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Attorneys for Plaintiff
DAMIAN TINOCO

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO**

DAMIAN TINOCO, individually, and on behalf
of other aggrieved employees pursuant to the
California Private Attorneys General Act,

Plaintiff,

vs.

VITCO DISTRIBUTORS, INC., a California
corporation; KOSTAS VITAKIS, individually;
and DOES 1 through 100, inclusive,

Defendants.

Case No.: CIVSB2133154 (Lead Case)
(Consolidated with Case No. CIVSB2127492)

*Assigned for all purposes to the Honorable
Kevin Lee. S26*

NOTICE OF ENTRY OF JUDGMENT

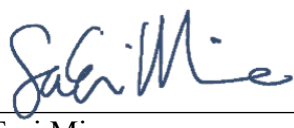
Complaint Filed: November 29, 2021
Trial Date: Not set

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

2 **PLEASE TAKE NOTICE** that on March 17, 2026, the Court in the above-entitled matter
3 entered an Amended Order Granting Approval of PAGA Settlement and Entering Judgement. The
4 Court also set a post-approval final accounting hearing date for October 28, 2026, at 8:30 a.m. in
5 Department S26 of the above-entitled Court. A true and correct copy of the Court's Amended
6 Approval Order and Judgment dated March 17, 2026, is attached hereto as "Exhibit 1".

7
8 Dated: March 18, 2026

PARKER & MINNE, LLP

9
10 By: 

S. Emi Minne
Attorneys for Plaintiff
DAMIAN TINOCO

EXHIBIT 1

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

MAR 17 2026

BY 
VALERIE URUENA, DEPUTY

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Attorneys for Plaintiff
DAMIAN TINOCO

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO**

DAMIAN TINOCO, individually, and on
behalf of other members of the general public
similarly situated and on behalf of other
aggrieved employees pursuant to the
California Private Attorneys General Act;

Plaintiff,

vs.

VITCO DISTRIBUTORS, INC., a California
limited liability company; KOSTAS VITAKIS,
an individual; and DOES 1 through 100,
inclusive,

Defendants.

Case No.: CIVSB2133154 (Lead Case)
(Consolidated with Case No. CIVSB2127492)

*Assigned for all purposes to the Honorable
Christian Towns. S26*

**~~[PROPOSED]~~ AMENDED ORDER
GRANTING APPROVAL OF PAGA
SETTLEMENT AND ENTERING
JUDGMENT**

Date: October 21, 2025
Time: 8:30 a.m.
Dept.: S26

Complaint Filed: November 29, 2021
Trial Date: Not Set

[PROPOSED] AMENDED ORDER AND JUDGMENT

Plaintiffs Damian Tinoco and Akilee Childress's unopposed Motion for Approval of PAGA Settlement ("Motion") in the above-captioned matter came for hearing on October 21, 2025, before the Honorable Christian Towns in Department S26 of the above-entitled Court located at 247 West Third Street, San Bernardino, California 92415. The Court, having considered Plaintiffs' Motion and all documents submitted in support thereof, all papers filed and proceedings had herein, and otherwise being fully informed and good cause appearing therefore, **HEREBY ORDERS, ADJUDGES AND DECREES AS FOLLOWS:**

1. Plaintiffs' Motion is granted in its entirety.

2. The Joint Stipulation of PAGA Settlement ("Agreement" or "Settlement"), attached as Exhibit 1 to the Declaration of S. Emi Minne in Support of Plaintiffs' Motion for approval PAGA Settlement, is hereby approved pursuant to Labor Code § 2699(1)(2). The Court finds that the Settlement represents a fair, reasonable, and adequate resolution of the PAGA claims alleged in this Action and fulfills the objectives of the Labor Code Private Attorneys General Act of 2004, Cal. Labor Code sections 2698, et seq. ("PAGA").

3. The Agreement is hereby deemed incorporated into this Order and Judgment. All capitalized terms used herein shall have the same meaning as defined in the Agreement.

