

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: Gregory Mauro, Esq. FIRM NAME: James Hawkins APLC STREET ADDRESS: 9880 Research Drive, Suite 200 CITY: Irvine TELEPHONE NO.: 949-387-7200 EMAIL ADDRESS: greg@jameshawkinsaplc.com ATTORNEY FOR (name): Jose Roberto Coca Molina SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: 751 West Santa Ana Blvd. MAILING ADDRESS: CITY AND ZIP CODE: Santa Ana 92701 BRANCH NAME: Orange Civil Complex	STATE BAR NUMBER: 222239 STATE: CA ZIP CODE: 92618 FAX NO.: 949-387-6676	FOR COURT USE ONLY CASE NUMBER: 30-2023-01337256-CU-OE-CXC
PLAINTIFF/PETITIONER: Jose Roberto Coca Molina DEFENDANT/RESPONDENT: AMM Market, Inc dba Mission Ranch Market	NOTICE OF ENTRY OF JUDGMENT OR ORDER (Check one): ☒ UNLIMITED CASE (Amount demanded exceeded \$35,000) ☐ LIMITED CASE (Amount demanded was \$35,000 or less)	

TO ALL PARTIES :

1. A judgment, decree, or order was entered in this action on (date): April 18, 2025
2. A copy of the judgment, decree, or order is attached to this notice.

Date: May 2, 2025

Gregory Mauro, Esq.

(TYPE OR PRINT NAME OF ☒ ATTORNEY ☐ PARTY WITHOUT ATTORNEY)


(SIGNATURE)

PLAINTIFF/PETITIONER: Jose Roberto Coca Molina
 DEFENDANT/RESPONDENT: AMM Market, Inc dba Mission Ranch Market

CASE NUMBER:
 30-2023-01337256-CU-OE-CXC

**PROOF OF SERVICE BY FIRST-CLASS MAIL
 NOTICE OF ENTRY OF JUDGMENT OR ORDER**

(NOTE: You cannot serve the Notice of Entry of Judgment or Order if you are a party in the action. The person who served the notice must complete this proof of service.)

1. I am at least 18 years old and **not a party to this action**. I am a resident of or employed in the county where the mailing took place, and my residence or business address is (*specify*):

2. I served a copy of the *Notice of Entry of Judgment or Order* by enclosing it in a sealed envelope with postage fully prepaid and (*check one*):

- a. ☐ deposited the sealed envelope with the United States Postal Service.
 b. ☐ placed the sealed envelope for collection and processing for mailing, following this business's usual practices, with which I am readily familiar. On the same day correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service.

3. The *Notice of Entry of Judgment or Order* was mailed:

- a. on (*date*):
 b. from (*city and state*):

4. The envelope was addressed and mailed as follows:

a. Name of person served:

Street address:

City:

State and zip code:

c. Name of person served:

Street address:

City:

State and zip code:

b. Name of person served:

Street address:

City:

State and zip code:

d. Name of person served:

Street address:

City:

State and zip code:

☐ Names and addresses of additional persons served are attached. (*You may use form POS-030(P).*)

5. Number of pages attached:

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

Date:

 (TYPE OR PRINT NAME OF DECLARANT)

 (SIGNATURE OF DECLARANT)

JAMES HAWKINS APLC
James R. Hawkins, Esq. (#192925)
Gregory Mauro, Esq. (#222239)
Michael Calvo, Esq. (#314986)
Lauren Falk, Esq. (#316893)
Ava Issary, Esq. (#342252)
9880 Research Drive, Suite 200
Irvine, CA 92618
Tel.: (949) 387-7200
Fax: (949) 387-6676
Email: James@jameshawkinsaplc.com
Email: Greg@jameshawkinsaplc.com
Email: Michael@jameshawkinsaplc.com
Email: Lauren@jameshawkinsaplc.com
Email: Ava@jameshawkinsaplc.com

Attorneys for Plaintiff JOSE ROBERTO COCA MOLINA
individually and on behalf of all others similarly situated.

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

JOSE ROBERTO COCA MOLINA,
individually and on behalf of all others
similarly situated,

Plaintiff,

v.

