

DOUGLAS HAN (SBN 232858)
SHUNT TATAVOS-GHARAJEH (SBN 272164)
SHELBY MINER (SBN 318338)
HAIG HOGDANIAN (SBN 334699)
JUSTICE LAW CORPORATION
751 N. Fair Oaks Avenue, Suite 101
Pasadena, California 91103
Telephone: (818) 230-7502
Facsimile: (818) 230-7259

Attorneys for Plaintiff Hannah Cohen

MARSHALL R. LURTZ (SBN 296254)
LURTZ LEGAL, P.C.
3511 Camino Del Rio South, Suite 101
San Diego, California 92108
Telephone: (619) 636-7136

Attorneys for Plaintiff Adela Gonzales

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

HANNAH COHEN, individually, and on behalf
of other members of the general public similarly
situated;

Plaintiff,

v.

DESTINATION PET OF CALIFORNIA, INC.,
a California corporation; DESTINATION PET,
LLC, a Delaware limited liability company and
DOES 1 through 100, inclusive;

Defendants.

Case No.: 30-2024-01409266-CU-OE-CXC
[Related Case No. 30-2023-01353632-CU
OE-CXC]

Assigned for All Purposes to:
Honorable David A. Hoffer
Department CX-103

CLASS ACTION

**SUPPLEMENTAL BRIEF IN SUPPORT
OF PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

[Supplemental Declaration of Proposed
Class Counsel (Douglas Han); and
[Proposed] Amended Order filed
concurrently herewith]

Hearing Date: September 22, 2025
Hearing Time: 1:30 p.m.
Hearing Place: Department CX-103

Complaint Filed: June 24, 2024
Trial Date: None Set

ADELA GONZALES, an individual, and on
behalf of all current and former aggrieved
employees,

Plaintiff,

v.

DESTINATION PET OF CALIFORNIA, INC.;
DESTINATION PET, LLC; and DOES 1
through 50, inclusive,

Defendants.

Case No. 30-2023-01353632-CU-OE-CXC
[Related Case No. 30-2024-01409266-CU-
OE-CXC]

Complaint Filed: September 25, 2023

FAC Filed: October 20, 2023

Trial Date: None Set

Plaintiffs Hannah Cohen and Adela Gonzales (“Plaintiffs”) provide this supplemental submission in response to the Court’s tentative ruling on the Motion for Preliminary Approval of Class Action Settlement originally scheduled for hearing on July 18, 2025. On July 17, 2025, the Court issued a tentative ruling ordering Plaintiffs and Defendants Destination Pet of California, Inc. and Destination Pet, LLC (“Defendant”) to make changes to the settlement documents that were submitted alongside the Motion for Preliminary Approval of Class Action Settlement.

The chart below lists each of the Court’s issues from the tentative ruling and the revisions/submissions made to address each issue.

Ruling	Revisions/Submissions
(1) The [Proposed] Order needs to be amended to state the correct Department and Judge.	(See [Proposed Amended Order filed concurrently herewith.]
(2) The PAGA Released Claims include a release of claims for violations of Labor Code §§ 210, 218.5, 221, 432.5, 551, and 552, and a claim for failure to pay sick leave. However, those statutes and claim were not identified in plaintiff’s letters to the LWDA. Since plaintiff did not give the LWDA notice and an opportunity to investigate or pursue litigation itself for these claims, they may not be the subject of the release in this case. (See <u>LaCour vs. Marshalls of California, LLC</u> (2023) 94 Cal. App. 5th 1172, 1192-96.) References to these statutes and claim should be removed from the PAGA release in Section I(DD) of the settlement agreement.	The Settlement Agreement has been amended accordingly. (Supplemental Declaration of Douglas Han in Support of Motion for Preliminary Approval of Class Action Settlement (“Supp. Han Decl.”), ¶ 5; Exhibit 3, <i>supra</i>, at ¶¶ 1, 3.) The Class Notice has been modified accordingly. (Supp. Han Decl., <i>supra</i>, at ¶ 6; Exhibit 4, <i>supra</i>, at § 9(B).)

