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10 Attorneys for: Plaintiff ARMANDO MUNIZ, individually and on behalf of other
11 persons similarly situated and similarly aggrieved employees

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **FOR THE COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE**

14 ARMANDO MUNIZ, HARRY ROBERT
15 CHILTON, MICHAEL ANTHONY
16 FITCH, CESAR EDUARDO LICEA
17 CASTRO, individually and on behalf of
18 other persons similarly situated and
19 similarly aggrieved employees,

20 Plaintiffs,

21 v.

22 LOT LLC, dba LOT MANAGEMENT
23 LLC (fka RED COW, INC.); HARVEY
24 USA LLC dba HARVEY GENERAL
25 CONTRACTORS (fka HARVEY, INC.);
26 VIVO LLC dba VIVO dba VIVO
27 LANDSCAPE dba VIVO LANDSCAPE
28 SERVICES (fka VIVO GROUP, INC.);
RCMS LLC dba RED COW
MANAGEMENT SERVICES; and DOES
1 through 10,

Defendants.

Case No.: 22STCV32901

CLASS AND REPRESENTATIVE ACTION

*[Assigned for all purposes to Hon. Laura A.
Seigle in Dept. SS-17]*

**NOTICE OF ENTRY OF ORDER
GRANTING PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL**

Final Approval Hearing Date: Sept. 25, 2025
Final Approval Hearing Date: 8:30 a.m.
Department: SS-17

Action filed: October 6, 2022
Trial Date: Not yet set

1 **TO THE HONORABLE COURT, PARTIES, THE LWDA, AND THEIR**
2 **ATTORNEYS OF RECORD:**

3 **PLEASE TAKE NOTICE** that, on April 18, 2025, the Court entered the Order
4 Granting Plaintiffs’ Motion for Preliminary Approval, a true and correct copy of which is
5 appended hereto. Therein, *inter alia*, the Final Approval hearing was set for September 25, 2025
6 at 9:00 a.m.

7
8 DATED: April 22, 2025

MOORADIAN LAW, APC
BERGER & WILLIAMS LLP
THE LAW OFFICES OF SAMUEL DAGAN
LAVI & EBRAHIMIAN, LLP
WILSHIRE LAW FIRM

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11 By: /s/Haik Hacopian
12 Zorik Mooradian, Esq.,
13 Haik Hacopian, Esq.,
14 Harvey C. Berger, Esq.,
15 Shelby Harris, Esq.,
16 Samuel Dagan, Esq.,
17 Joseph Lavi, Esq.,
18 Nick Ebrahimian, Esq.,
19 Vincent G. Granberry, Esq.,
20 James H. Clark, Esq.,
21 Melanie S. Rodriguez, Esq.,
22 John G. Yslas, Esq.,
23 Jeffrey C. Bils, Esq.,
24 Aram Boyadjian, Esq.,
25 Andrew Sandoval, Esq.,
26 Attorneys for Plaintiffs , individually and on
27 behalf of other persons similarly situated and
28 similarly aggrieved employees

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6 Attorneys for Plaintiff Armando Muniz, individually and on behalf of other persons
 7 similarly situated and similarly aggrieved employees

8 [Additional Counsel Listed after Caption]

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

10 **FOR THE COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE**

11 ARMANDO MUNIZ, HARRY ROBERT
 12 CHILTON, MICHAEL ANTHONY
 13 FITCH, CESAR EDUARDO LICEA
 CASTRO, individually and on behalf of
 other persons similarly situated and
 similarly aggrieved employees,

14 Plaintiffs,

15 v.

16 LOT LLC, dba LOT MANAGEMENT
 17 LLC (fka RED COW, INC.), an active
 California Limited Liability Company;
 18 HARVEY USA LLC dba HARVEY
 GENERAL CONTRACTORS (fka
 19 HARVEY, INC.), an active California
 Limited Liability Company; VIVO LLC
 20 dba VIVO dba VIVO LANDSCAPE dba
 VIVO LANDSCAPE SERVICES (fka
 21 VIVO GROUP, INC.), and active
 California Limited Liability Company;
 22 RCMS LLC dba RED COW
 MANAGEMENT SERVICES, an active
 23 California Limited Liability Company;
 and DOES 1 through 10,

24 Defendants.

Case No.: 22STCV32901

CLASS AND REPRESENTATIVE
ACTION

[Assigned to Hon. Laura A. Seigle
in Dept. SS-17]

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL**

[FILED CONCURRENTLY WITH
NOTICE OF MOTION AND MOTION;
AND THE COMPENDIUM OF
DECLARATIONS BY: (1) HAIK
HACOPIAN, (2) ZORIK
MOORADIAN, (3) HARVEY C.
BERGER, (4) SAMUEL DAGAN, (5)
JAMES CLARK, (6) JOHN G. YSLAS,
(7) ARMANDO MUNIZ, (8) ROBERT
HARRY CHILTON, (9) MICHAEL
ANTHONY FITCH, (10) CESAR
EDUARDO LICEA CASTRO]

Date: April 4, 2025

Time: 9:00 a.m.