4. This Court has jurisdiction over the subject matter of this Action and over all Parties to this Action, including the Labor and Workforce Development Agency ("LWDA") and the Aggrieved Employees.

5. The Court finds that Plaintiffs have satisfied the prerequisites under PAGA including, but not limited to, providing notice to the LWDA and Defendants of the specific provisions of the California Labor Code alleged to have been violated and the facts and theories to support the alleged violations, in conformity with California Labor Code § 2699.3(a).

6. The Court also finds that the Agreement has been submitted to the LWDA in conformity with California Labor Code § 2699(1)(2) and that the LWDA has not sought to intervene or appear in this Action.

7. The Aggrieved Employees covered under the Settlement consist of the following

1 individuals:

2 All current and former non-exempt and/or hourly-paid employees who were employed by
3 Vitco Distributors, Inc. in the State of California at any time during the PAGA Period (the
4 “Aggrieved Employees”).

5 The PAGA Period is defined as the period commencing on September 20, 2020, and ending on
6 October 21, 2025.

7 8. The Court designates Phoenix Settlement Administrators (“Settlement Administrator”)
8 as the third-party Settlement Administrator for distribution of the Gross Settlement Amount, mailing
9 of the Settlement Cover Letters, and other duties set forth in the Settlement.

10 9. The Court approves, as to form and content, the Settlement Cover Letter attached as
11 **Exhibit A** to the Agreement.

12 10. The Court finds the payments provided for under the Agreement to be fair, just,
13 reasonable, and adequate in light of all of the circumstances.

14 11. Pursuant to the terms of the Agreement, Defendants Vitco Distributors, Inc. and Kostas
15 Vitakis (“Defendants”) shall pay the Gross Settlement Amount of Four Hundred Eighty Thousand
16 Two Hundred Twelve Dollars and Seventy-Six Cents (\$480,212.76, the “Gross Settlement Amount”).
17 Defendants are ordered to deposit the Gross Settlement Amount into a Qualified Settlement Fund
18 established by the Settlement Administrator no later than December 22, 2025 (i.e., sixty (60) calendar
19 days after entry of the Court’s original Order Granting Approval of PAGA Settlement and Entering
20 Judgment on October 21, 2025.)

21 12. Within fourteen (14) calendar days after entry of this Order and Judgment, Defendants
22 will provide the Settlement Administrator with the Aggrieved Employee List in a readable Microsoft
23 Excel spreadsheet, which shall include the following information for all Aggrieved Employees: (i)
24 full name; (ii) last known home address; (iii) last known telephone number; (iv) social security
25 number; (v) start and end dates of active employment as a non-exempt employee of Defendants
26 within the State of California; (vi) total Eligible Pay Periods during the PAGA Period; and (vii) any
27 other information reasonably required by the Settlement Administrator to effectuate the terms of the
28 Settlement as defined in the Agreement.

1 13. Within fourteen (14) calendar days after receipt of the Gross Settlement Amount, the
2 Settlement Administrator shall distribute the Gross Settlement Amount as provided in the Settlement
3 and set forth below:

