

1 John G. Yslas (SBN 187324)
2 John.yslas@wilshirelawfirm.com
3 William M. Pao (SBN 219846)
4 william.pao@wilshirelawfirm.com
5 Lucy H. Nguyen (SBN 338783)
6 lucy.nguyen@wilshirelawfirm.com
7 **WILSHIRE LAW FIRM, PLC**
8 660 S. Figueroa Street, Sky Lobby
9 Los Angeles, CA 90017
10 Telephone: (213) 381-9988
11 Facsimile: (213) 381-9989

12 *Attorneys for Plaintiffs*

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **FOR THE COUNTY OF SACRAMENTO**
15 **COMPLEX CIVIL LITIGATION**

16 JOSE MARTINEZ, JR. AND JOHN LAQUI,
17 individually, and on behalf of all others similarly
18 situated,

19 *Plaintiffs,*

20 v.

21 COLONIAL VAN & STORAGE, INC., a
22 California corporation; and DOES 1 through 10,
23 inclusive,

24 *Defendants.*

Case No.: 24CV022094

CLASS ACTION

ASSIGNED FOR ALL PURPOSES TO:
Hon. Jill H. Talley, Dept. 8A

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

PRELIMINARY APPROVAL HEARING:

Date: June 26, 2026

Time: 9:00 AM

Dept.: 8A

Complaint filed: October 30, 2024

Trial date: Not Set

FILED
Superior Court of California
County of Sacramento
07/08/2026
J. Servantez, Deputy

~~PROPOSED~~ ORDER

Having reviewed Plaintiffs Jose Martinez, Jr. and John Laqui's (collectively "Plaintiffs") Motion for Preliminary Approval of Class Action Settlement ("Motion"), the Declaration of John G. Yslas, Plaintiffs' declarations, and the Class Action and PAGA Settlement Agreement and Class Notice ("Settlement Agreement"), and good cause appearing, the Court finds and orders as follows:

1. The Court finds on a preliminary basis that the Settlement Agreement appears to be fair, adequate, and reasonable and therefore meets the requirements for preliminary approval. The Court grants preliminary approval of the Settlement and the Settlement Class based on the terms set forth in the Settlement Agreement between Plaintiffs and Defendant Colonial Van & Storage, Inc. ("Defendant"), attached to the Declaration of John G. Yslas in Support of Plaintiffs' Motion for Preliminary Approval of Class Action Settlement as **Exhibit 2**.

2. The Settlement falls within the range of reasonableness of a settlement which could ultimately be given final approval by this Court, and appears to be presumptively valid, subject only to any objections that may be raised at the Final Approval Hearing and final approval by this Court. The Court notes that Defendant has agreed to create a common fund of \$155,000.00 to cover (a) settlement payments to Class Members who do not validly opt out; (b) a \$5,000.00 allocation toward civil penalties under the Private Attorneys General Act, 65% of which (\$3,250.00) will be paid to the State of California, Labor & Workforce Development Agency and 35% of which (\$1,750.00) will be paid to eligible Aggrieved Employees; (c) Class Representative service payment of up to \$2,500.00 to each named Plaintiff; (d) Class Counsel's attorneys' fees, not to exceed one-third of the Gross Settlement Amount (i.e., \$51,667.00), and up to \$20,000.00 in costs for actual litigation expenses incurred by Class Counsel; and (e) Settlement Administration Costs of up to \$7,000.00.

3. The Court preliminarily finds that the terms of the Settlement appear to be within the range of possible approval, pursuant to California Code of Civil Procedure § 382 and applicable law. The Court finds on a preliminary basis that: (1) the Settlement amount is fair and reasonable to the Class Members when balanced against the probable outcome of further

1 litigation relating to class certification, liability and damages issues, and potential appeals; (2)
2 significant informal discovery, investigation, research, and litigation have been conducted such
3 that counsel for the Parties at this time are able to reasonably evaluate their respective positions;
4 (3) settlement at this time will avoid substantial costs, delay, and risks that would be presented
5 by the further prosecution of the litigation; and (4) the proposed Settlement has been reached as
6 the result of intensive, serious, and non-collusive negotiations between the Parties with the
7 assistance of a well-respected class action mediator. Accordingly, the Court preliminarily finds
8 that the Settlement Agreement was entered into in good faith.