(3) Further, the court will not approve language releasing claims directly by the LWDA. Instead, the PAGA Release in Section I(DD) of the settlement agreement should be amended to state: “As of the Effective Date and upon fulfillment of Defendant’s payment obligations set forth herein, the claims that Plaintiffs, on behalf of the LWDA and Eligible Aggrieved Employees, are releasing . . .”	The Settlement Agreement has been amended accordingly. (Supp. Han Decl., <i>supra</i>, at ¶ 5; Exhibit 3, <i>supra</i>, at ¶¶ 1, 3.) The Class Notice has been modified accordingly. (Supp. Han Decl., <i>supra</i>, at ¶ 6; Exhibit 4, <i>supra</i>, at § 9(B).)
(4) In addition, the complaint in this action does not include a claim for “failure to pay sick leave,” so that claim must be removed from the class release in Section I(II) of the settlement agreement.	The Settlement Agreement has been amended accordingly. (Supp. Han Decl., <i>supra</i>, at ¶ 7; Exhibit 3, <i>supra</i>, at ¶ 2.) The Class Notice has been modified accordingly. (Supp. Han Decl., <i>supra</i>, at ¶ 8; Exhibit 4, <i>supra</i>, at § 9(A).)
(5) The court is inclined to grant approval of an attorneys’ fees request of only 30% of the gross settlement amount, which the court finds fair, adequate and reasonable for the settlement of this size. The parties may either	(Supp. Han Decl., <i>supra</i>, at ¶ 9.)

reduce the attorneys' fees request by amendment to the settlement agreement and the class notice, or Plaintiffs shall provide documentation and support for any request higher than this percentage at the final approval stage.

(6) The page numbering on the class notice must begin with page 1.

The Class Notice has been modified accordingly.

(Supp. Han Decl., *supra*, at ¶ 10; Exhibit 4, *supra*, at p. 1.)

(7) The caption should be changed to: *Cohen v. Destination Pet of California, Inc., et al.*, OCSC Case No. 30-2024-01409266-CU-OE-CXC (consolidated with *Gonzales v. Destination Pet of California, Inc., et al.*, OCSC Case No. 30-2023-01353632-CU-OE-CXC)

The Class Notice has been modified accordingly.

(Supp. Han Decl., *supra*, at ¶ 11; Exhibit 4, *supra*, at p. 1.)

(8) The first paragraph at the top of Page 3 of the class notice must be removed as the Second Amended and Consolidated Class and Representative Action Complaint was rejected by the court.

The Class Notice has been modified accordingly.

(Supp. Han Decl., *supra*, at ¶ 12; Exhibit 4, *supra*, at § 2.)

Dated: August 22, 2025

JUSTICE LAW CORPORATION

By: 

Douglas Han

Attorneys for Plaintiff Hannah Cohen

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE
1013A(3) CCP

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 751 N. Fair Oaks Avenue, Suite 101, Pasadena, CA 91103 and my electronic service address is shanneyan@justicelawcorp.com

On August 22, 2025, I served the foregoing document described as

**SUPPLEMENTAL BRIEF IN SUPPORT OF PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

for the following cases: **Gonzales v. Destination Pet of California, Inc., et al.,
Case No. 30-2023-01353632-CU-OE-CXC**

**(Related to: Cohen v. Destination Pet of California, Inc., et al.,
Case No. 30-2024-01409266-CU-OE-CXC)**

LWDA/Court Case No.: **LWDA Case No.: CM-965919-23
Orange County Superior Court**

on interested parties in this action by electronically submitting as follows:

State of California
Labor & Workforce Development Agency
800 Capitol Mall, MIC-55
Sacramento, California 95814

[X] BY ELECTRONIC SUBMISSION

Pursuant to California Senate Bill No. 836, I caused the documents described above to be electronically submitted by and through the procedure stated on the website of the State of California Labor and Workforce Development Agency.

[X] STATE

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on August 22, 2025, at Pasadena, California.



Sophia Hanneyan