AMM MARKET, INC., dba MISSION
RANCH MARKET, a California Corporation,
Defendant.

Case No.: 30-2023-01337256-CU-OE-CXC
Related to Case No.: 30-2023-01351378-CU-
OE-CXC

Judge: Hon. Randall J. Sherman
Department: CX105

**[PROPOSED] ORDER GRANTING
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: April 18, 2025
Time: 10:00 a.m.

ORDER

This matter came on for hearing on April 18, 2025 at 10:00 a.m. in Department CX105 of the above-captioned court on the Motion for Preliminary Approval of Class Action Settlement, upon the terms and conditions set forth in the Stipulation for Class Action Settlement (hereinafter “Settlement Agreement”).

The Court, having fully reviewed the Motion for Preliminary Approval of Class Action Settlement, the Memorandum of Points and Authorities and Declarations filed in support thereof, the Settlement Agreement, including the proposed Notice of Proposed Settlement Class Action Settlement, and in recognition of the Court's duty to make a preliminary determination as to the reasonableness of any proposed class action settlement, and if preliminarily determined to be reasonable, to ensure proper notice is provided to Settlement Class Members in accordance with due process requirements, and to set a Final Approval Hearing to consider the proposed Settlement Agreement as to the good faith, fairness, adequacy and reasonableness of any proposed settlement, and having heard the argument of Counsel for the respective parties, the Court **HEREBY MAKES THE FOLLOWING DETERMINATIONS AND ORDERS:**

It appears to the Court on a preliminary basis that the Gross Settlement Amount (“GSA”) is fair and reasonable to the Class Members when balanced against the probable outcome of further litigation relating to class certification, the liability and damages issues involved, and the potential for appeals. It further appears that sufficient investigation, research, and litigation has been conducted such that counsel for the Parties at this time are able to reasonably evaluate their respective positions. It further appears that the Settlement at this time will avoid substantial costs, delay and risks that would be presented by the further prosecution of the litigation. It further appears that the proposed Settlement has been reached as the result of intensive, serious and non-collusive negotiations between the Parties. **ACCORDINGLY, GOOD CAUSE APPEARING, THE MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT IS HEREBY GRANTED, AND AS A PART OF SAID PRELIMINARY APPROVAL, THE COURT HEREBY ORDERS THAT THE SETTLEMENT CLASS BE CONDITIONALLY CERTIFIED FOR SETTLEMENT PURPOSES ONLY, AND**

1 THAT JAMES HAWKINS, APLC BE CONDITIONALLY AND PRELIMINARILY
2 APPOINTED CLASS COUNSEL. MORE SPECIFICALLY, THE COURT FINDS AS
3 FOLLOWS:

4 The Court finds on a preliminary basis that the Settlement between Plaintiff and
5 Defendant appears to be within the range of reasonableness of a settlement which could
6 ultimately be given final approval by this Court. The Court preliminarily finds that the terms of
7 the Settlement, as amended, are fair, reasonable, and adequate, pursuant to Section 382 of the
8 California Code of Civil Procedure.

9 The Court notes that Defendant has agreed to a non-reversionary GSA of \$800,000.00.
10 Defendant will pay out the entirety of the GSA to the Participating Class Members and PAGA
11 Settlement Group Members, less deductions for attorneys' fees and costs, the Named Plaintiff
12 Enhancement Award, reasonable expenses of the third-party Settlement Administrator, and the
13 LWDA for PAGA penalties.

14 The Court finds that the elements of numerosity, commonality, typicality and adequacy
15 have been established to support conditional certification of the Settlement Class for settlement
16 purposes, with Plaintiff acting as the Class Representative.

17 The Court hereby appoints, for settlement purposes, Plaintiff JOSE ROBERTO COCA
18 MOLINA as the Class Representative and preliminarily finds Plaintiff is an adequate
19 representative for the Settlement Class for settlement purposes. The Court further finds that
20 James Hawkins APLC has preliminarily established adequacy to be appointed as Class Counsel
21 and appoints them as Class Counsel.

