

Joseph Lavi, Esq. (SBN 209776)
Vincent C. Granberry, Esq. (SBN 276483)
Eric J. Naessig (SBN 343081)
James Clark, Esq. (SBN 349799)
LAVI & EBRAHIMIAN, LLP
8889 W. Olympic Blvd., Suite 200
Beverly Hills, California 90211
Telephone: (310) 432-0000
Facsimile: (310) 432-0001
Emails: jlavi@lelawfirm.com
vgranberry@lelawfirm.com
enaessig@lelawfirm.com
jclark@lelawfirm.com

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

MAR 27 2026

BY 
VALERIE URUENA, DEPUTY

Attorneys for Plaintiff VANESSA K. MARQUEZ,
on behalf of herself and others similarly situated

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO**

VANESSA K. MARQUEZ, on behalf of herself
and others similarly situated,

Case No. CIVSB2308038

Plaintiff,

CLASS ACTION

v.

[Assigned for All Purposes to: Hon. Christian
Towns, Dept. S-26]

COASTAL PACIFIC FOOD DISTRIBUTORS,
INC.; and DOES 1 to 100, inclusive,

**FIRST AMENDED ~~[PROPOSED]~~ ORDER
GRANTING PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Defendants.

*[Filed concurrently and in conjunction with the
First Amended Notice of Motion and Motion for
Preliminary Approval; Memorandum; the
Declaration of Eric J. Naessig in Support; and
the Supplemental Declaration of James Clark in
Support of Plaintiff's Motion for Approval of
Class Settlement]*

Hearing Information:

Date: March 27, 2026

Time: 8:30 a.m.

Dept.: S26

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3 The Motion for Preliminary Approval of a Settlement came before this Court on March 27,
4 2026, at 8:30 a.m., or as soon thereafter as the matter can be heard in Department S26 of the San
5 Bernardino County Superior Court – San Bernardino Justice Center located at 247 West 3rd Street,
6 San Bernardino, CA 92415. The Court, having considered the proposed First Amended Class Action
7 and PAGA Settlement Agreement and Class Notice entered into by and between Plaintiff Vanessa K.
8 Marquez (“Plaintiff”) Defendant Coastal Pacific Food Distributors, Inc. (“Defendant”) attached
9 hereto this First Amended Proposed Order as **EXHIBIT A**, and the Exhibits attached thereto
10 (hereafter collectively, the “Settlement” or “Settlement Agreement”), as well as the Supplemental
11 Declaration of James Clark in Support of Plaintiff’s First Amended Motion for Preliminary Approval
12 of Class Action Settlement; having considered the Motion for Preliminary Approval of Class Action
13 Settlement filed by the parties; having considered the respective points and authorities and
14 declarations submitted by the parties in support thereof; and good cause appearing, HEREBY
15 ORDERS THE FOLLOWING:

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

22 All current or former hourly-paid or non-exempt employees of Defendant who worked for
23 Defendant within the State of California at any time during the Class Period. The “Class
24 Period” means June 1, 2022 through November 1, 2024.

25 2. For purposes of the Settlement only, the Court further designates the Plaintiff Vanessa
26 K. Marquez as Class Representatives, and Joseph Lavi, Esq. and Vincent C. Granberry, Esq. of Lavi
27 & Ebrahimian, LLP as Class Counsel.
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1 3. The Court appoints Phoenix Settlement Administrators as the Settlement
2 Administrator.

3 4. A final fairness hearing on the question of whether the proposed Settlement should be
4 finally approved as fair, reasonable, and adequate as to the members of the Class is scheduled in
5 Department S26 of this Court, located at 247 West 3rd Street, San Bernardino, CA 92415 on
6 _____, 2026, at _____ a.m./p.m.

7 5. At the final fairness hearing, the Court will consider: (a) whether the Settlement should
8 be approved as fair, reasonable, and adequate for the Class; (b) whether a judgment granting approval
9 of the Settlement should be entered; and (c) whether Plaintiff's application for an award of attorneys'
10 fees, attorneys' costs, and Plaintiff's enhancement award should be granted.

