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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SONOMA

RAFAEL ESCOBAR, individually and on
behalf of all others similarly situated,

Plaintiff,

vs.

HUNEEUS VINTNERS, LLC, a Delaware
limited liability company; and DOES 1 through
50, inclusive,

Defendants.

Case No. SCV-265937

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: TBD
Time: TBD
Dept.: 19

1 Plaintiff Rafael Escobar's ("Plaintiff") Motion for Preliminary Approval of Class Action
2 Settlement came on regularly for hearing before this Court, Department 19, on _____,
3 2021, the Honorable Gary Nadler, Judge presiding. The Court having considered the papers submitted
4 in support of the application of the parties, HEREBY GRANTS THE MOTION FOR
5 PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT AND ORDERS THE
6 FOLLOWING:

- 7 1. The Court grants preliminary approval of the settlement based upon the terms set forth
8 in the Joint Stipulation for Class Action Settlement and Release (hereinafter referred to
9 as "Settlement Agreement") filed herewith. The Settlement appears to be fair, adequate
10 and reasonable to the Class.
- 11 2. The Settlement Agreement falls within the range of reasonableness and appears to be
12 presumptively valid, subject only to any objections that may be raised at the final
13 fairness hearing and final approval by this Court.
- 14 3. A final fairness hearing on the question of whether the proposed Settlement
15 Agreement, attorneys' fees to Class Counsel, the Class Representative's Enhancement
16 Award, and the Settlement Administrator's Costs should be finally approved as fair,
17 reasonable and adequate as to the members of the Class is scheduled in Department 19
18 on the date and time set forth in the schedule in Paragraph 8 below.
- 19 4. This Court approves, as to form and content, the Notice of Class Action Settlement in
20 the form attached to the Settlement Agreement Exhibit A. The Court approves the
21 procedure for Class Members to participate in, to opt out of, and to object to, the
22 Settlement as set forth in the Settlement Agreement.
- 23 5. The Court directs the mailing of the Notice of Class Action Settlement by first class
24 mail to the Class Members in accordance with the schedule set forth below. The Court
25 finds the dates selected for the mailing and distribution of the Notice of Class Action
26 Settlement meet the requirements of due process and provide the best notice practicable
27 under the circumstances and shall constitute due and sufficient notice to all persons
28 entitled thereto.

1 6. It is ordered that the Settlement Class is preliminarily certified for settlement purposes,
2 which is defined as: any and all persons who have been employed by Huneus Vintners
3 LLC or its related entities, as non-exempt employees in California at any time from
4 January 30, 2016 to the date of preliminary approval.

5 7. The Court confirms Phoenix Settlement Administrators as the Settlement
6 Administrator.

7 8. The Court orders the following schedule for further proceedings:

8 a. Defendants shall provide the Settlement Administrator, in electronic format and
9 within 21 calendar days upon granting of the preliminary approval Order by this
10 Court, with the Class List so that the Settlement Administrator can mail the
11 Notices of Class Action Settlement to the Class. Within ten (10) calendar days
12 of receipt of the Class List, the Settlement Administrator shall mail out the
13 Notices of Class Action Settlement to the Class Members using the most
14 current mailing address identified by reference to the Class Information and the
15 National Change of Address ("NCOA") database.

16 b. Deadline for Objection: within forty-five (45) calendar days after first mailing
17 of notice to class.

18 c. Deadline for Exclusion: within forty-five (45) calendar days after first mailing
19 of notice to class.

20 d. Filing date for Motion for Final Approval of Class Action Settlement,
21 Attorneys' Fees and Costs, Representative Enhancement and Administration
22 Costs: 16 court days before the Final Approval Hearing.

23 e. Final Approval Hearing set for _____ a.m./p.m. on
24 _____, 2022, in Department 19 of this Court.

25 **IT IS SO ORDERED.**

26 Dated: _____

27 HON. GARY NADLER
28 JUDGE OF THE SUPERIOR COURT