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Attorneys for Plaintiffs, Chris Diller & Edward Sandoval

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Attorneys for Plaintiff, Israel Cruz Chan

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SACRAMENTO

CHRIS N. DILLER, EDWARD SANDOVAL,	)	CASE NO. 34-2020-00281372
and ISRAEL CRUZ CHAN, on behalf of	)	
themselves and all others similarly situated;	)	CLASS ACTION
	)	
Plaintiffs,	)	REQUEST FOR JUDICIAL NOTICE IN
vs.	)	SUPPORT OF MOTION FOR FINAL
	)	APPROVAL OF CLASS ACTION
	)	SETTLEMENT
GOLDEN STATE SUPPLY LLC, a Nevada	)	
Limited Liability Company; WORLDWIDE	)	
AUTO PARTS, INC., a Corporation; and	)	Date: September 29, 2023
DOES 1-100, Inclusive,	)	Time: 9:00 a.m.
	)	Dept.: 27

Defendants.) Judge: Hon. Jill Talley
)
) Complaint filed: July 1, 2020
) Trial Date: None
)
) **UNLIMITED CIVIL CASE**
)
_____)

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

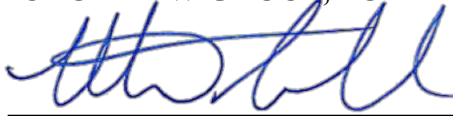
PLEASE TAKE NOTICE that Plaintiffs, Chris Diller, et al. (hereinafter "Plaintiffs"), hereby respectfully request that the Court take judicial notice of the following documents, records, decisional law, and pleadings pursuant to Evidence Code section 452 in Support of Plaintiffs' Motion for Final Approval of Class Action Settlement:

1. Plaintiffs request the Court take judicial notice of the Joint Stipulation and Order for Continuance of the Motion for Final Approval Hearing Date entered on January 31, 2023. For the Court's convenience, a true and correct copy of the Stipulation and Order is attached hereto as **Exhibit 1**.

2. Plaintiffs request the Court take judicial notice of the Second Joint Stipulation to Amend Proposed Class Definition entered on May 9, 2023. For the Court's convenience, a true and correct copy of the Stipulation and Order is attached hereto as **Exhibit 2**.

DATED: September 5, 2023

SCHOECH LAW GROUP, PC

By: 

MATTHEW R. SCHOECH
Attorneys for Plaintiff

EXHIBIT 1

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3 725 South Figueroa Street, Suite 2500
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6 Facsimile: (213) 689-0430
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8 Robert Yang (State Bar No. 312964)
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14 E-mail: Rob.Yang@jacksonlewis.com

15 Attorneys for Defendant
16 GOLDEN STATE SUPPLY LLC and
17 WORLDWIDE AUTO PARTS, INC.

18 (additional counsel listed on next page)

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SACRAMENTO

CHRIS N. DILLER, EDWARD SANDOVAL,
and ISRAEL CRUZ CHAN on behalf of
themselves and all others similarly situated;

Plaintiffs,

vs.

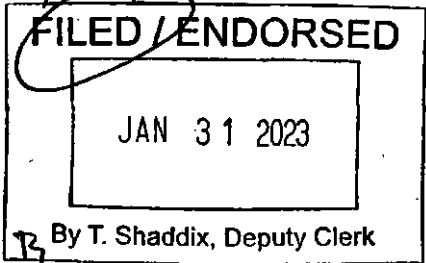
GOLDEN STATE SUPPLY LLC, a Nevada
Limited Liability Company; WORLDWIDE
AUTO PARTS, INC., a Corporation; DOES 1-
100, Inclusive,

Defendants.

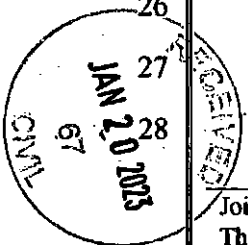
Case No. 34-2020-00281372-CU-OE-GDS

~~ORDER~~
JOINT STIPULATION FOR
CONTINUANCE OF THE MOTION
FOR FINAL APPROVAL HEARING
DATE

Complaint Filed: 07/01/2020
FAC Filed: 08/24/2020
SAC Filed: 05/26/2022
Trial Date: Not Set



BY FAX



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9 MEGAN DEHERRERA (SBN 306646)
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16 megan@vdlitigation.com

17 **ATTORNEYS FOR PLAINTIFFS**
18 **CHRIS DILLER & EDWARD SANDOVAL**

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28 **ATTORNEYS FOR PLAINTIFF**
ISRAEL CRUZ CHAN

1 **TO THE HONORABLE COURT:**

2 The following Stipulation is entered into between Plaintiffs Chris N. Diller, Edward
3 Sandoval, and Israel Cruz Chan ("Plaintiffs"), by and through their counsel of record Schoech Law
4 Group, PC, Van Dyke Litigation & Trial Attorneys PC, and Rastegar Law Group, APC, and
5 Defendants Golden State Supply, LLC and Worldwide Auto Parts, Inc. ("Defendants"), by and
6 through their counsel of record Jackson Lewis, P.C. (Plaintiffs and Defendants collectively the
7 "Parties").

