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15 on behalf of himself and others similarly situated

16
17 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
18 **FOR THE COUNTY OF SAN JOAQUIN**
19

20 RONALD STRAWSER, on behalf of himself
21 and others similarly situated,

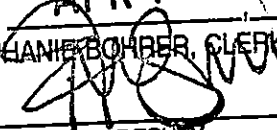
22 Plaintiff,

23 vs.

24 ALLEN DISTRIBUTION; ALLEN
25 DISTRIBUTION, LP; ALLEN
26 DISTRIBUTION, LLC; and DOES 1 TO 100,
27 inclusive,

28 Defendants.

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CASE NO.: STK-CV-UOE-2022-0011272

CLASS AND PAGA ACTION

[Assigned for all Purposes to the Hon. Jayne Lee; Dept. 10C]

~~PROPOSED~~  **ORDER GRANTING
PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

*[Filed concurrently with Notice of Motion and
Motion for Preliminary Approval of Class Action
Settlement; Declaration of Eric J. Naessig in
Support Thereof]*

Hearing Information:

Date:
Time:
Dept.: 10C

29 Plaintiff Ronald Strawser's ("Plaintiff") Motion for Preliminary Approval of Class Action and
30 PAGA Settlement (the "Motion") came before this Court on 4/10, 2025, at 9:00
31 a.m./p.m., or as soon thereafter as the matter can be heard in Department 10C of the San Joaquin

~~PROPOSED~~ ORDER

1 County Superior Court located at 180 E. Weber Ave., Suite 200, Stockton, CA 95202. The Court,
2 having considered the proposed Class Action and PAGA Settlement Agreement and Class Notice
3 entered into by and between Plaintiff and Defendants Allen Distribution; Allen Distribution, LP; and
4 Allen Distribution, LLC ("Defendants") (attached as Exhibit 1 to the Declaration of Eric J. Naessig
5 in Support of Plaintiff's Motion for Preliminary Approval of Class Action and PAGA Settlement),
6 the Exhibits attached thereto (hereafter collectively, the "Settlement" or "Settlement Agreement"),
7 the Motion, and the respective points and authorities and declarations submitted by the parties in
8 support thereof, and good cause appearing, HEREBY ORDERS THE FOLLOWING:

9 The Court grants preliminary approval of the settlement as set forth in the Settlement and
10 finds the terms to be within the range of reasonableness of a settlement that ultimately could be
11 granted approval by the Court at the Final Approval Hearing. For purposes of the Settlement only,
12 the Court finds that the proposed Settlement Class is ascertainable and that there is a sufficiently well-
13 defined community of interest among the Class in questions of law and fact. Therefore, for settlement
14 purposes only, the Court grants conditional certification of the following "Class" defined as follows:

15 1. Any person employed by Defendant in California and classified as an hourly, non-
16 exempt employee who worked for Defendant during the Class Period. The "Class Period" is the period
17 from May 5, 2021, through August 24, 2024.

18 2. For purposes of the Settlement only, the Court further designates named Plaintiff
19 Ronald Strawser as Class Representative, and Joseph Lavi, Esq. and Vincent C. Granberry, Esq.,
20 Cassandra A. Castro, Esq, and Eric J. Naessig, Esq., of Lavi & Ebrahimian, LLP as Class Counsel.

21 3. The Court appoints Simpluris, Inc., as the Settlement Administrator.

22 4. A Final Approval Hearing on the question of whether the proposed Settlement should
23 be finally approved as fair, reasonable, and adequate as to the members of the Class is scheduled in
24 Department 10C of this Court, located at 180 E. Weber Ave., Suite 200, Stockton, CA 95202 on

25 9/9/25, 2024, at 9:00 a.m./p.m.

26 5. At the Final Approval Hearing, the Court will consider: (a) whether the Settlement
27 should be approved as fair, reasonable, and adequate for the Class; (b) whether a judgment granting
28

1 approval of the Settlement should be entered; and (c) whether Plaintiff's application for an award of
2 Class Counsel Fees Payment, Class Counsel Expenses Payment, and Class Representative Service
3 Payment should be granted.

4 6. Counsel for the Parties shall file memoranda, declarations, or other statements and
5 materials in support of their request for final approval by no later than 16 court days prior to the Final
6 Approval Hearing.

7 7. Class Counsel shall file a motion for an award of Class Counsel Fees Payment, Class
8 Counsel Litigation Expenses Payment, and Class Representative Service Payment no later than 16
9 court days prior to the Final Approval Hearing.

10 8. The Court approves, as to form and content, the Class Notice which is appended to
11 the Settlement Agreement.

12 9. No later than fifteen (15) days following the date the Court enters this order, Defendant
13 shall provide the following information to the Settlement Administrator: Class Member identifying
14 information in Defendant's possession including the Class Member's name, last-known mailing
15 address, Social Security number, number of Class Period Workweeks and PAGA Pay Periods. ("Class
16 Data").

