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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE**

CARLOS CONTRERAS, individually, and on
behalf of aggrieved employees pursuant to the
Private Attorneys General Act (“PAGA”);

Plaintiff,

v.

MERICAL, LLC, a California limited liability
company; and DOES 1 through 100, inclusive;

Defendants.

Case No.: 30-2021-01214079-CU-OE-CJC
[Consolidated With Case No. 30-2022-
01259256-CU-OE-CXC]

Assigned for All Purposes to:
Honorable Melissa McCormick
Department CX-105

CLASS ACTION

**SUPPLEMENTAL BRIEF IN SUPPORT
OF PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

[Reservation ID: 74475312]

RELATED TO ROA NUMBER: 293

*[Supplemental Declaration of Proposed
Class Counsel (Douglas Han); Declaration
of Christine Baran; and [Proposed]
Amended Order filed concurrently herewith]*

Hearing Date: October 2, 2025
Hearing Time: 2:00 p.m.
Hearing Place: Department CX-105

Complaint Filed: August 2, 2021
FAC Filed: December 12, 2024
Trial Date: None Set

Plaintiffs Carlos Contreras and Lisa Buchanan (“Plaintiffs”) provide this Supplemental submission in response to the Court’s tentative ruling on the Motion for Preliminary Approval of Class Action Settlement originally scheduled for hearing on June 26, 2025. On June 26, 2025, prior to the scheduled preliminary approval hearing, the Court issued a tentative ruling ordering Plaintiffs and Defendant MeriCal, LLC (“Defendant”) to make changes to the settlement documents that were submitted alongside the Motion for Preliminary Approval of Class Action Settlement.

The chart below lists each of the Court’s issues from the tentative ruling and the revisions/submissions made to address each issue.

Ruling	Revisions/Submissions
(1) The “Released Class Claims” provision is overbroad. Settlement Agreement ¶¶ I.JJ. The release of the class members’ claims must be fairly tailored to the claims that were or reasonably could have been asserted in the lawsuit based on the facts alleged in the operative complaint.	The Settlement Agreement has been amended accordingly. (Supp. Han Decl., <i>supra</i>, at ¶ 4; Exhibit 3, <i>supra</i>, at ¶ 5.) The Class Notice has been modified accordingly. (Supp. Han Decl., <i>supra</i>, at ¶ 5; Exhibit 4, <i>supra</i>, at § 9(A).)

(2) The “Released PAGA Claims” provision is overbroad. Settlement Agreement ¶¶ I.KK. Releases for aggrieved employees other than plaintiff should not release more than the civil penalties available under PAGA based on the facts alleged in the operative complaint and the notice letter to the LWDA.	The Settlement Agreement has been amended accordingly. (Supp. Han Decl., <i>supra</i>, at ¶¶ 6; Exhibit 3, <i>supra</i>, at ¶ 6.) The Class Notice has been modified accordingly. (Supp. Han Decl., <i>supra</i>, at ¶ 7; Exhibit 4, <i>supra</i>, at § 9(B).)
(3) The “Released Parties” provision is overbroad. Settlement Agreement ¶ I.LL. It includes several unrelated third parties and undefined third parties (<i>e.g.</i>, “attorneys, insurers,” “affiliates,” “business partners, contracting partners, and clients”).	The Settlement Agreement has been amended accordingly. (Supp. Han Decl., <i>supra</i>, at ¶¶ 8; Exhibit 3, <i>supra</i>, at ¶ 7.) The Class Notice has been amended accordingly. (Supp. Han Decl., <i>supra</i>, at ¶ 9; Exhibit 4, <i>supra</i>, at § 9.)

(4) Paragraph III.L.3 (addressing objections) contains several statements inconsistent with use of a separate objection form, which the parties propose to use (Han Decl. (ROA 278) Ex. C) and which the court prefers. Paragraph III.L.3 should be revised to reflect use of a separate objection form.	The Settlement Agreement has been amended accordingly. (Supp. Han Decl., <i>supra</i>, at ¶ 10; Exhibit 3, <i>supra</i>, at ¶¶ 4, 10-14.) The Class Notice has been modified accordingly. (Supp. Han Decl., <i>supra</i>, at ¶ 11; Exhibit 4, <i>supra</i>, at § 6, 7, 8.)
(5) Plaintiffs' counsel seeks attorneys' fees not to exceed 35% of the Gross Settlement Amount. While the court will not determine the amount of attorneys' fees to be awarded until the final approval hearing, the court is unlikely to approve attorneys' fees exceeding 30% of the Gross Settlement Amount absent unique circumstances. Plaintiffs should address in the Supplemental filing whether any such unique circumstances exist in this case.	The Settlement Agreement has been amended accordingly. (Supp. Han Decl., <i>supra</i>, at ¶ 12; Exhibit 3, <i>supra</i>, at ¶¶ 2, 9.) The Class Notice has been modified accordingly. (Supp. Han Decl., <i>supra</i>, at ¶ 13; Exhibit 4, <i>supra</i>, at §§ 10(1), 12.) The Preliminary Approval Order has been modified accordingly.