22 The Class as identified in the Settlement is provisionally certified by this Order.

23 The Court finds that the proposed manner of class notice is adequate.

24 The Court approves APEX Class Action Settlement Administration to serve as the
25 Settlement Administrator.

26 The Court further hereby approves the proposed Notice of Class Action Settlement and
27 Orders to the notice to be mailed to the Settlement Class.

28 The Court finds that the Notice of Class Action Settlement constitutes the best notice

1 practicable under the circumstances, is in full compliance with the laws of the State of
2 California and, to the extent applicable, the United States Constitution and the requirements of
3 due process. The Court further finds that the Notice of Class Action Settlement fully and
4 accurately informs Settlement Class Members of all material elements of the proposed
5 Settlement, of each Settlement Class Member's right to be excluded from the Settlement Class,
6 and each Settlement Class Member's right and opportunity to object to the proposed Settlement.
7 The Notice of Class Action Settlement adequately advises the Class about: the Class Action; the
8 terms of the proposed Settlement and the benefits available to each Settlement Class Member;
9 each Settlement Class Member's right to participate, submit an exclusion/Opt-Out, or Objection
10 to the proposed Settlement, and the timing and procedures for doing so; the temporary and
11 conditional certification of the Settlement Class for settlement purposes only; preliminary Court
12 approval of the proposed Settlement; timing and procedures for distributing the Gross
13 Settlement and the Individual Settlement Payments to the Participating Class Members; and the
14 date of the Final Approval Hearing as well as the rights of the Settlement Class to file
15 documentation in support of or in opposition to and appear in connection with said hearing.

16 ACCORDINGLY, GOOD CAUSE APPEARING, THE COURT HEREBY
17 APPROVES THE PROPOSED CLASS NOTICE PACKET TO THE CLASS AND FINDS that
18 mailing to the last known address of the Settlement Class, as specifically described within the
19 Settlement Agreement, constitutes an effective method of notifying Settlement Class Members
20 of their rights with respect to the proposed Settlement. ACCORDINGLY, IT IS HEREBY
21 ORDERED that:

22 Within 14 calendar days after entry of the Preliminary Approval Order, Defendant shall
23 provide the Class Data to the Settlement Administrator. The Settlement Administrator will run a
24 check of the Class Members' addresses against those on file with the U.S. Postal Service's
25 National Change of Address Database. The Class Data provided to the Settlement Administrator
26 will remain confidential, shall be used solely to administer the Settlement, and it will not be
27 used or disclosed to anyone but Class Counsel pursuant to a Stipulated Protective order, except
28 as required by applicable tax authorities, pursuant to Defendant's express written consent, or by

1 order of the Court. Nothing herein shall prevent Class Counsel from communicating with Class
2 Members regarding the Action and Settlement. The Settlement Administrator will be required to
3 sign and provide to Defendant a Certification Regarding Confidential Discovery Materials and
4 to be bound by a Stipulated Protective Order as entered by the Court. The Settlement
5 Administrator shall use due care with respect to the storage, custody, use, and/or dissemination
6 of the confidential information. Such information must be stored in a secure fashion and all
7 persons who access the data must agree to keep it confidential.

8 IT IS FURTHER ORDERED Within 14 calendar days after entry of the Preliminary
9 Approval Order, Defendant will provide to the Settlement Administrator a list of Class
10 Members that identifies each Class Member by name, Social Security Number, and last-known
11 address; and specifies the number of weeks worked by each Class Member in a non-exempt
12 position during the Class Period and the PAGA Period (the "Class List"). Defendant will
13 provide the Class List in an Excel file or other format reasonably acceptable to the Settlement
14 Administrator. The Settlement Administrator will keep the list confidential, except it shall be
15 provided to Class Counsel upon request with Social Security Numbers and address information
16 redacted, and Class Counsel agrees to use such information only for the purposes described in
17 the Settlement Agreement.

18 IT IS FURTHER ORDERED Upon receipt of the Class List, the Settlement
19 Administrator shall perform a search based upon the National Change of Address Database to
20 update and correct any known or identifiable address changes. The Settlement Administrator
21 shall exercise its best judgment to determine the current mailing address for each Class Member.
22 Within 14 calendar days after receipt of the Class List from Defendant, the Settlement
23 Administrator will send the Class Notice to each Class Member via First Class U.S. Mail.
24 Receipt of the Class Notice shall be presumed as to each and every Class Member whose Class
25 Notice is not returned to the Settlement Administrator as undeliverable within 14 calendar days
26 after mailing.

