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

JERROD LAMONT STEVENS, individually,  
and on behalf of all others similarly situated,

*Plaintiff,*

v.

BBQ HOLDINGS, INC., a corporation; BBQ  
GROWTH LLC, an unknown business entity;  
TAHOE JOE'S STEAKHOUSE, LLC, a limited  
liability company; and DOES 1 through 10,  
inclusive,

*Defendants.*

Case No.: VCU300433

**CLASS & REPRESENTATIVE ACTION**

[Assigned for all purposes to: Hon. David C.  
Mathias, Dept. 1]

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

[Filed with Notice of Motion and Motion,  
Memorandum of Points and Authorities, the  
Declaration of Tyler J. Woods, and the  
Declaration of Jerrod Lamont Stevens]

**PRELIMINARY APPROVAL HEARING**

Date: January 22, 2026

Time: 8:30 a.m.

Dept: 1

Complaint filed: July 28, 2023

FAC filed: August 7, 2025

Trial date: Not set

1           The Court has before it Plaintiff Jerrod Lamont Stevens (“Plaintiff”) Motion for  
2 Preliminary Approval of Class Action Settlement. Having reviewed the Motion for Preliminary  
3 Approval of Class Action Settlement, the Declaration of Tyler J. Woods, the Class Action and  
4 PAGA Settlement Agreement and Class Notice (which is referred to here as the “Settlement  
5 Agreement”), and good cause appearing, the Court hereby finds and orders as follows:

6           1.       The Court finds on a preliminary basis that the Settlement Agreement appears to  
7 be fair, adequate, and reasonable and therefore meets the requirements for preliminary approval.  
8 The Court grants preliminary approval of the Settlement and the Settlement Class based upon  
9 the terms set forth in the Settlement Agreement between Plaintiff Jerrod Lamont Stevens and  
10 Defendants BBQ Holdings, Inc., BBQ Growth LLC, and Tahoe Joe’s Steakhouse, LLC  
11 (collectively, “Defendants”), attached to the Declaration of Tyler J. Woods in Support of  
12 Plaintiff’s Motion for Preliminary Approval of Class Action Settlement as Exhibit 1.

13           2.       The Settlement falls within the range of reasonableness of a settlement which  
14 could ultimately be given final approval by this Court, and appears to be presumptively valid,  
15 subject only to any objections that may be raised at the Final Approval Hearing and final  
16 approval by this Court. The Court notes that Defendants have agreed to create a common fund  
17 of \$650,000.00 to cover (a) settlement payments to class members who do not validly opt out;  
18 (b) a \$32,500.00 payment to the State of California, Labor & Workforce Development Agency  
19 for its share of the settlement of claims for penalties under the Private Attorneys General Act,  
20 with 75% of which (\$24,375.00) will be paid to the LWDA and 25% (\$8,125.00) will be paid  
21 to eligible Aggrieved Employees; (c) Class Representative service payment of up to \$10,000.00  
22 for Plaintiff Jerrod Lamont Stevens; (d) Class Counsel’s attorneys’ fees, not to exceed 33 1/3%  
23 of the Gross Settlement Amount (\$216,666.67), and up to \$30,000.00 in costs for actual  
24 litigation expenses incurred by Class Counsel; and (e) Settlement Administration Costs of up to  
25 \$9,950.00.

26           3.       The Court preliminarily finds that the terms of the Settlement appear to be within  
27 the range of possible approval, pursuant to California Code of Civil Procedure § 382 and  
28 applicable law. The Court finds on a preliminary basis that: (1) the settlement amount is fair

1 and reasonable to the class members when balanced against the probable outcome of further  
2 litigation relating to class certification, liability and damages issues, and potential appeals; (2)  
3 significant informal discovery, investigation, research, and litigation have been conducted such  
4 that counsel for the parties at this time are able to reasonably evaluate their respective positions;  
5 (3) settlement at this time will avoid substantial costs, delay, and risks that would be presented  
6 by the further prosecution of the litigation; and (4) the proposed settlement has been reached as  
7 the result of intensive, serious, and non-collusive negotiations between the Parties with the  
8 assistance of a well-respected class action mediator. Accordingly, the Court preliminarily finds  
9 that the Settlement Agreement was entered into in good faith.

