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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE**

KATHERYN ENRIQUEZ, as individuals and
on behalf of other similarly situated
employees,

Plaintiff,
vs.

VINTAGE REAL ESTATE GROUP, INC., a
California corporation, and DOES 1-50,
inclusive,

Defendants

CASE NO: 30-2020-01157744-CU-OE-CXC

Assigned for all purposes to:
Judge Peter J. Wilson
Dept. CX102

**NOTICE OF RULINGS AT THE
MARCH 30, 2023 MOTION FOR
APPROVAL OF CLASS SETTLEMENT**

Hearing Date: March 30, 2023
Hearing Time: 2:00 p.m.
Department: CX101

Case filed: August 28, 2020
Trial date: February 27, 2023

**NOTICE OF RULINGS AT THE MARCH 30, 2023, MOTION
FOR APPROVAL OF CLASS SETTLEMENT**

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE THAT** The Parties submitted Tentative Rulings, therefore no
3 appearance by all parties at the March 30, 2023, Motion for Approval of Class Settlement
4 hearing at 2:00 p.m. where the Honorable Peter J. Wilson in Department CX101 of the Orange
5 County Superior Court located at 751 W. Santa Ana Blvd, Santa Ana, California 92701 made the
6 following rulings, as set forth in **Exhibit A**:

- 7 1. The Court continued the Motion for Preliminary Approval of CLASS and PAGA Action
8 to May 4, 2023, at 2:00 p.m. in the above court to allow the parties to respond to the
9 issues stated in the tentative rulings as **Exhibit A**;
- 10 2. The Parties are to file a supplemental brief 9 court days before the hearing and respond
11 to the listed issues in the tentative rulings 1 through 11;
- 12 3. Ordered Plaintiff to give notice, including to the LWDA, and to file a proof of service at
13 least 5 days before the hearing.
- 14

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16 Dated: April 20, 2023,

Jackson APC

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18 By: */s/ Andrea Fernandez-Jackson*
19 Andrea Fernandez-Jackson
20 Attorneys for Plaintiff Katheryn Enriquez
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EXHIBIT A

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF ORANGE
CIVIL COMPLEX CENTER**

MINUTE ORDER

DATE: 03/30/2023

TIME: 02:00:00 PM

DEPT: CX101

JUDICIAL OFFICER PRESIDING: Peter Wilson

CLERK: V. Harting

REPORTER/ERM: None

BAILIFF/COURT ATTENDANT: I. Olivares

CASE NO: **30-2020-01157744-CU-OE-CXC** CASE INIT.DATE: 08/28/2020

CASE TITLE: **Enriquez vs. Vintage Real Estate Group, Inc.**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Other employment

EVENT ID/DOCUMENT ID: 73945306

EVENT TYPE: Motion for Approval of Class Settlement

MOVING PARTY: Katheryn Enriquez

CAUSAL DOCUMENT/DATE FILED: Motion - Other For Preliminary Approval of Class Action Settlement, 10/19/2022

APPEARANCES

No Appearance by all parties

Tentative Ruling posted on the Internet.

The Court confirms the tentative ruling as follows:

The hearing on the Motion for Preliminary Approval of Class and PAGA Action Settlement is CONTINUED to May 4, 2023 at 2:00 p.m. in department CX101 to permit the parties to respond to the following issues. A supplemental brief shall be filed at least 9 court-days before the continued hearing and shall respond, where necessary, to each of the points raised below.

1. The Amendment to Settlement Agreement (Amendment) deletes the separate Class Release and PAGA Release and replaces only the Class Release. The Class Release does not include a time frame for the release. How will Class Members who are PAGA Group Members know what claims they are releasing if they opt out of the Class Settlement?

2. The definitions in the Class Notice for the Class and PAGA Group Members are not the same as the definitions in the Settlement and Amendment. Compare ROA 129, Ex. 1, Amendment, p. 1:13-16 and Ex. 4, §4 [Class definition] and Settlement, at ¶1.aa and ROA 129, Ex. 4, §4 [PAGA Group Members definition].

3. The tax allocations for the individual settlement payment in Section 6 of the Class Notice are not consistent with the tax allocations in the Settlement. Compare Settlement, at 3.06.f and g and ROA 129, Ex. 4, §6.

4. The Class Notice provides that for disputes, Defendant's records will be "presumed determinative" (ROA 129, Ex. 4 § 6) but that is not in the Settlement. Additionally, the "or" should be deleted in the following sentence: "Those who wish to submit such a dispute must mail a written dispute or to the Settlement Administrator".

5. The department should be updated on the caption page of the proposed Order.

6. The Amendment must be referenced and attached as an Exhibit in the proposed Order.
 7. Paragraph 3 in the proposed Order refers to the Class as "Nonexempt Class". To avoid confusion, "Nonexempt" should be deleted.
 8. The proposed Order should use the same definition for PAGA Group Members as set forth in the Settlement and "PAGA Group Members" should be used to refer to aggrieved employees so that the proposed Order is consistent with the Settlement.
 9. It is unclear why information about objections are in two separate paragraphs in the proposed Order. ROA 129, Ex. 5, ¶¶10 and 12.
 10. The deadline for requests for exclusions is not provided in paragraph 11.
 11. Paragraph 12 in the proposed Order combines information about objections and disputes. The deadline and procedure for objections should be separated from the deadline and procedure for disputes.
- Plaintiff is ordered to give notice, including to the LWDA, and to file a proof of service at least 5 days before the hearing.

PROOF OF SERVICE
STATE OF CALIFORNIA
COUNTY OF ORANGE

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is 2 Venture Plaza, Ste. 240, Irvine, California 92618. My email is ygarcia@Jacksonapc.com

On April 20, 2023, referring to the foregoing document described as:

**NOTICE OF RULINGS AT THE MARCH 30, 2023,
MOTION FOR APPROVAL OF CLASS SETTLEMENT**

Was served on the interested parties in this action:

LAW OFFICE OF KAREN J SLOAT Karen J. Sloat Esq. karen@karensloathlaw.com Craig Sterling, Esq. craig@karensloatlaw.com Chris Hellmich Esq. chris@karensloathlaw.com 42-600 Caroline Court, Suite 101 Palm Desert, CA 92211 Phone (760) 779-1313 Fax : (760) 340-4834 CC: thai@karensloatlaw.com	Attorneys for Defendant Vintage Real Estate Group, Inc.
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(XX) **[BY EMAIL OR ELECTRONIC TRANSMISSION]** –I caused all of the pages of the above-entitled document created as a portable document file format and attached to a properly addressed electronic mail message to be sent to the interested parties in this action on the date specified below. The email address I used is noted above.

Executed on April 20, 2023, at Irvine, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

/s/ Yulisa Garcia