8 WHEREAS, Plaintiffs filed their Second Amended Complaint with Class Allegations
9 ("SAC") on May 26, 2022.

10 WHEREAS, the Court granted Plaintiffs' Motion for Preliminary Approval of the Class
11 Action Settlement on October 31, 2022, ordering that the Final Approval Hearing be set for
12 February 3, 2023 at 9:00 a.m., and that the Motion for Final Approval be filed by the Class
13 representative no later than sixteen (16) days before the Final Approval Hearing.

14 WHEREAS, on December 14, 2022 and pursuant to the Parties' Joint Stipulation to Amend
15 Proposed Class Definition, the Court ordered that the Settlement Class in this matter be redefined
16 as follows:

17 *The Class Members shall consist of all persons employed by Golden State Supply,*
18 *LLC or Worldwide Auto Parts, Inc., who work in any non-exempt hourly paid*
19 *position at any Carquest branded retail location and/or Distributions Centers in*
 California, at any time between July 1, 2016 to preliminary approval.

20 See Exhibit "A".

21 WHEREAS, Defendants provided the class list, based on the redefined Class Definition,
22 to Phoenix Class Administration Solutions on January 19, 2023.

23 WHEREAS, pursuant to the Settlement Agreement, Phoenix Class Administration ("Class
24 Administrator") Solutions shall distribute the Class Notice to all settlement class members and
25 aggrieved employees by February 3, 2023.

26 WHEREAS, the estimated end of the Opt-Out Period is March 20, 2023, based on a Class
27 Notice mailing date of February 3, 2023.

1 WHEREAS, the Parties and Class Administrator have been working diligently to effectuate
2 the terms of the Settlement Agreement. Due to the redefined Class Definition, the Parties are
3 unable to adhere to the original schedule pursuant to the Settlement Agreement. Moreover, the
4 requested continuance will not prejudice the Parties.

5 WHEREAS, this joint stipulation is made in good faith and is not made with the intent to
6 delay these proceedings or for any improper purpose.

7 WHEREAS the Parties met and conferred and agree to continue the Final Approval hearing
8 to April 21, 2023, or at a date and time convenient with the Court.

9 NOW THEREFORE, the Parties stipulate, agree, and respectfully request that the Court
10 continue the Final Approval date previously set for February 3, 2023, to be continued to April 21,
11 2023, or another date thereafter convenient for the Court and that the Motion for Final Approval
12 shall be filed by Class Representative no later than sixteen (16) court days before the Final
13 Approval Hearing.

14 IT IS SO STIPULATED.

15
16 Dated: January __, 2023

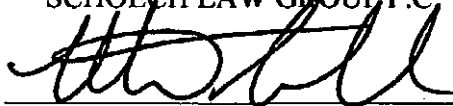
JACKSON LEWIS P.C.

17
18 By: 

19 Adam Y. Siegel
20 Robert Yang
Attorneys for Defendants
GOLDEN STATE SUPPLY LLC and
WORLDWIDE AUTO PARTS, INC.

21 Dated: January 20, 2023

SCHOECH LAW GROUP P.C.

22
23 By: 

24 Matthew R. Schoech
25 Attorneys for Plaintiffs
26 Chris N. Diller and Edward Sandoval
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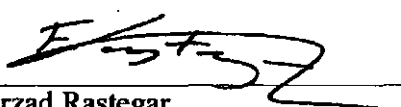
Dated: January 20, 2023

VAN DYKE LITIGATION & TRIAL
ATTORNEYS, PC

BY: 
Glen A. Van Dyke
Megan DeHerrera
Attorneys for Plaintiffs
Chris N. Diller and Edward Sandoval

Dated: January 20, 2023

RASTEGAR LAW GROUP, APC

By: 
Farzad Rastegar
Attorneys for Plaintiff
Israel Cruz Chan

[PROPOSED] ORDER

Pursuant to the Stipulation of the Parties, good cause appearing, IT IS HEREBY ORDERED THAT:

1. The Final Approval hearing is continued to 4/26/23, 2023, at 9:00 a.m.

2. Plaintiff's deadline to file a Motion for Final Approval shall be filed by Class Representative no later than sixteen (16) court days before the Final Approval Hearing.

IT IS SO ORDERED.

