentary evidence as may be presented in
22 connection with the hearing on the Motion.

23 Pursuant to Local Rule 1.06 (A), the court will make a tentative ruling on the merits of
24 this matter by 2:00 p.m., the court day before the hearing. The complete text of the tentative
25 rulings for the department may be downloaded from the Court's public access site. If you do not
26 have online access, you may call the dedicated phone number for the department as referenced in

27
28 ¹ The Settlement is attached as Exhibit 1 to the Declaration of David Spivak (“DS”), which is
submitted herewith under a separate cover.



SPIVAK LAW

Mail:
8605 Santa Monica Bl
PMB 42554
West Hollywood, CA 90069
(213) 725-9094 Tel
(213) 634-2485 Fax
SpivakLaw.com

Office:
15303 Ventura Bl
Ste 900
Sherman Oaks, CA 91403

1 the local telephone directory, between the hours of 2:00 p.m. and 4:00 p.m. on the court day
2 before the hearing and listen to the tentative ruling. If you do not call the court and the opposing
3 party by 4:00 p.m. the court day before the hearing, no hearing will be held.

4 Respectfully submitted,

THE SPIVAK LAW FIRM

5
6 Dated: June 3, 2022

By: 

DAVID G. SPIVAK
CHRISTINA J. PREJEAN
Attorneys for Plaintiffs, MARIA
VELEZ and CLAUDIA TORREZ



SPIVAK LAW

Employee Rights Attorney
Mail:
8605 Santa Monica Bl
PMB 42554
West Hollywood, CA 90069
(213) 725-9094 Tel
(213) 634-2485 Fax
SpivakLaw.com

Office:
15303 Ventura Bl
Ste 900
Sherman Oaks, CA 91403