- 4 a. One Hundred Sixty Eight Thousand Seventy-Four Dollars and Forty-Seven Cents
5 (\$168,074.47) shall be paid to Plaintiffs' Counsel, Parker & Minne, LLP, Lawyers for
6 Justice, PC, and James Hawkins, APLC from the Gross Settlement Amount as payment
7 for any and all attorneys' fees incurred by Plaintiffs' Counsel in this Action.
- 8 b. Twenty-Nine Thousand Twenty-Six Dollars and Sixty-Eight Cents (\$29,026.68) shall
9 be paid to Plaintiffs' Counsel, Parker & Minne, LLP, Lawyers for Justice, PC, and
10 James Hawkins, APLC from the Gross Settlement Amount for reimbursement of their
11 reasonable and actual expenses incurred in this Action;
- 12 c. Four Thousand Dollars and Zero Cents (\$4,000.00) shall be paid to the Settlement
13 Administrator from the Gross Settlement Amount for administration expenses;
- 14 d. The Net Settlement Amount remaining after the deduction of the Attorneys' Fees and
15 Costs and Administration Costs (\$279,111.61) shall be designated as civil penalties
16 under PAGA to be distributed to the LWDA and Aggrieved Employees. 75% of the
17 Net Settlement Amount (\$209,333.71) shall be distributed to the LWDA ("LWDA
18 PAGA Payment"). 25% of the PAGA Payment (\$69,777.90) shall be distributed to
19 the Aggrieved Employees on a *pro rata* basis based on the number of Pay Periods
20 worked by each Aggrieved Employee ("Individual PAGA Payments"). The
21 Settlement Administrator shall mail each Aggrieved Employee their Individual
22 PAGA Payment along with the Settlement Cover Letter attached to the Agreement as
23 Exhibit A.

24 14. Any allocation of Attorneys' Fees and Costs between and among Plaintiffs' Counsel
25 shall be made by the Settlement Administrator pursuant to the separate and independent agreement
26 between Plaintiffs' Counsel.

27 15. All checks payable to Aggrieved Employees shall remain valid and negotiable for
28 one hundred and eighty (180) calendar days from their date of issuance. If any checks are not

1 cashed within one hundred and eighty (180) calendar days of mailing, the funds from such uncashed
2 checks shall be sent to the State of California Unclaimed Property Fund in the name of the
3 Aggrieved Employee to whom the check was issued.

4 16. Upon entry of the complete funding of the Gross Settlement Amount, Plaintiffs,
5 Aggrieved Employees, and the LWDA shall be bound by a release of any and all claims under
6 PAGA arising during the PAGA Period for the recovery of civil penalties, attorneys' fees, and costs,
7 which Plaintiffs, the LWDA, and/or the Aggrieved Employees had, or may claim to have, against
8 Released Parties, arising out of the violations alleged in the operative complaints in the *Tinoco*
9 and/or *Childress* Actions, Mr. Tinoco's September 20, 2021 PAGA Notice to the LWDA, and/or
10 Mr. Childress's September 24, 2021 PAGA Notice to the LWDA, including, but not limited to,
11 claims based on alleged violations of California Labor Code sections 201, 202, 203, 204, 226(a),
12 226.7, 510, 512(a), 551, 552, 558, 1174(d), 1194, 1197, 1197.1, 1198, 2800, and 2802, and the
13 Industrial Welfare Commission Wage Orders, including *inter alia*, Wage Orders 4-2001, 7-2001,
14 and 9-2001. The Release of PAGA Claims is limited to claims arising during the PAGA Period.

15 17. Plaintiffs' Counsel are directed to submit a copy of this Order and Judgment to the
16 LWDA within ten (10) calendar days of entry of the Judgment. No individualized notice of this
17 Order and Judgment is required to be provided to Aggrieved Employees.

18 18. Without affecting the finality of this Order and Judgment, the Court shall retain
19 continuing jurisdiction over this action and the parties, and over all matters pertaining to the
20 implementation and enforcement of the terms of the Agreement pursuant to Civil Procedure section
21 664.6. Except as provided to the contrary herein, any disputes or controversies arising with respect to
22 the interpretation, enforcement, or implementation of the Settlement Agreement shall be presented to
23 the Court for resolution.

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19. A post-approval final accounting hearing shall be held on October 28, 2026, at 8:30 a.m. in S26 of the above-entitled court, located at 247 West Third Street, San Bernardino, California 92415. Plaintiffs' Counsel shall submit a final compliance status report by no later than 15 days prior to the final accounting hearing.

IT IS SO ORDERED. LET JUDGMENT BE ENTERED ACCORDINGLY.

MAR 17 2026

Dated: _____


KEVIN LEE
 Honorable Christian Towns
 Judge of the Superior Court