Dept.: SS-17

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18 other persons similarly situated and similarly aggrieved employees

19 Joseph Lavi, Esq.
20 Nick Ebrahimian, Esq.
21 Vincent G. Granberry, Esq.
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of other persons similarly situated and similarly aggrieved employees

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1 On April 4, 2025, the Court considered the motion of Plaintiff Armando Muniz,
2 Plaintiff Harry Robert Chilton, Plaintiff Michael Anthony Fitch, and Plaintiff Cesar Eduardo
3 Licea Castro ("Plaintiffs") for preliminary approval of the Parties' proposed class action
4 Settlement.

5 The Court having read and considered the papers on the motion submitted by Class
6 Counsel, having heard the presentation of Class Counsel and Defendants' counsel, having
7 reviewed all of the submissions presented with respect to the proposed Settlement, having
8 carefully considered the requirements for class certification, and having preliminarily
9 determined that the Settlement is fair, adequate, and reasonable, it is hereby ORDERED
ADJUDGED, and DECREED that:

10 1. Preliminary Approval of the Class Action Settlement is GRANTED pursuant
11 to Cal. Rules of Court, rule 3.769;

12 2. The Settlement, as set forth in the Amended Class and Representative Action
13 Settlement Agreement and Release ("Settlement Agreement"), is in all respects fair,
14 reasonable, adequate, and in the best interests of the Settlement Class, and it is preliminarily
15 approved. Except as expressly set forth herein, the Parties shall effectuate the Settlement
16 Agreement according to its terms. The Settlement Agreement, and every term and provision
17 thereof, shall be deemed incorporated herein as if explicitly set forth and shall have full force
18 of an Order of this Court;

19 3. The Court finds that the notice plan set forth in the Settlement Agreement
20 constitutes the best notice practicable under the circumstances and shall constitute due and
21 sufficient notice to the Settlement Class of the pendency of the Action, the terms of the
22 Settlement Agreement, the Final Approval Hearing, and satisfies the requirements of
California law and federal due process law;

23 4. The proposed Settlement Class is provisionally certified under Civ. Code §
24 382, with the Class consisting of:

25 All current and former non-exempt employees employed by
26 Defendants in California or continuing to be employed by
Defendants in California between October 6, 2018 to July 1,

2024 (“Class Period”).

5. Plaintiff Armando Muniz, Plaintiff Harry Robert Chilton, Plaintiff Michael Anthony Fitch, and Plaintiff Cesar Eduardo Licea Castro are appointed as the Class Representatives;

6. Mooradian Law, APC, Berger & Williams, LLP, The Law Offices of Samuel Dagan, Lavi & Ebrahiminan, LLP, and Wilshire Law Firm are appointed as Class Counsel for the class;

7. Phoenix Settlement Administrators is appointed as the third-party administrator (“Settlement Administrator”);

8. The proposed settlement of Plaintiffs’ Private Attorneys General Act (the “PAGA”) claims is preliminarily approved;

9. The proposed Class Notice, attached as Exhibit A to the Settlement Agreement, is approved and shall be disseminated according to the notice plan described in the Settlement Agreement and substantially in the form submitted;

10. In conformity with the Class Notice, Settlement Class Members wishing to be excluded from the Settlement Class must submit a written request for exclusion requesting exclusion from the Settlement on or before the expiration of the opt out period (60 days after the date that the Class Notice is mailed);

11. In conformity with the Class Notice, any Settlement Class Member who does not opt out of the Settlement may object to the settlement, either personally or through an attorney, orally at the Final Approval Hearing or by providing written notice that the Settlement Class Member is objecting to the Settlement Administrator, which written notice must be postmarked no later than 60 days after the date that the Class Notice is mailed;

12. A Final Approval Hearing will be held on ~~Sept. 25, 2025 at 9 a.m.~~ _____, to determine if the proposed settlement should be granted final approval. The Court will hear all evidence and argument necessary to evaluate the Settlement, and will consider Plaintiffs’ request for Class Representative Service Payments, Class Counsel’s request for Attorney’s Fees, Class Counsel’s request for Costs, payment to the LWDA, and payment to the

1 Settlement Administrator. Any Settlement Class Member who complies with the procedures
2 and requirements specified in the Class Notice may appear at the Final Approval Hearing;

3 13. Class Counsel is to file and serve the Motion for Final Approval of Class
4 Action Settlement and for Awards of Class Representative Service Awards, Attorneys' Fees,
5 Costs, payment to the LWDA, and payment to the Settlement Administrator, by
6 16 court days before Sept. 25, 2025
_____; and

7 14. The Court shall retain jurisdiction necessary to effectuate this Order and
8 consider all further applications out of or in connection with the Settlement.

9
10 Dated: 04/18/2025



11 By *Laura A. Seigle*
12 Honorable Laura A. Seigle
13 Judge of the Superior Court
14 Laura A. Seigle / Judge
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On **April 22, 2025**, I served on the parties of record in this action the foregoing document(s) described as:

on the parties to this action by placing them in a sealed envelope(s) addressed as follows:

☒ **VIA ELECTRONIC SERVICE** – Based on a court order or agreement of the parties to accept service by electronic transmission, I caused the document(s) to be sent to the above persons listed at their electronic notification addresses by uploading to the CaseAnywhere electronic service platform.

☒ **STATE** – I declare under penalty of perjury under the laws of the “State of California that the above is true and correct.

/s/Haik Hacobian
Haik Hacobian