

COPY

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Attorney for Plaintiff and the Putative Class

RECEIVED

JUN 26 2024

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

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

JUL 23 2024

BY *Victoria Sanchez*
VICTORIA SANCHEZ, DEPUTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN BERNARDINO

SAN BERNARDINO JUSTICE CENTER

JUAN S. GONZALEZ, individually, and
on behalf of all others similarly situated,

Plaintiff,

v.

LA PERGOLA TRATTORIA LLC, a
California limited liability company; and
DOES 1 through 50, inclusive,

Defendants.

Case No.: CIVSB2220337

[Hon. Jessica Morgan, Dept. S-26]

**[PROPOSED] PRELIMINARY
APPROVAL ORDER**

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Wheeler, of the Law Office of Scott Ernest Wheeler as Counsel for the Class.

7. The Parties are ordered to carry out the Settlement according to the terms of the Settlement Agreement.

8. The Court appoints Phoenix Settlement Administrators ("Phoenix") as the Settlement Administrator and is ordered to carry out the administration of the settlement according to the terms of the Settlement Agreement.

9. The Court approves as to form and content of the Class Action and PAGA Settlement Notice. The Court finds that the dates selected for the mailing and distribution of the Notice Packet meet the requirements of due process, provide the best notice practicable under the circumstances, and shall constitute due and sufficient notice to all persons entitled thereto.

10. If any Class Member objects to the Settlement Agreement, the objecting party is not required, either personally or through counsel: 1) to appear at the hearing on the motion for final approval for that party's objection to be considered; or 2) to file or serve, or to state in the objection, a notice of intention to appear at the hearing on the motion for Final Approval of the Class Settlement.

11. Phoenix, the Settlement Administrator, shall provide notice to any objecting party of any continuance of the hearing of Plaintiff's Motion for Final Approval.

12. The Parties are ordered to carry out the Settlement according to the following implementation schedule:

Event	Date
Last day for Defendant to provide the Settlement Administrator with the Class Information	August 6, 2024
Last day for Settlement Administrator, Phoenix to mail Class Notice	August 16, 2024
Last day for Class Members to submit a dispute regarding Workweeks, Request for Exclusion, or written Objection	September 30, 2024
Last Day for Plaintiff to file Motion for Final Approval of the Class Settlement, Attorneys' Fees and Costs and Class Representative Service Award	Per Code.
Final Approval Hearing	12-21-24

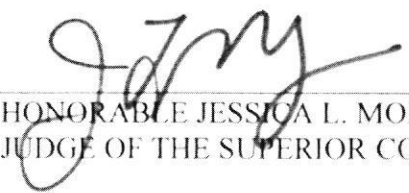
1 13. The Court finds that the method of giving notice to the Class constitutes the best means
2 practicable of providing notice under the circumstances. The Court further finds that the Notice Packet
3 and the method of giving notice to the Class meet the requirements of California Code of Civil
4 Procedure § 382, California Rules of Court, Rules 3.766 and 3.769, and due process under the
5 California and United States Constitutions, and other applicable law.

6 14. At the Final Approval Hearing, the Court will consider whether the Settlement should
7 be finally approved as fair, reasonable and adequate, whether a final judgment should be entered, and
8 whether the payments provided for under the Settlement, including attorneys' fees and costs and class
9 representative service award, should be finally approved and granted.

10 15. Pending the Final Approval Hearing, all proceedings in this Action, other than
11 proceedings necessary to implement the Settlement and this Order, are stayed.

12 **IT IS SO ORDERED.**

13
14 DATED: 7/23/24


HONORABLE JESSICA L. MORGAN
JUDGE OF THE SUPERIOR COURT