11 6. Counsel for the Parties shall file memoranda, declarations, or other statements and
12 materials in support of their request for final approval by no later than 16 court days prior to the final
13 fairness hearing.

14 7. Class Counsel shall file a motion for an award of attorneys' fees, attorneys' costs,
15 and Plaintiff's enhancement award no later than 16 court days prior to the final fairness hearing.

16 8. The Court approves, as to form and content, the Class Notice which is appended to
17 this order as **EXHIBIT B.**

18 9. The Court approves, as to form and content, the Objection Form which is appended
19 to this order as **EXHIBIT C.**

20 10. The Court approves, as to form and content, the Exclusion Form which is appended
21 to this order as **EXHIBIT D.**

22 11. No later than thirty (30) days following the date the Court enters this order, Defendant
23 shall provide the following information to the Settlement Administrator: Class Member identifying
24 information in Defendant's possession including the Class Member's name, last-known mailing
25 address, Social Security number, and number of Class Workweeks and PAGA Workweeks. ("Class
26 Data").
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1 12. Within seven (7) calendar days after receiving the Class Data, the Settlement
2 Administrator shall disseminate the Class Notice to all the Class Members identified in the Class Data
3 by first-class U.S. Mail.

4 13. Class Members shall have sixty (60) calendar days from the date the Settlement
5 Administrator mails Notice to the Class Members to fax, email, or mail Requests for Exclusion
6 from the Settlement or fax, email, or mail an Objection to the Settlement (“Response Deadline”).

7 14. The Court finds that the forms of Class Notice to the Class regarding the pendency
8 of the action and of this Settlement, and the methods of giving notice to members of the Settlement
9 Class constitute the best notice practicable under the circumstances and constitute valid, due, and
10 sufficient notice to all members of the Class. They comply fully with the requirements of California
11 Code of Civil Procedure section 382, California Civil Code section 1781, California Rules of Court
12 3.766 and 3.769, the California and United States Constitutions, and other applicable law.

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

15 16. Class Members who wish to exclude themselves from (opt-out of) the Class
16 Settlement must send the Administrator, by fax, email, or mail, a signed written Request for
17 Exclusion not later than 60 days after the Administrator mails the Class Notice. A Request for
18 Exclusion is a letter from a Class Member or the Class Member’s representative that reasonably
19 communicates the Class Member’s election to be excluded from the Settlement and includes the
20 Class Member’s name, address and email address or telephone number. To be valid, a Request for
21 Exclusion must be timely faxed, emailed, or postmarked by the Response Deadline.

22 17. Participating Class Members may send written objections to the Administrator, by
23 fax, email, or mail. In the alternative, Participating Class Members may appear in Court (or hire an
24 attorney to appear in Court) to present verbal objections at the Final Approval Hearing. A
25 Participating Class Member who elects to send a written objection to the Administrator must do so
26 not later than 60 days after the Administrator’s mailing of the Class Notice.

1 18. Pending the Fairness Hearing, all proceedings in this action, other than proceedings
2 necessary to carry out or enforce the terms and conditions of the Settlement Agreement and this
3 Order, are stayed.

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

7 20. Pursuant to Code of Civil Procedure section 664.6, the Court shall retain jurisdiction
8 with respect to the interpretation, implementation, and enforcement of the Settlement and all order
9 and judgment entered in connection therewith.

10 21. 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	30 days after the Court's entry of this Order
Notice Date: last day for Administrator to mail Class Notice to Class Members.	7 days after receipt of the Class Data
Deadline for Exclusion Period: (i) last day for Settlement Class Members to submit Opt Out Request; (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 fairness hearing
Last day for parties to file motion and supporting documents for final approval of class action settlement.	16 Court days prior to the final fairness hearing
Last day for the Parties to respond to Objections	5 court days prior to the final fairness hearing
Hearing on final approval of class action settlement.	Approximately 150 days after the Court grants preliminary approval of the Settlement

22. The Fairness 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

1 to any objecting Class Member if there is a change in the date and/or time of the Final Approval
2 Hearing.

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4 **IT IS SO ORDERED.**

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Dated: **MAR 27 2026**

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Hon. ~~Christian Towns~~
Judge of the Superior Court

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