	(Supp. Han Decl., <i>supra</i> , at ¶ 24; Exhibit 7, <i>supra</i> , at ¶ 8.)
(6) Absent unique circumstances, the court is unlikely to approve enhancement payments in excess of \$5,000 to each named plaintiff. If unique circumstances warrant the higher amount plaintiffs seek, plaintiffs should submit declarations and/or other information explaining those circumstances with the Supplemental filings.	The Settlement Agreement has been amended accordingly. (Supp. Han Decl., <i>supra</i>, at ¶ 14; Exhibit 3, <i>supra</i>, at ¶¶ 3, 8.) The Class Notice has been modified accordingly. (Supp. Han Decl., <i>supra</i>, at ¶ 15; Exhibit 4, <i>supra</i>, at § 10(3).)
(7) Is plaintiff Buchanan a former employee of defendant? <i>Compare</i> Han Decl. (ROA 278) ¶ 30 <i>with</i> Han Decl. ¶ 66. In addition, will plaintiff Buchanan’s only recovery from the settlement be an enhancement payment, i.e., will plaintiff Buchanan receive either/both an individual settlement payment and/or an individual PAGA payment? <i>See</i> Han Decl. ¶ 30. Plaintiffs should state the amount(s), if any, of these individual payments.	(Supp. Han Decl., <i>supra</i> , at ¶ 16.)

(8) Will plaintiff Contreras receive an individual PAGA payment? <i>See</i> Han Decl. ¶ 30. If so, plaintiffs should state the amount.	(Supp. Han Decl., <i>supra</i>, at ¶ 17.)
(9) Plaintiffs' counsel seeks litigation costs not to exceed \$30,000. While the court will not determine the amount of litigation costs to be awarded until the final approval hearing, plaintiffs' counsel should submit a list of itemized costs incurred to date.	(Supp. Han Decl., <i>supra</i>, at ¶ 18; Exhibits 8, 9.)
(10) Defendant should advise, in a declaration filed with the court, whether, after making reasonable inquiry, it is aware of any class, representative or other collective action in any court that asserts claims similar to those asserted in this action. If any such actions are known to exist, the declaration shall also state the name and case number of any such case and the procedural status of that case, and describe the impact of the settlement on that case.	(Supp. Han. Decl., <i>supra</i>, at ¶ 19.; Declaration of Christin Baran, at ¶ 2.)
(11) The notice should be revised consistent with the above.	The Class Notice has been modified accordingly. (Supp. Han Decl., <i>supra</i>, at ¶ 20; Exhibit 4.)

(12) As a general matter, the notice should be substantially shortened, e.g., repetitive and redundant information should be removed, as should unnecessarily detailed information (e.g., the paragraph about how to access the court's website should be shortened). The exclusion form should also be substantially shortened.	The Class Notice has been modified accordingly. (Supp. Han Decl., <i>supra</i>, at ¶ 20; Exhibit 4.) The Exclusion Form has been modified accordingly. (Supp. Han Decl., <i>supra</i>, at ¶ 21; Exhibit 5.)
(13) The judge's name (Judge Melissa R. McCormick) and court department (CX105) should be updated throughout the notice.	The Class Notice has been modified accordingly. (Supp. Han Decl., <i>supra</i>, at ¶ 22; Exhibit 4, <i>supra</i>, at § 1, 13.)
14) Section 8 ("How Do I Object to the Settlement?") is inconsistent with the use of a separate objection form, which the parties propose to use (Han Decl. (ROA 278) Ex. C) and which the court prefers. Section 8 should be revised to reflect use of a separate objection form.	The Class Notice has been modified accordingly. (Supp. Han Decl., <i>supra</i>, at ¶ 23; Exhibit 4, <i>supra</i>, at §§ 6-8.)
(15) The second sentence in the second paragraph of Section 8 is inconsistent with the settlement agreement (¶ III.L.3(b)) and should be revised.	The Class Notice has been modified accordingly. (Supp. Han Decl., <i>supra</i>, at ¶¶ 23; Exhibit 4, <i>supra</i>, at § 8.)