9 4. A final approval hearing on the question of whether the proposed Settlement,
10 attorneys' fees and costs to Class Counsel, payment to the State of California, Labor &
11 Workforce Development Agency for its share of the settlement of claims for penalties under the
12 Private Attorneys General Act, and the Class Representatives' service awards should be finally
13 approved as fair, reasonable and adequate as to the members of the Class is hereby set in
14 accordance with the Implementation Schedule set forth below.

15 5. The Court provisionally certifies for settlement purposes only the following class
16 (the "Class"): "all persons who worked for Defendant in California as an hourly-paid or non-
17 exempt employee at any time during the Class Period."

18 6. "Class Period" means the period from October 30, 2020, to October 18, 2025.

19 7. "Aggrieved Employees" means all persons who worked for Defendant in
20 California as an hourly-paid or non-exempt employee at any time during the PAGA Period.

21 8. "PAGA Period" means the period from May 6, 2024, through the earlier of
22 October 18, 2025, or the date of preliminary approval.

23 9. The Court finds, for settlement purposes only, that the Settlement Class meets the
24 requirements for certification under California Code of Civil Procedure § 382 in that: (1) the
25 Settlement Class Members are so numerous that joinder is impractical; (2) there are questions
26 of law and fact that are common, or of general interest, to all Settlement Class Members, which
27 predominate over individual issues; (3) Plaintiffs' claims are typical of the claims of the
28 Settlement Class Members; (4) Plaintiffs and Class Counsel will fairly and adequately protect

the interests of the Settlement Class Members; and (5) a class action is superior to other available methods for the fair and efficient adjudication of the controversy.

10. The Court appoints as Class Representatives, for settlement purposes only, Plaintiffs. The Court further preliminarily approves Plaintiffs' ability to request an incentive award up to \$2,500.00 per named Plaintiff (\$5,000.00 total).

11. The Court appoints, for settlement purposes only, John G. Yslas, William M. Pao, and Lucy H. Nguyen of Wilshire Law Firm, PLC, as Class Counsel. The Court further preliminarily approves Class Counsel's ability to request attorneys' fees of up to one-third of the Gross Settlement Amount (i.e., \$51,667.00), and costs not to exceed \$20,000.00.

12. The Court appoints Apex Class Action Administration as the Settlement Administrator with reasonable administration costs estimated not to exceed \$7,000.00.

13. The Court approves, as to form and content the Class Notice, attached to the Settlement Agreement. The Court finds on a preliminary basis that plan for distribution of the Notice to Settlement Class Members satisfies due process, provides the best notice practicable under the circumstances, and shall constitute due and sufficient notice to all persons entitled thereto.

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

15. Any Class Member who does not timely and validly request exclusion from the Settlement may object to the Settlement Agreement.

16. The Court orders the following Implementation Schedule:

EVENT:	DEADLINE:
Defendant to provide Class List to the Settlement Administrator	10 days after the Court grants preliminary approval
Settlement Administrator to mail the Notice Packets	14 days after receipt of Class Data

EVENT:	DEADLINE:
Class Member Response Deadline	45 days after mailing Notice to Class
Class Member Deadline to Object	45 days after mailing Notice to Class
Deadline to file Motion for Final Approval, Request for Attorney's Fees and Costs, and Service Awards to Plaintiffs	16 court days before the Final Approval Hearing
Final Approval Hearing	<u>October 27, 2026, at 9:00 a.m.</u> [or <u>10/30/26</u> at 9:00 a.m.] in Dept. 8A of the above-referenced Court

17. The Court further ORDERS that, pending further order of this Court, all proceedings in this lawsuit, except those contemplated herein and in the settlement, are stayed.

IT IS SO ORDERED.

DATE: 07/08/2026

Jill Talley
HON. JILL H. TALLEY
JUDGE OF THE SUPERIOR COURT