Date:

1/31/23



Jill Talley
Superior Court Judge, Hon. Jill Talley

JILL H. TALLEY

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On January 20, 2023, I caused to be served the attached **JOINT STIPULATION FOR CONTINUANCE OF THE MOTION FOR FINAL APPROVAL HEARING DATE** in this action by e-mailing true and correct copy thereof (in PDF format) to counsel and staff of All Parties on record, whose addresses and e-mail addresses are as follows:

Glen A. Van Dyke, Esq.
Megan D. DeHerrera, Esq.
Van Dyke Litigation & Trial Attorneys, PC
940 Southwood Blvd., Ste. 102
Incline Village, NV 89451-7401
Tel.: (530) 214-3667
E-mails: glen@vdlitigation.com
megan@vdlitigation.com
cc: kelsey@vdlitigation.com

Attorneys for Plaintiffs
CHRIS N. DILLER and EDWARD
SANDOVAL

☒ **BY MAIL:** United States Postal Service by placing sealed envelopes with the postage thereon fully prepaid, placed for collection and mailing on this date, following ordinary business practices, in the United States mail at San Francisco, California. [(X) *Courtesy copy by e-mail.*]

☐ **BY OVERNIGHT DELIVERY:** I caused such envelopes to be delivered to the above address within 24 hours by overnight delivery service.

☒ **BY ELECTRONIC MAIL:** I caused such document to be transmitted by electronic mail from Marilou.barairo@jacksonlewis.com to the e-mail addresses indicated above by written agreement, e-mails dated **10/20/2020 at 8:02 a.m. and 1/10/2023 @ 3:27 p.m.**, wherein counsel for the parties agreed to e-service. C.C.P. §§ 1013(g) and 1010.6(B).

1 I declare under penalty of perjury, under the laws of the State of California, that the
2 above is true and correct.

3
4 Executed on January 20, 2023, at Millbrae, California.

5
6 *Marilou R. Barairo*

7
8 Marilou R. Barairo

9
10 4894-6185-4028, v. 1

EXHIBIT 2

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14 E-mail: Rob.Yang@jacksonlewis.com

15 Attorneys for Defendant
16 GOLDEN STATE SUPPLY LLC

17 (additional counsel listed on next page)

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SACRAMENTO

CHRIS N. DILLER, EDWARD SANDOVAL,
and ISRAEL CRUZ CHAN on behalf of
themselves and all others similarly situated;

Plaintiffs,

vs.

GOLDEN STATE SUPPLY LLC, a Nevada
Limited Liability Company; WORLDWIDE
AUTO PARTS, INC., a Corporation; DOES 1-
100, Inclusive,

Defendants.

Case No. 34-2020-00281372-CU-OE-GDS

**SECOND JOINT STIPULATION TO
AMEND PROPOSED CLASS
DEFINITION**

Complaint Filed: 07/01/2020
FAC Filed: 08/24/2020
SAC Filed: 05/26/2022
Trial Date: Not Set

FILED
Superior Court of California
County of Sacramento
05/09/2023
T. Shaddix, Deputy

BY FAX



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28 ATTORNEYS FOR PLAINTIFF

ISRAEL CRUZ CHAN

1 **TO THE HONORABLE COURT:**

2 The following Stipulation is entered into between Plaintiffs Chris N. Diller, Edward
3 Sandoval, and Israel Cruz Chan (“Plaintiffs”), by and through their counsel of record Schoech
4 Law Group, PC, Van Dyke Litigation & Trial Attorneys PC, and Rastegar Law Group, APC, and
5 Defendants Golden State Supply, LLC and Worldwide Auto Parts, Inc., by and through their
6 counsel of record Jackson Lewis, P.C. (Plaintiffs and Defendant collectively the “Parties”):

7 WHEREAS, Plaintiffs filed their Second Amended Complaint with Class Allegations
8 (“SAC”) on May 26, 2022;

9 WHEREAS, the Court granted Plaintiffs’ Motion for Preliminary Approval of the
10 Parties’ Settlement Agreement on October 31, 2022;

11 WHEREAS, on December 14, 2022, and pursuant to the Parties’ Joint Stipulation to
12 Amend Proposed Class Definition, the Court ordered that the Settlement Class in this mater be
13 redefined as follows:

14 *The Class Members shall consist of all persons employed by Golden State*
15 *Supply, LLC or Worldwide Auto Parts, Inc., who work in any non-exempt*
16 *hourly paid position at any Carquest branded retail location and/or*
 Distributions Centers in California, at any time between July 1, 2016 to
 preliminary approval.

