



FILED
San Francisco County Superior Court

MAR 07 2025

CLERK OF THE SUPERIOR COURT
By Julia Allen Deputy

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO
DEPARTMENT 304

PABLO DZUL MAY, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

HWA MAY MARKET INC. D/B/A PACIFIC
SUPERMARKET, a California corporation;
and DOES 1 through 50, inclusive,

Defendants.

Case No. CGC-21-594169

ORDER GRANTING PLAINTIFF'S
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT

1 Plaintiff Pablo Dzul May ("Plaintiff") and Defendant Hwa May Market d/b/a Pacific
2 Supermarket ("Defendant") (collectively, "Parties") have reached terms of settlement for a
3 putative class and representative action. Plaintiff filed a Motion for Preliminary Approval of
4 Class Action Settlement. Having reviewed Plaintiff's motion and all papers submitted in support
5 thereof, including the Amended Stipulation of Class and Representative Action Settlement
6 ("Stipulation"), attached as Exhibit A to the Declaration of Launa Adolph filed on February 28,
7 2025, and good cause appearing therefor, the Court hereby finds and orders as follows:

8 1. This order ("Preliminary Approval Order") hereby incorporates by reference the
9 definitions in the Stipulation and all terms herein shall have the same meaning as set forth in the
10 Stipulation.

11 2. The Court finds on a preliminary basis that the terms memorialized in the
12 Stipulation appear to be fair, adequate, and reasonable, fall within the range of final approval, are
13 presumptively valid, and therefore meet the requirements for preliminary approval. The Court
14 hereby grants preliminary approval of the Settlement based upon the terms set forth in the
15 Stipulation.

16 3. The Class Members consist of: all persons employed by Defendant as non-exempt
17 employees in California at any time from July 29, 2017 to February 2, 2024.

18 4. The Court confirms its previous certification of the following subclasses: Meal
19 Break Subclass, Rest Period Subclass, and Derivative Claims Subclass. For settlement purposes
20 only, pursuant to California Code of Civil Procedure § 382, the Court hereby provisionally
21 certifies the class as to the following additional claims: failure to pay minimum wages, failure to
22 pay overtime wages, and failure to reimburse business expenses.

23 5. The Court finds, for purposes of settlement only, that the requirements for
24 certification under California Code of Civil Procedure § 382 are met as to these additional claims
25 in that: (1) the class is ascertainable and so numerous that joinder of all members is impractical;
26 (2) there are questions of law and fact that are common to the Class Members which predominate
27 over individualized issues; (3) Plaintiff's claims are typical of the claims of the class; (4) Plaintiff
28

1 and his counsel will fairly and adequately protect the interests of the class; and (5) a class action
2 is superior to other available methods for the fair and efficient adjudication of the controversy.

3 6. The Court appoints, for settlement purposes only, Plaintiff Pablo Dzul May as
4 class representative for the additional claims. The Court preliminarily finds that Plaintiff will
5 adequately represent the Settlement Class in accordance with Code of Civil Procedure § 382 for
6 settlement purposes.

7 7. The Court appoints, for settlement purposes only, Matthew J. Matern, Launa
8 Adolph, and Clare E. Moran of Matern Law Group, PC as Class Counsel for the additional
9 claims. The Court preliminarily finds that Class Counsel will represent the interests of the
10 Settlement Class in accordance with Code of Civil Procedure § 382 for settlement purposes.

11 8. The Court appoints Xpand Legal Consulting as the Settlement Administrator to
12 administer the settlement pursuant to the terms of the Stipulation.

13 9. The Court approves as to form and content the Notice of Class and Representative
14 Action Settlement ("Class Notice") attached to the Stipulation as Exhibit 1. The Court finds that
15 the notice plan as set forth in the Stipulation is the best means practicable under the circumstances
16 for providing notice to the Class Members, and when completed, shall constitute due and
17 sufficient notice of the class action, the proposed Settlement, and the final approval hearing to all
18 persons entitled to such notice, in full compliance with due process and applicable law.

19 10. The procedures set forth in the Stipulation for objecting to and requesting
20 exclusion from the proposed settlement are hereby approved.

21 11. The Court hereby directs the Parties and the Settlement Administrator to carry out
22 the notice plan according to the terms of the Stipulation.

23 12. A Final Approval Hearing on the question of whether the Settlement should be
24 finally approved as fair, reasonable, and adequate as to all Class Members who do not timely opt
25 out of the non-PAGA portion of the Settlement is scheduled on the date and time set forth below.

26 13. The Court reserves the right to continue the date of the Final Approval Hearing.
27 Any Class Members who submit objections to the Settlement shall receive notice if the Final
28 Approval Hearing is continued.

14. The Court retains jurisdiction to consider all further applications arising out of or connected with the proposed Settlement.

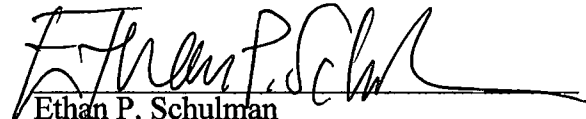
15. Class Counsel shall submit a copy of this Order to the Labor and Workforce Development Agency within 10 days after entry pursuant to Labor Code § 2699(s)(3).

16. The Court sets the following implementation schedule:

Deadline for Defendant to provide the Class Information to Settlement Administrator	No later than 20 calendar days after entry of Preliminary Approval Order
Deadline for Settlement Administrator to mail and email Class Notice to Class Members	No later than 10 calendar days after Settlement Administrator receives Class Information
Deadline for Class Members to submit a Notice of Objection, Request for Exclusion, or dispute regarding the number of Workweeks ("Response Deadline")	No later than 45 calendar days after the Settlement Administrator mails the Notice Packets to the Class Members
Deadline for Plaintiff to file Motion for Final Approval of Class Action Settlement and respond to any objections	At least 16 court days prior to Final Approval Hearing
Final Approval Hearing	June 18, 2025, at 10:00 a.m., Dept. 304

IT IS SO ORDERED.

Dated: March 7, 2025


Ethan P. Schulman
Judge of the Superior Court

CERTIFICATE OF ELECTRONIC SERVICE
(CCP 1010.6(6) & CRC 2.260(g))

I, Felicia Green, a Deputy Clerk of the Superior Court of the County of San Francisco, certify that I am not a party to the within action.

On March 7, 2025, I electronically served ORDER GRANTING PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT via File & ServeXpress on the recipients designated on the Transaction Receipt located on the File & ServeXpress website.

Dated: **MAR 07 2025**

Brandon E. Riley, Court Executive Officer

By: 
Felicia Green, Deputy Clerk