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

RENE LOPEZ, as an individual and on behalf
of all others similarly situated,

Plaintiff,

vs.

SUNNY DELIGHT BEVERAGES CO., a
Florida corporation; and DOES 1 through 100,
inclusive,

Defendant.

Case No. 30-2022-01280502-CU-OE-CXC

*[Assigned for all purposes to the Honorable Melissa
R. McCormick, Dept. CX104]*

**PLAINTIFF'S SUPPLEMENTAL BRIEF IN
SUPPORT OF MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: August 8, 2024
Time: 2:00 p.m.
Dept.: CX104

[FAC Filed: November 21, 2022]
[Complaint Filed: September 14, 2022]

1 **TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:**

2 Plaintiff Rene Lopez (“Plaintiff”), individually and on behalf of a class of similarly situated
3 individuals, hereby submit this Supplemental Brief in Support of Plaintiff’s Motion for Preliminary
4 Approval of Class Action Settlement (the “Motion”).

5 **I. PROCEDURAL HISTORY**

6 Plaintiff filed his Motion for Preliminary Approval of Class Action Settlement on January 4,
7 2024, setting it for hearing on April 4, 2024.

8 On April 4, 2024, the Court issued a Minute Order detailing the issues that need to be addressed
9 in subsequent briefing. Consistent therewith, Plaintiff hereby submits the instant supplemental brief
10 (and accompanying declaration) to address the issues identified by the Court. Each of the issues are
11 addressed in the same order as they were identified by the Court in its Minute Order.

12 In connection with addressing the issues identified by the Court, the Parties have executed an
13 Addendum to the Class Action and PAGA Settlement Agreement and Class Notice and have modified
14 the Notice Packet. The following documents are being submitted concurrently herewith as Exhibits to
15 the Supplemental Declaration of Milan Moore (“Supp. Moore Decl.”), as follows:

16 Attached as **Exhibit A** to the Supp. Moore Decl. is the Addendum to the Stipulation of Class
17 and PAGA Action Settlement, with exhibit and executed by counsel.

18 Attached as **Exhibit B** to the Supp. Moore Decl. is the redlined version of the revised Notice
19 Packet.

20 Attached as **Exhibit C** to the Supp. Moore Decl. is the final version of the revised Notice Packet
21 with the changes accepted.

22 Attached as **Exhibit D** to the Supp. Moore Decl. is a revised settlement agreement in redline to
23 show the changes made by the Addendum to the Stipulation of Class and PAGA Action Settlement.

24 **II. ISSUES IDENTIFIED IN THE COURT’S April 4th MINUTE ORDER**

25 **A. As to the Settlement**

26 In Nos. 1-5 of the Minute Order, the Court requests a number of changes to the Settlement.
27 The Parties have made all requested changes in the Addendum to the Settlement. See Exhibit A to
28 Supp. Moore Decl.

1 **B. As to the Notice**

2 In Nos. 6, and 8-11 of the Minute Order, the Court outlines required changes to the Notice
3 Packet. The Parties have made all the requested changes in the Notice Packet. Please see Exhibits B
4 and C to Supp. Moore Decl.

5 In No. 7, the Court asks if the notice and related documents need to be translated into any
6 language(s) other than Spanish. Defendant confirms that other than English and Spanish, no other
7 languages are needed as the workforce speaks either English or Spanish.

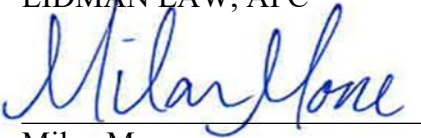
8 **C. As to the proposed order**

9 In Nos. 12-18 of the Minute Order, the Court outlines required changes for the Proposed Order.
10 The Parties have made all the required changes to the proposed order granting preliminary approval,
11 which is filed concurrently herewith.

12 **III. CONCLUSION**

13 For the foregoing reasons and the reasons discussed in Plaintiff's Motion, Plaintiff respectfully
14 requests that the Court preliminarily approve the proposed Addendum to the Settlement, provisionally
15 certify the Settlement Class, and enter the Proposed Order Granting Preliminary Approval of Class
16 Action Settlement submitted concurrently herewith.

17 Dated: July 26, 2024

18 Respectfully submitted,
19 LIDMAN LAW, APC
20 By: 
21 Milan Moore
22 Attorney for Plaintiff
23 RENE LOPEZ
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