

ELECTRONICALLY FILED  
Superior Court of California  
County of Sonoma  
3/17/2025 10:28 AM  
Robert Oliver, Clerk of the Court  
By: Griselda Zavala, Deputy Clerk

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

JEFERSON GARCIA, an individual; WILSON  
GARCIA, an individual; ALICIA RUEDA DE  
LARA, an individual; and on behalf of other  
members of the general public similarly situated  
and other aggrieved employees,

Plaintiffs,

v.

RUSTIC BAKERY, INC., a California  
corporation; RUSTIC CAFÉ, INC., a Delaware  
corporation; RUSTIC BAKERY  
INTERNATIONAL, INC., a Delaware  
corporation; and DOES 1 through 10, inclusive,

Defendants.

**Case No. SCV-267534** **PMB**

**~~[PROPOSED]~~ ORDER GRANTING  
PRELIMINARY APPROVAL OF CLASS  
AND PAGA ACTION SETTLEMENT  
AND RELEASE**

Date: 1/24/2025

Time: 3:00 PM

Department: 16

[Assigned to the Honorable Patrick M.  
Broderick]

1 The Court has before it Plaintiffs Jeferson Garcia, Wilson Garcia, and Alicia Rueda De Lara's  
2 unopposed Motion for Preliminary Approval of Proposed Class and PAGA Action Settlement. After  
3 reviewing the Motion for Preliminary Approval and Joint Stipulation of Class and PAGA Action  
4 Settlement and Release (the "Settlement Agreement") filed with the Court, and good cause appearing  
5 therefore, the Court hereby finds, and orders as follows:

6 1. This Order incorporates by reference the Settlement Agreement and all defined terms  
7 herein shall have the same meaning as set forth in the Settlement Agreement.

8 2. The Court finds on a preliminary basis that the settlement memorialized in the  
9 Settlement Agreement appears to be fair, adequate, and reasonable, falls within the range of  
10 reasonableness, and therefore meets the requirements for preliminary approval.

11 3. The Court conditionally certifies for settlement purposes only the following class  
12 ("Class"):

13 All individuals who were employed by one or more of the Defendants as  
14 non-exempt employees in the State of California, from December 9, 2016,  
15 through the date the Court preliminary approves the Settlement Agreement  
16 who do not opt out of the Settlement Agreement. This includes any  
17 individuals who performed a "try out" during the Class Period, regardless  
18 of whether they were ultimately hired by Defendants as a non-exempt  
19 employee.

20 4. The Court finds, for purposes of settlement only, that the Class meets the requirements  
21 for certification under section 382 of the California Code of Civil Procedure in that: (1) the Class is so  
22 numerous that joinder is impracticable; (2) there are questions of law and fact that are common, or of  
23 general interest, to all Settlement Class Members, which predominate over individual issues; (3) the  
24 claims of the Plaintiffs are typical of the claims of the Class; (4) the Plaintiffs and Plaintiffs' counsel  
25 will fairly and adequately protect the interests of the Class; and (5) a class action is superior to other  
26 available methods for the fair and efficient adjudication of the controversy.

27 5. The Court appoints for settlement purposes only, Plaintiffs Jeferson Garcia, Wilson  
28 Garcia, and Alicia Rueda De Lara as class representatives for the Class.

6. The Court appoints, for settlement purposes only, Jose Macias, Jr., and Macias Rodriguez Adams LLP, as counsel for the Class.

7. The Court appoints Phoenix Settlement Administrators as the Settlement Administrator.

8. The parties are ordered to carry out the settlement according to the terms of the Settlement Agreement.

9. The Court adopts the following calendar of events for purposes of facilitating the Settlement and Notice to Class Members:

|                                                                                         |                                                                                                                                            |
|-----------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| Within Ten (10) days of the Court's entry of an Order of Preliminary Approval:          | Defendants provide Settlement Class Member List to the Settlement Administrator.                                                           |
| Within Thirty (30) days of the Court's entry of an Order of Preliminary Approval:       | Settlement Administrator mails Notice and Request for Exclusion Forms ("Settlement Documents") to all Settlement Class Members.            |
| Forty-Five (45) Days after the Settlement Administrator mails the Settlement Documents: | Postmark deadline for all Settlement Class Members to mail a written objection to the Settlement Administrator ("Objection Deadline").     |
| Forty-Five (45) Days after the Settlement Administrator mails the Settlement Documents: | Postmark deadline for all Settlement Class Members to mail a Request for Exclusion to the Settlement Administrator ("Exclusion Deadline"). |
| Five (5) business days after the Objection and Exclusion Deadlines:                     | Settlement Administrator provides Class Counsel and counsel for Defendants with a complete list of                                         |

Settlement Class Members who timely  
sent a Request for Exclusion or  
Objection.

Plaintiffs' motion for final approval of the class action settlement and for an award of attorneys' fees, costs and enhancement awards shall be filed on or before 5/9/2025. The Final Approval Hearing is to be held on 6/11/2025, at 3:pm in Department 16.

10. The Court approves, as to the form and content: (1) the Notice of Class Action Settlement ("Notice"), attached as Exhibit A to the Settlement Agreement, which informs the members of the Class of the terms of the proposed Settlement, the preliminary approval of the Settlement, and the scheduling of the Final Fairness Hearing; and (2) the Request for Exclusion Form attached as Exhibit B to the Settlement Agreement. The Court finds that the dates selected for the mailing and distribution of the Notice and Request for Exclusion Form meet the requirements of due process, provide the best notice practicable under the circumstances, and shall constitute due and sufficient notice to all persons entitled thereto.

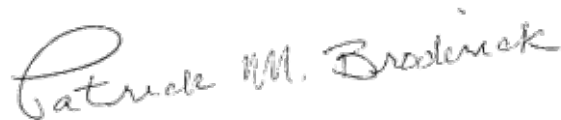
11. The Notice is hereby found to be the best means practicable of providing notice under the circumstances, and, when completed, shall constitute due and sufficient notice of the class action, proposed settlement, and the final approval hearing to all persons affected by and/or authorized to participate in the settlement, in full compliance with due process and the notice requirements of California Code of Civil Procedure § 877.6.

12. All proceedings other than those necessary to carry out the Settlement of this Order are stayed pending the final fairness hearing.

**IT IS HEREBY SO ORDERED.**

3/17/2025

Dated: \_\_\_\_\_



HON. PATRICK M. BRODERICK  
Sonoma County Superior Court Judge