17 10. Within fourteen (14) calendar days after receiving the Class Data, the Settlement
18 Administrator shall disseminate the Class Notice to all the Class Members identified in the Class Data
19 by first-class U.S. Mail.

20 11. Class Members shall have sixty (60) calendar days from the date the Settlement
21 Administrator mails Notice to the Class Members to fax, email, or mail Requests for Exclusion
22 from the Settlement or fax, email, or mail an Objection to the Settlement ("Response Deadline").
23 Class Members to whom Notice Packets are re-sent after having been returned undeliverable to the
24 Administrator shall have an additional fourteen (14) calendar days after the Response Deadline has
25 expired.

26 12. The Court finds that the forms of Class Notice to the Class regarding the pendency
27 of the action and of this Settlement, and the methods of giving notice to members of the Settlement
28

1 Class constitute the best notice practicable under the circumstances and constitute valid, due, and
2 sufficient notice to all members of the Class. They comply fully with the requirements of California
3 Code of Civil Procedure section 382, California Civil Code section 1781, California Rules of Court
4 3.766 and 3.769, the California and United States Constitutions, and other applicable law.

5 13. The Court further approves the procedures for Class Members to participate in, opt
6 out of, or object to the Settlement, as set forth in the Settlement Agreement and Class Notice.

7 14. Class Members who wish to exclude themselves from (opt-out of) the Class
8 Settlement must send the Administrator, by fax, email, or mail, a signed written Request for
9 Exclusion not later than 60 days after the Administrator mails the Class Notice (plus an additional
10 14 days for Class Members whose Class Notice is re-mailed). A Request for Exclusion is a letter
11 from a Class Member or the Class Member's representative that reasonably communicates the Class
12 Member's election to be excluded from the Settlement and includes the Class Member's name,
13 address and email address or telephone number. To be valid, a Request for Exclusion must be timely
14 faxed, emailed, or postmarked by the Response Deadline.

15 15. The procedures and requirements for submitting objections in connection with the
16 Final Approval Hearing are intended to ensure the efficient administration of justice and the orderly
17 presentation of any Class Member's objection to the Settlement Agreement, in accordance with the
18 due process rights of all Class Members.

19 16. Participating Class Members may send written objections to the Administrator, by
20 fax, email, or mail. In the alternative, Participating Class Members may appear in Court (or hire an
21 attorney to appear in Court) to present verbal objections at the Final Approval Hearing. A
22 Participating Class Member who elects to send a written objection to the Administrator must do so
23 not later than 60 days after the Administrator's mailing of the Class Notice (plus an additional 14
24 days for Class Members whose Class Notice was re-mailed).

25 17. Pending the Final Approval Hearing, all proceedings in this action, other than
26 proceedings necessary to carry out or enforce the terms and conditions of the Settlement Agreement
27 and this Order, are stayed.

18. Counsel for the parties are hereby authorized to utilize all reasonable procedures in connection with the administration of the Settlement, which are not materially inconsistent with either this Order or the terms of the Settlement.

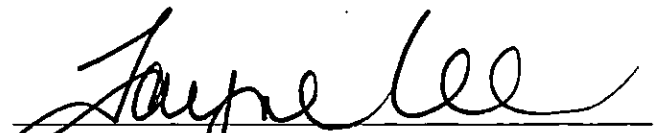
19. The Court orders the following Implementation Schedule for further proceedings:

Event	Timing
Class Data: Last day for Defendant to provide the Settlement Administrator the Class Database	15 days after the Court's entry of this Order
Notice Date: last day for Administrator to mail Class Notice to Class Members.	14 days after receipt of the Class Data
Response Deadline: (i) last day for Settlement Class Members to submit Requests for Exclusion; (ii) last day for class members to submit Objections	60 calendar days after the date of mailing of the Class Notice
Last day for class counsel to file motion for award of attorneys' fees, reimbursement of litigation expenses and class representative enhancement.	16 Court days prior to the Final Approval Hearing
Last day for parties to file motion and supporting documents for final approval of class action and PAGA settlement.	16 Court days prior to the Final Approval Hearing
Last day for the Parties to respond to Objections	5 court days prior to the Final Approval Hearing
Hearing on final approval of class action and PAGA settlement.	Approximately 150 days after the Court grants preliminary approval of the Settlement

20. The Final Approval Hearing and related prior deadlines set forth above may, from time to time and without further notice to the Class (except those who have filed timely and valid objections), be continued or adjourned by Order of the Court. The Settlement Administrator will provide notice to any objecting Class Member if there is a change in the date and/or time of the Final Approval Hearing.

IT IS SO ORDERED.

Dated: 4/14/25


Hon. Jayne Lee
Judge of the Superior Court Jayne C. Lee