17 WHEREAS, Defendants provided the class list, based on the above Class Definition, to
18 Phoenix Class Administration Solutions (“Class Administrator”) on January 19, 2023;

19 WHEREAS, on January 23, 2023, and pursuant to the Parties’ Joint Stipulation for
20 Continuance of the Motion for Final Approval Hearing Date, the Court continued the Final
21 Approval hearing from February 3, 2023 to April 21, 2023;

22 WHEREAS, on or about February 9, 2023, counsel of Plaintiffs determined that there
23 may be a discrepancy between the class size from the class list provided to the Class
24 Administrator and the class list as contemplated in the Settlement Agreement. The Parties
25 promptly met and conferred regarding the class size and agreed that additional time was needed
26 to determine the best course of action. Accordingly, the Parties further agreed to continue the
27 Final Approval hearing to continue negotiations;

28 WHEREAS, on March 2, 2023, the Court granted the Parties’ oral request, at the Case

1 Management Conference, to continue the Final Approval hearing from April 21, 2023 to June
2 30, 2023;

3 WHEREAS, on or about April 11, 2023, the Parties agreed to resolve the class size
4 discrepancy. On the one hand, Defendant agreed to pay an additional \$100,000, in addition to the
5 additional administration costs to the Class Administrator, to ensure that the Class Members all
6 receive their fair share of the settlement payment. On the other hand, Plaintiff agreed to modify
7 the class list to address the increase in class size (while continuing to exclude Advance Auto
8 Parts store brand employees);

9 WHEREAS, the Parties met and conferred regarding the definition of the amended
10 proposed class and agree on redefining the Settlement Class as follows:

11 *The Class Members shall consist of all persons employed by Golden State*
12 *Supply, LLC or Worldwide Auto Parts, Inc., who work in any non-exempt*
13 *hourly paid position at any Carquest branded retail location and/or*
14 *Distributions Centers in California, at any time between July 1, 2016 to*
15 *December 31, 2021.*

16 IT IS SO STIPULATED.

17 Dated: April 21, 2023

JACKSON LEWIS P.C.

18 By: 
19 _____

20 Adam Y. Siegel
21 Robert Yang
22 Attorneys for Defendants
23 GOLDEN STATE SUPPLY LLC and
24 WORLDWIDE AUTO PARTS, INC.

25 Dated: April 21, 2023

SCHOECH LAW GROUP P.C.

26 By: 
27 _____

28 Matthew R. Schoech
Attorneys for Plaintiffs
Chris N. Diller and Edward Sandoval

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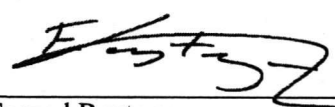
Dated: April, 21, 2023

VAN DYKE LITIGATION & TRIAL
ATTORNEYS, PC

BY: 
Glen A. Van Dyke
Megan DeHerrera
Attorneys for Plaintiffs
Chris N. Diller and Edward Sandoval

Dated: April 21, 2023

RASTEGAR LAW GROUP, APC

By: 
Farzad Rastegar
Attorneys for Plaintiff
Israel Cruz Chan

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~~PROPOSED~~ ORDER

IT IS SO ORDERED that pursuant to the Parties' Joint stipulation, the Settlement Class in this matter is redefined as:

The Class Members shall consist of all persons employed by Golden State Supply, LLC or Worldwide Auto Parts, Inc., who work in any non-exempt hourly paid position at any Carquest branded retail location and/or Distributions Centers in California, at any time between July 1, 2016 to December 31, 2021.

Date: 05/09/2023



Jill Talley
Superior Court Judge, Hon. Jill Talley

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On April 21, 2023, I served the attached **SECOND JOINT STIPULATION TO AMEND PROPOSED CLASS DEFINITION** in this action by e-mailing a true and correct copy thereof (in PDF format) to All Parties of record and staff, whose addresses and e-mail addresses are as follows:

Glen A. Van Dyke, Esq.
Megan D. DeHerrera, Esq.
VAN DYKE LITIGATION & TRIAL
ATTORNEYS, PC
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Incline Village, NV 89451-7401
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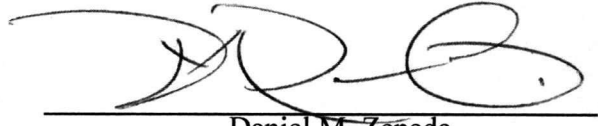
Attorneys for Plaintiffs
CHRIS N. DILLER and EDWARD
SANDOVAL

ATTORNEYS FOR PLAINTIFF
ISRAEL CRUZ CHAN

I declare under penalty of perjury, under the laws of the State of California, that the

1 above is true and correct.

2 Executed on April 21, 2023, at San Francisco, California.

3 
4
5 Daniel M. Zepeda

6 4888-0238-2942, v. 1