10 4. A final fairness hearing on the question of whether the proposed settlement,  
11 attorneys' fees and costs to Class Counsel, payment to the State of California, Labor &  
12 Workforce Development Agency for its share of the settlement of claims for penalties under the  
13 Private Attorneys General Act, and the class representative's enhancement award should be  
14 finally approved as fair, reasonable and adequate as to the members of the class is hereby set in  
15 accordance with the Implementation Schedule set forth below.

16 5. The Court provisionally certifies for settlement purposes only the following class  
17 (the "Settlement Class"): "persons who worked for Defendants in California as an hourly, non-  
18 exempt employees at any time during the Class Settlement Covered Period."

19 6. "Class Settlement Covered Period" means the period from October 7, 2021,  
20 through the date of preliminary approval of the Settlement.

21 7. The Court finds, for settlement purposes only, that the Settlement Class meets the  
22 requirements for certification under California Code of Civil Procedure § 382 in that: (1) the  
23 Settlement Class Members are so numerous that joinder is impractical; (2) there are questions  
24 of law and fact that are common, or of general interest, to all Settlement Class Members, which  
25 predominate over individual issues; (3) Plaintiff's claims are typical of the claims of the  
26 Settlement Class Members; (4) Plaintiff and Class Counsel will fairly and adequately protect  
27 the interests of the Settlement Class Members; and (5) a class action is superior to other  
28 available methods for the fair and efficient adjudication of the controversy.

8. The Court appoints as Class Representative, for settlement purposes only, Plaintiff Jerrod Lamont Stevens. The Court further preliminarily approves Plaintiff's ability to request an incentive award up to \$10,000.00.

9. The Court appoints, for settlement purposes only, Molly DeSario and Arsiné Grigoryan of Wilshire Law Firm, PLC as Class Counsel. The Court further preliminarily approves Class Counsel's ability to request attorneys' fees of up to one-third of the Total Settlement Amount (\$216,666.67), and costs not to exceed \$30,000.00.

10. The Court appoints ILYM Group, Inc. as the Settlement Administrator with reasonable administration costs estimated not to exceed \$9,950.00.

11. The Court approves, as to form and content the Class Notice, attached to the Settlement Agreement. The Court finds on a preliminary basis that plan for distribution of the Notice to Settlement Class Members satisfies due process, provides the best notice practicable under the circumstances, and shall constitute due and sufficient notice to all persons entitled thereto.

12. The parties are ordered to carry out the Settlement according to the terms of the Settlement Agreement.

13. Any class member who does not timely and validly request exclusion from the settlement may object to the Settlement Agreement.

14. The Court orders the following Implementation Schedule:

|                                                                  |                                                                                             |
|------------------------------------------------------------------|---------------------------------------------------------------------------------------------|
| Defendants to provide Class List to the Settlement Administrator | 20 days after notice of entry of the Court's order granting Motion for Preliminary Approval |
| Settlement Administrator to mail the Notice Packets              | 14 days after receipt of the Class List from the Defendant                                  |
| Response Deadline                                                | 45 days after Notice is mailed out by the Settlement Administrator                          |

|                        |                                                                                                                   |                                                                                                                                                                          |
|------------------------|-------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1<br>2                 | Deadline to Provide Written Objections, if any                                                                    | 45 days after Notice is mailed out by the Settlement Administrator                                                                                                       |
| 3<br>4<br>5            | Deadline to file Motion for Final Approval, Request for Attorney's Fees and Costs, and Service Award to Plaintiff | 16 court days before hearing on Motion for Final Approval, which is _____;                                                                                               |
| 6<br>7<br>8<br>9<br>10 | Final Approval Hearing                                                                                            | _____ at _____ a.m./p.m., or first available date thereafter, in Department 1. The hearing may be continued to another date without further notice to the Class Members. |

11           15.     The Court further ORDERS that, pending further order of this Court, all  
12 proceedings in this lawsuit, except those contemplated herein and in the settlement, are stayed.

13           **IT IS SO ORDERED.**

14  
15  
16 DATE:

\_\_\_\_\_  
Hon. David C. Mathias  
Tulare County Superior Court