1 2 3 4 5	(16) Section 10(5) should include the specific amounts to be paid to the LWDA and the Eligible Aggrieved Employees.	The Class Notice has been modified accordingly. (Supp. Han Decl., <i>supra</i> , at ¶ 24; Exhibit 4, <i>supra</i> , at § 10(5).)
6 7 8 9 10	(17) The phrase “Because these penalties can only be sought by the State of California” should be removed from the third paragraph at the top of page 9 of the notice.	The Class Notice has been modified accordingly. (Supp. Han Decl., <i>supra</i> , at ¶ 25; Exhibit 4, <i>supra</i> , at § 11.)
11 12 13 14 15	(18) The objection form should be revised to include space at the bottom of the page for class members to state their objections. The reference to attaching separate pages to explain objections should be removed.	The Objection Form has been modified accordingly. (Supp. Han Decl., <i>supra</i> , at ¶ 26; Exhibit 6, <i>supra</i> , at § 13.)
16 17 18 19	(19) The proposed order should be revised consistent with the above.	The Preliminary Approval Order has been modified accordingly. (Supp. Han Decl., <i>supra</i> , at ¶ 27; Exhibit 7.)
20 21 22 23 24	(20) Counsel information should be removed from the caption page [for the Proposed Order].	The Preliminary Approval Order has been modified accordingly. (Supp. Han Decl., <i>supra</i> , at ¶ 28; Exhibit 7, <i>supra</i> , at p. 1.)

(21) The second caption page (the caption for the now-consolidated case) should be removed [from the Proposed Order].	The Preliminary Approval Order has been modified accordingly (Supp. Han Decl., <i>supra</i>, at ¶ 28; Exhibit 7, <i>supra</i>, at p. 1.)
(22) The judge's name (Judge Melissa R. McCormick) and court department (CX-105) should be updated throughout.	The Preliminary Approval Order has been modified accordingly (Supp. Han Decl., <i>supra</i>, at ¶ 29; Exhibit 7, <i>supra</i>, at p. 1, ¶ 25.)
(23) The proposed order should be substantially shortened. Rather than restating numerous lengthy sections of the settlement agreement, the parties should consider whether reference to the settlement agreement and its terms could appropriately be done by means of use of capitalized terms (<i>i.e.</i>, terms that are defined in the settlement agreement).	The Preliminary Approval Order has been modified accordingly. (Supp. Han Decl., <i>supra</i>, at ¶ 27; Exhibit 7.)
(24) The last sentence of paragraph 1 should be removed.	The Preliminary Approval Order has been modified accordingly (Supp. Han Decl., <i>supra</i>, at ¶ 30; Exhibit 7, <i>supra</i>, at ¶ 1.)

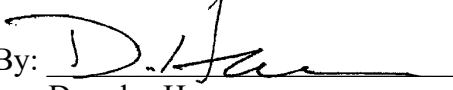
(25) The parties should propose a date for the final approval hearing. The court holds final approval hearings on Thursdays at 2:00 p.m. The motion for final approval should be filed and served at least 16 court days before the final approval hearing.

The Preliminary Approval Order has been amended to propose a Final Approval Hearing date of Thursday, February 26, 2026.

(Supp. Han Decl., *supra*, at ¶ 31; Exhibit 7, *supra*, at ¶ 25.)

Dated: September 10, 2025

JUSTICE LAW CORPORATION

By: 
Douglas Han
Attorneys for Plaintiffs

**PROOF OF SERVICE
1013A(3) CCP**

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 751 N. Fair Oaks Avenue, Suite 101, Pasadena, CA 91103 and my electronic service address is ccastro@justicelawcorp.com

On September 10, 2025, I served the foregoing document described as

**SUPPLEMENTAL BRIEF IN SUPPORT OF
PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

for the following case: **Contreras, et al. v. MeriCal, LLC**
LWDA/Court Case No.: **LWDA Case No.: CM-854469-21**
Court Case No.: 30-2021-01214079-CU-OE-CJC
[Consolidated with Case No. 30-2022-01259256-CU-OE-CXC]
Orange County Superior Court

on interested parties in this action by electronically submitting as follows:

State of California
Labor & Workforce Development Agency
800 Capitol Mall, MIC-55
Sacramento, California 95814

[X] BY ELECTRONIC SUBMISSION

Pursuant to California Senate Bill No. 836, I caused the documents described above to be electronically submitted by and through the procedure stated on the website of the State of California Labor and Workforce Development Agency.

[X] STATE

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

Executed on September 10, 2025, at Pasadena, California.



Christina Castro