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Attorneys for Plaintiffs

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

TIFFANY VON BARDELEBEN, individually,
and on behalf of other members of the general
public similarly situated;

Plaintiff,

v.

AUTOGLASSNOW, LLC, a Delaware limited
liability company; and DOES 1 through 100,
inclusive;

Defendants.

Case No.: 21CV001084

Assigned for All Purposes to:
Honorable Evelio Grillo
Department 21

CLASS ACTION

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

[Reservation ID: 760053764820]

[Supplemental Declaration of Proposed
Class Counsel (Douglas Han); Declaration
of Giulio Sanchez; and Amended [Proposed]
Order filed concurrently herewith]

Hearing Date: April 11, 2023
Hearing Time: 10:00 a.m.
Hearing Place: Department 21

Complaint Filed: October 25, 2021
FAC Filed: September 16, 2022
Trial Date: None Set

Plaintiffs Tiffany Von Bardeleben and Crystal Campos (“Plaintiffs”) provide this supplemental submission in response to the Court’s tentative ruling on Plaintiffs’ Motion for Preliminary Approval of Class Action Settlement originally scheduled for hearing on February 15, 2023. On February 14, 2023, prior to the scheduled preliminary approval hearing, the Court issued a tentative ruling ordering Plaintiffs and Defendant Autoglassnow, LLC (“Defendant”) to make changes to the Class Action and PAGA Settlement Agreement and Class Notice (“Settlement Agreement”).

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
Issue #1 – Release of LWDA’s Claims by Plaintiff Under PAGA.	The Settlement Agreement has been modified accordingly.
The agreement does not expressly state that plaintiff as agent and proxy of the LWDA releases the LWDA’s claims. The parties might want to add that to the agreement.	(Supplemental Declaration of Douglas Han in Support of Plaintiffs’ Motion for Preliminary Approval of Class Action Settlement (“Supp. Han Decl.”), ¶ 4; Exhibit 2, §§ 5, 5.3.)
	The Class Notice has been modified accordingly.
	(Supp Han Decl., <i>supra</i> , at ¶ 7; Exhibit 2, <i>supra</i> , at ¶ 25.)

Issue #2 – Release of LWDA’s Claims by Aggrieved Employees. The named plaintiff does not represent the “aggrieved employees” in the claims under PAGA and therefore cannot release PAGA claims on their behalf.	The Settlement Agreement has been modified accordingly. (Supp Han Decl., <i>supra</i>, at ¶ 5; Exhibit 2, <i>supra</i>, at §§ 5, 5.3, 7.5.4.) The Class Notice has been modified accordingly. (Supp Han Decl., <i>supra</i>, at ¶ 7; Exhibit 2, <i>supra</i>, at ¶¶ 21, 24.)
Issue #3 – Release of Claims by Members of the Class.	The tentative ruling indicates the release of claims by Class Members is adequate.
Issue #4 – Release of Claims by Named Plaintiff. The Agreement does not release the “individual PAGA claims” of the named plaintiffs.	The Settlement Agreement has been modified accordingly. (Supp Han Decl., <i>supra</i>, at ¶ 6; Exhibit 2, <i>supra</i>, at § 5.1.)
Issue #5 – Residual Beneficiary, The parties must identify a residual beneficiary consistent with CCP 384. Counsel must provide a declaration with the CCP 382.4 information.	The Settlement Agreement has been modified accordingly. (Supp Han Decl., <i>supra</i>, at ¶¶ 8-9; Exhibit 2, <i>supra</i>, at § 4.4.3.)

(Declaration of Giulio A. Sanchez In Support
of Plaintiff's Motion for Preliminary Approval
of Class Action Settlement, ¶ 5.)

Dated: March 2, 2023

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, California 91103 and my electronic service address is aokada@justicelawcorp.com

On March 2, 2023, I served the foregoing document described as

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

for the following case: **Von Bardeleben, et al. v. Autoglassnow, LLC**
LWDA/Court Case No.: **LWDA Case No.: LWDA-CM- 886548-22**
Court Case No.: 21CV001084
Alameda 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 March 2, 2023, at Pasadena, California.



Anna Okada