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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF IMPERIAL

CONNIE ESPARZA, on behalf of herself
and all others similarly situated,

Plaintiff,

v.

RITZ FMS, INC., a California corporation,
and DOES 1 through 10, inclusive,

Defendants.

CASE NO: ECU004828

Assigned to Hon. L. Brooks Anderholt, Dept. 9

**[PROPOSED] ORDER GRANTING
PRELIMINARY APPROVAL OF CLASS AND
REPRESENTATIVE ACTION SETTLEMENT**

Date: October 29, 2026

Time: 8:30 a.m.

Dept.: 9

Complaint Filed: July 8, 2026

1 The unopposed motion of Plaintiff Connie Esparza (“Plaintiff”) for Preliminary Approval
2 of Class and Representative Action Settlement came on for hearing before this Court in Department
3 9, Judge L. Brooks Anderholt presiding, on October 29, 2026 at 8:30 a.m. The Court, having
4 considered the papers submitted in support of the motion and having heard oral argument of the
5 parties, **HEREBY ORDERS THE FOLLOWING:**

6 1. The Court grants preliminary approval of the settlement based upon the terms set
7 forth in the proposed Settlement Agreement and Release of Claims (the “Settlement”) filed with
8 the Court. The settlement appears to be fair, adequate, and reasonable to the Class;

9 2. The Court finds that the settlement falls within the range of reasonableness and
10 appears to be presumptively valid, subject only to any objections that may be raised at the final
11 hearing;

12 3. The Court approves, as to form and content, the Court Approved Notice of Pendency
13 of Proposed Class Action Settlement and Final Hearing (“Notice”), attached to the Settlement as
14 Exhibit A, and the Request for Exclusion form attached to the Settlement as Exhibit B;

15 4. The Court directs the mailing of the Notice by first class mail to the Settlement Class
16 Members in accordance with the schedule set forth below. The Court finds that the dates selected
17 for the mailing and distribution of the Notice, as set forth herein, meet the requirements of due
18 process and provide the best notice practicable under the circumstances and shall constitute due
19 and sufficient notice to all persons entitled thereto;

20 5. It is ordered that the Settlement Class is preliminarily certified for settlement
21 purposes only. The Settlement Class is defined as follows: all non-exempt employees of Defendant
22 Ritz FMS, Inc., in California at any time between April 6, 2022 and June 25, 2026;

23 6. The Court approves and appoints Gaines Law Corporation as Class Counsel, and
24 grants preliminary approval of an award of attorneys’ fees of up to 35% of the Gross Settlement
25 Amount (or \$115,500) and documented litigation costs of up to \$10,000 to Class Counsel, subject
26 to final approval by the Court following a further motion by Class Counsel;

27 7. The Court approves and appoints Plaintiff Connie Esparza as the Class
28 Representative;

1 8. The Court grants preliminary approval of the allocation of \$30,000 to settle the
2 representative claims under the Private Attorneys General Act (Labor Code § 2698 et seq.), of
3 which 65% (\$19,500) shall be paid directly to the LWDA and 35% (\$10,500) shall be distributed
4 to the Aggrieved Employees as PAGA Employee Payments;

5 9. The Court hereby approves and appoints Phoenix Class Action Administration
6 Solutions as the Settlement Administrator and grants preliminary approval of the payment of fees
7 and other charges of the Settlement Administrator in an amount not to exceed \$10,000; and

8 10. The Court orders the following schedule of dates for the specified actions/further
9 proceedings:

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<u>EVENT</u>	<u>TIMING</u>
Last day for Defendant to provide to the Settlement Administrator a list of all Class Members, including the full name, telephone number, last known address and full social security number of all Class Members; the information necessary to determine the estimated settlement allocation to each Class Member, including: (i) the total number of work weeks of each Class Member in California in an hourly-paid or non-exempt position within the Class Period; and (ii) the total number of pay periods of each Aggrieved Employee in California in an hourly-paid or non-exempt position within the PAGA Period (“Settlement Class Information”)	10 calendar days after entry of Court’s Order granting preliminary approval of Settlement
Last day for Settlement Administrator to mail Notice of Proposed Settlement (“Notice”) to Class Members	20 calendar days after Settlement Administrator’s receipt of the Class Member List
Last day for exclusion requests by Class Members to be postmarked to the Settlement Administrator	45 calendar days after the initial mailing of the Notice to Class Members
Last day for objections to the Settlement by Class Members to be postmarked to the Settlement Administrator	45 calendar days after the initial mailing of the Notice to Class Members
Last day for Class Counsel to file and serve moving papers in support of final settlement approval and request for attorneys’ fees and costs	16 court days before the final settlement approval hearing date
Last day for Class Counsel to file with the Court and serve declaration by Settlement Administrator specifying the due diligence undertaken with regard to the mailing of the Notice	16 court days before the final settlement approval hearing date
Final settlement approval hearing	_____, 2027, at _____ (approximately 100 days after entry of this Order)

IT IS SO ORDERED.

Dated: _____

JUDGE OF THE SUPERIOR COURT