27 IT IS FURTHER ORDERED The Settlement Administrator will re-mail any notice
28 packet returned by the United States Postal Service with a forwarding address on or before the

1 expiration of the Notice Period. It shall be conclusively presumed that those Class Members
2 whose re-mailed Class Notice is not returned to the Settlement Administrator as undeliverable
3 within 14 calendar days after re-mailing, received the Class Notice. Class Members who receive
4 a re-mailed Class Notice shall have 45 days from the date of the re-mailing to object, opt out, or
5 dispute the workweeks attributed to him or her.

6 IT IS FURTHER ORDERED The Settlement Administrator will use the appropriate skip
7 tracing and National Change of Address searches to increase the likelihood of delivery of the
8 Class Notice to Class Members, and to re-mail the notice packets returned by the Postal Service
9 without a forwarding address upon locating new or alternate addresses after a reasonable search.

10 IT IS FURTHER ORDERED A Class Member will not be entitled to opt out of the
11 settlement established by the Settlement Agreement unless the Class Member submits a valid
12 opt-out request (“Opt-Out Request”). A valid Opt-Out Request must:

- 13 (i) contain the Class Member’s full name and current address;
- 14 (ii) the Action name and/or case number;
- 15 (iii) a statement clearly expressing the Class Member’s desire to be excluded from (or
16 opt out of) the Settlement; and
- 17 (iv) be returned so that it is postmarked on or before the expiration of the Notice
18 Period.

19 Alternatively, a Class Member may fill out the Opt-Out Request Form attached to the Class
20 Notice and return it so that it is postmarked on or before the expiration of the Notice Period.
21 Any Class Members who worked during the PAGA Period and who opt out of the Settlement
22 will still be considered Aggrieved Employees for purposes of the Settlement Agreement.

23 IT IS FURTHER ORDERED Any Class Member who fails to submit a timely,
24 complete, and valid Opt-Out Request will be barred from opting out of the Settlement
25 Agreement or the settlement, unless otherwise ordered by the Court. If the Settlement
26 Administrator receives a timely Opt-Out Request that is incomplete, it will make reasonable
27 attempts to contact the class member to cure the defect. The Settlement Administrator will not
28 consider any Opt-Out Request postmarked after the end of the Notice Period, but will report its

1 receipt of any such requests to Class Counsel and counsel for Defendant. It shall be presumed
2 that if an Opt-Out Request is not postmarked on or before the end of the Notice Period, the
3 Class Member did not make the request in a timely manner. Absent good cause found by the
4 Court, a declaration submitted by any Class Member attesting to the mailing of an Opt-Out
5 Request on or before the expiration of the Notice Period shall be insufficient to overcome the
6 conclusive presumption that the Opt-Out Request was untimely. Under no circumstances shall
7 the Settlement Administrator have the authority to extend the deadline for Class Members to
8 submit a request to opt out of the settlement without the Parties' joint written consent.

9 IT IS FURTHER ORDERED Any Class Member may object to the Settlement. Any
10 written objection must be mailed to the Settlement Administrator (who shall promptly provide a
11 copy to Class Counsel and counsel for Defendant) by the close of the Notice Period. Class
12 Counsel
13 will ensure that any written objections get filed with the Court concurrently with the final
14 approval
15 documents by having it attached to the Settlement Administrator's Declaration. Class Members
16 who have not objected in writing may still appear and be heard at the Settlement Hearing.
17 Written objections to the Settlement must contain at least the following: (i) the objecting Class
18 Member's full name and current address; (ii) a clear reference to the Action by name and/or
19 case number; and (iii) a statement of the specific reasons why the objector believes the
20 Settlement is unfair or objects to the Settlement.

