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Filed _____
STEPHANIE BOHRER, CLERK

By  _____
DEPUTY

1 Joseph Lavi, Esq. (SBN 209776)
2 Vincent C. Granberry, Esq. (SBN 276483)
3 Eric D. Tims, Esq. (SBN 342617)
4 Malcolm E. Clayton, Esq. (SBN 340680)
5 **LAVI & EBRAHIMIAN, LLP**
6 8889 W. Olympic Blvd., Suite 200
7 Beverly Hills, California 90211
8 Telephone: (310) 432-0000
9 Facsimile: (310) 432-0001
10 Emails: jlavi@lelawfirm.com
11 vgranberry@lelawfirm.com
12 etims@lelawfirm.com
13 mclayton@lelawfirm.com

14 Attorneys for Plaintiff ANTONIO FERNANDEZ,
15 on behalf of himself and others similarly situated

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN JOAQUIN

ANTONIO FERNANDEZ, on behalf of himself
and others similarly situated,

Plaintiff,

vs.

MEDCOR, INC.; and DOES 1 to 100, inclusive,
Defendants.

Case No.: STK-CV-UOE-2024-0004408

CLASS 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 Plaintiff's Notice of
Motion and Motion for Preliminary Approval
of Class Action and PAGA Settlement;
Declaration of Malcolm Clayton in Support;
and Declaration of Antonio Fernandez in
Support]*

Hearing Information:

Date: April 2, 2026

April 3, 2026

April 7, 2026

April 8, 2026

April 9, 2026

Time: 9:00 AM

Dept.: 10C

[PROPOSED] ORDER

1 The Motion for Preliminary Approval of Class Action and PAGA Settlement came before this
2 Court on _____, 2026, at 9:00 AM, or such time thereafter as may be convenient to the
3 Court, in Department 10C of San Joaquin County Superior Court located at 180 E. Weber Ave.,
4 Stockton, CA 95202. The Court, having considered the proposed Class And PAGA Representative
5 Action Settlement Agreement And Class Notice attached as **Exhibit 1** to the Declaration of Malcolm
6 Clayton in Support of Plaintiff's Motion for Preliminary Approval of Class Action and PAGA
7 Settlement, and the Exhibits attached thereto (hereafter collectively, the "Settlement" or "Settlement
8 Agreement"); having considered the Motion for Preliminary Approval of Class Action and PAGA
9 Settlement filed by Plaintiff; having considered the respective points and authorities and declarations
10 submitted by the parties in support thereof; and good cause appearing, HEREBY ORDERS THE
11 FOLLOWING:

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

19 All non-exempt persons who were employed by Defendant in the State of
20 California at any time during the Class Period. The "Class Period" means
21 the time between April 10, 2020, through December 31, 2025.

22 1. For purposes of the Settlement, the Court further designates named Plaintiff Antonio
23 Fernandez as Class Representative, and Joseph Lavi, Esq., Vincent C. Granberry, Esq., Eric Tims,
24 Esq., and Malcolm E. Clayton, Esq. of Lavi & Ebrahimian, LLP as Class Counsel.

25 2. The Court appoints Phoenix Class Action Administration Solutions as the Settlement
26 Administrator.

27 3. A final fairness hearing on the question of whether the proposed Settlement should be
28 finally approved as fair, reasonable and adequate as to the members of the Settlement Class is

1 scheduled in Department 10C of this Court, located at 180 E. Weber Ave., Stockton, CA 95202, on
2 _____, 2026, at _____ a.m./p.m. ("Final Hearing").

3 4. At the Final Hearing, the Court will consider: (a) whether the Settlement should be
4 approved as fair, reasonable, and adequate for the class; (b) whether a judgment granting approval of
5 the Settlement should be entered; and (c) whether Plaintiff's application for an award of attorneys'
6 fees, reimbursement of litigation expenses, and class representative enhancement should be granted.

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

9 6. Class Counsel shall file a motion for an award of attorneys' fees, reimbursement of
10 litigation expenses and class representative enhancement by no later than 16 court days prior to the
11 Final Hearing.

12 7. The Court approves, as to form and content, the Class Notice which is attached to
13 the Settlement Agreement as Exhibit A.

14 8. Within fifteen (15) calendar days after the entry of this Order, Defendant shall provide
15 the Settlement Administrator the names, last known mailing addresses, and Social Security numbers
16 of each Class Member, along with the number of Class Period Workweeks and PAGA Pay Periods
17 they worked, and any other information needed to calculate Individual Settlement Payments and
18 Individual PAGA Payments ("Class Data").

19 9. Within fourteen (14) calendar days of receipt of the Class Data from Defendant, the
20 Settlement Administrator shall mail the Class Notice to all Settlement Class Members via first-class
21 U.S. mail.

22 10. Settlement Class Members shall have forty-five (45) calendar days from the date of
23 the postmark on the Class Notice, to return to the Settlement Administrator, Requests for Exclusion,
24 disputes, or Objections ("Response Deadline"), however, Settlement Class Members whose Class
25 Notice is remailed will have an additional fourteen (14) calendar days.

26 11. The Court finds that the form of Class Notice to the Settlement Class regarding the
27 pendency of the action and of this Settlement, and the methods of giving notice to members of the
28 Settlement Class constitute the best notice practicable under the circumstances and constitute valid,

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

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

8 13. Any Participating Class Member who wishes to object in writing may send written
9 objections to the Settlement Administrator, by fax, email or mail, not later than 45 days after the
10 Administrator mails the Class Notice (plus an additional 14 days for Class Members whose Class
11 Notice is re-mailed). Participating Class Members may appear in Court (or hire an attorney to appear
12 in Court) to present oral objections at the Final Approval Hearing.

13 14. Class Members who wish to exclude themselves (opt out of) the Class Settlement
14 must send the Administrator, by fax, email, or mail, a signed written Request for Exclusion not
15 later than 45 days after the Administrator mails the Class Notice (plus an additional 14 days for
16 Class Members whose Class Notice is re-mailed). A Request for Exclusion is a letter from a Class
17 Member or the Class Member's representative that reasonably communicates the Class Member's
18 election to be excluded from the Settlement and includes the Class Member's name, address, and
19 email address or telephone number.

20 15. Pending the Final Hearing, all proceedings in this action, other than proceedings
21 necessary to carry out or enforce the terms and conditions of the Settlement Agreement and this
22 Order, are stayed.

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

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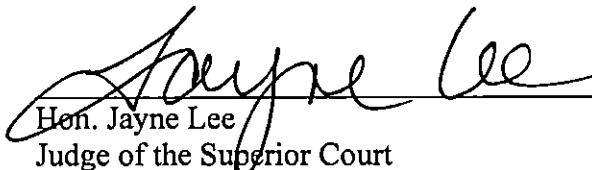
17. The Court orders the following Implementation Schedule for further proceedings:

Event	Timing
Class Data: Last day for Defendant to provide the Settlement Administrator the Class Data	15 calendar days after the Court's entry of this Order
Notice Date: Last day for Settlement Administrator to mail Class Notice to Settlement Class Members.	14 calendar days after receipt of the Class Data from Defendant
Response Deadline: (i) Last day for Settlement Class Members to submit Requests for Exclusion; and (ii) last day for class members to submit Objections.	45 calendar days after the Settlement Administrator has postmarked the Class Notice for mailing to Settlement Class Members, or additional 14 calendar days for Settlement Class Members whose Class Notice is remailed.
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 Hearing
Last day for class counsel to file motion and supporting documents for final approval of class action settlement.	16 court days prior to the Final Hearing
Final Hearing on final approval of class action settlement.	Department 10C of this Court, located at 180 E. Weber Ave., Stockton, CA 95202, on <u>9/30</u> , 2026, at <u>9:00</u> a.m./p.m.

18. The Final Hearing and related prior deadlines set forth above may, from time to time and without further notice to the Settlement Class (except those who have filed timely and valid objections), be continued or adjourned by Order of the Court.

IT IS SO ORDERED.

Dated: 4/3/26


Hon. Jayne Lee

Judge of the Superior Court