21 Alternatively, a Class Member may fill out the Notice of Objection to Class and PAGA
22 Action Settlement Form attached to the Class Notice. In addition, though not required, the
23 Parties ask that any objecting Class Member also include a statement of whether the objector
24 intends to appear at the final approval hearing, either in person or through counsel and, if
25 through counsel, a statement identifying that counsel by name, bar number, address, and
26 telephone number. In addition,. Class Members may appear at the final approval hearing to state
27 their objection even if they do not submit a written objection during the Notice Period.

28 IT IS FURTHER ORDERED Class Counsel or Defendant's counsel may, up to five (5)

1 court days before the Final Hearing Date, file responses to any written objections submitted to
2 the Court.

3 Unless they opt out of the Settlement as specified in Paragraph 57 of the Settlement
4 Agreement, Class Members who object to the proposed settlement or the Agreement will remain
5 Participating Class Members, and shall be deemed to have voluntarily waived their right to
6 pursue an independent remedy against Defendant and the other Released Parties. To the extent
7 any Participating Class Member objects to the proposed settlement or Agreement and such
8 objection is overruled in whole or in part, such individuals will be bound by the Court's Final
9 Approval Order. In the event that any person objects to or opposes this proposed settlement or
10 the Agreement, or attempts to intervene in or otherwise enter the Actions, the Parties and Class
11 Counsel will use their best efforts to defend the Settlement. A Class Member cannot both opt
12 out and object to the Settlement. If a Class Member both objects and opts out of the Settlement,
13 the opt-out will control and the objection will be deemed invalid.

14 IT IS FURTHER ORDERED that any disputes not resolved by the Settlement
15 Administrator concerning the administration of the Settlement will be resolved by the Court
16 under the laws of the State of California. Prior to any such involvement of the Court, counsel
17 for the Parties will confer in good faith to attempt to resolve the dispute without involving the
18 Court.

19 IT IS FURTHER ORDERED that the Final Approval Hearing shall be held on August
20 22, 2025 at 10:00 a.m. in Department CX105 of the above captioned Court to consider the
21 fairness, adequacy and reasonableness of the proposed Settlement preliminarily approved by
22 this Order Granting Preliminary Approval, and to consider the application of Class Counsel for
23 an award of attorneys' fees, costs, and Named Plaintiff Enhancement Award. The Court may
24 continue the Final Approval Hearing to another date at its discretion.

25 IT IS FURTHER ORDERED that all briefs and materials in support of an Order
26 Granting Final Approval and application for attorneys' fees and costs and class representative
27 enhancement shall be filed with this Court no later than sixteen (16) court days before the date
28 set for the Final Approval Hearing.

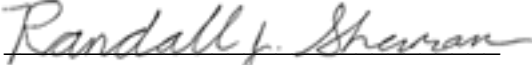
1 IT IS FURTHER ORDERED that, if for any reason the Court does not execute and file
2 an Order Granting Final Approval and Judgment, or if the Effective Date does not occur for any
3 reason whatsoever, the Settlement Agreement and the proposed Settlement which is the subject
4 of this Order and all evidence and proceedings had in connection therewith shall be without
5 prejudice to the status quo ante rights of the Parties to the litigation as more specifically set forth
6 in the Settlement Agreement.

7 IT IS FURTHER ORDERED that, pending further order of this Court, all proceedings in
8 this matter except those contemplated herein and in the Settlement Agreement are stayed.

9 The Court expressly reserves the right to adjourn or continue the Final Fairness
10 Approval
11 Hearing from time to time without further notice to the Class.

12 IT IS SO ORDERED.

13
14 Dated: April 18, 2025


HON. RANDALL J. SHERMAN
JUDGE OF THE SUPERIOR COURT

I am a resident of the State of California, County of Orange. I am over the age of eighteen years and not a party to the within action. My business address is 9880 Research Drive., Suite 200, Irvine, California 92618.

PLAINTIFF'S NOTICE OF ENTRY OF JUDGMENT OR ORDER

SERVICE LIST

Via LWDA Website Only
Labor and Workforce Development Agency
Attn: PAGA Administrator
1515 Clay Street, Ste 801
Oakland, CA 94612
[http://www.dir.ca.gov/Private-Attorneys-
General-Act](http://www.dir.ca.gov/Private-Attorneys-General-Act)

Executed on May 2, 2025, at Irvine, California


Eddie Magana