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Aggrieved Employees

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SANTA BARBARA

HENRY FREDY CASTILLO CABELL, an
individual, on behalf of himself, the State of
California, as a private attorney general, and on
behalf of all others similarly situated,

Plaintiff,

v.

WEST COVINA WHOLESALE NURSERY
LLC, a California Limited Liability Company;
and DOES 1 TO 50,

Defendants.

Case No. 23CV03928

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

Date: May 12, 2025

Time: 10:00 a.m.

Dept.: 5

Judge: Hon. Colleen K. Sterne

Complaint Filed: September 11, 2023

FAC Filed: January 12, 2024

Plaintiff Henry Fredy Castillo Cabell's Motion for Preliminary Approval of Class Action
and PAGA Settlement ("Motion") came before this Court on May 12, 2025, in Department 5 before
the Honorable Colleen K. Sterne. The Court having considered the papers submitted in support of
the Motion and good cause appearing therefore,

IT IS HEREBY ORDERED:

1. The Court grants preliminary approval of the Settlement and the Settlement Class
based upon the terms set forth in the Settlement Agreement and Release of Class Action Between

1 Plaintiff and Defendant (“Settlement Agreement”) filed with the Motion. All terms used herein
2 shall have the same meaning as defined in the Settlement Agreement.

3 2. The settlement set forth in the Settlement Agreement appears to be fair, adequate
4 and reasonable to the Class. The Settlement falls within the range of reasonableness and appears to
5 be presumptively valid, subject only to any objections that may be raised at the final fairness hearing
6 and final approval by this Court.

7 3. A final fairness hearing on the question of whether the proposed Settlement,
8 attorneys’ fees and costs to Class Counsel, Class Representative’s Enhancement Award, penalties
9 of any nature and costs of settlement administration should be finally approved as fair, reasonable
10 and adequate as to the members of the Class is scheduled in Department 5 on the date and time set
11 forth in the Implementation Schedule in Paragraph 10 below.

12 4. This Court approves, as to form and content, the Notice of Proposed Class Action
13 and PAGA Settlement and Hearing Date for Final Court Approval of Settlement (“Class Notice”)
14 (**Exhibit 1**) and the Class Action Settlement Share Form (“Share Form”) (**Exhibit 2**). The Court
15 approves the procedure for Class Members to opt out of and to object to the Settlement as set forth
16 in the Settlement Agreement and Class Notice.

17 5. The Court directs the mailing of the Class Notice by first-class mail to the Class
18 Members in accordance with the Implementation Schedule set forth in Paragraph 10 below. The
19 Court finds the dates selected for the mailing and distribution of the Class Notice, as set forth in the
20 Implementation Schedule, meet the requirements of due process and provide the best notice
21 practicable under the circumstances and shall constitute due and sufficient notice to all persons
22 entitled thereto.

23 6. It is ordered that the Settlement Class is preliminarily certified for settlement
24 purposes only.

25 7. The Court confirms Plaintiff Henry Fredy Castillo Cabell as Class Representative,
26 and Melmed Law Group P.C. as Class Counsel.

27 8. The Court confirms the appointment of Phoenix Class Action Administration
28 Solutions as the Settlement Administrator.

9. To facilitate administration of the Settlement pending final approval, the Court hereby enjoins Plaintiff and all Class Members from filing or prosecuting any claims, suits or administrative proceedings (including filing claims with the Division of Labor Standards Enforcement of the California Department of Industrial Relations) regarding claims released by the Settlement, unless and until such Class Members have filed valid Requests for Exclusion with the Settlement Administrator and the time for opting out of the class has elapsed.

10. The Court orders the following Implementation Schedule for further proceedings:

a.	Deadline for Defendant to Submit Class Data to the Settlement Administrator	[Within fourteen (14) calendar days of this order.]
b.	Deadline for Settlement Administrator to Mail Notice Packets to all Class Members	[Within twenty-eight (28) calendar days of this order.]
c.	Deadline for Class Members to Postmark Challenges to Workweek Calculations	[Within forty-five (45) days after mailing of the Class Notice.]
d.	Deadline for Class Members to Postmark Requests for Exclusion	[Within forty-five (45) days after mailing of the Class Notice.]
e.	Deadline for Class Members to Submit Any Objections to Settlement	[Within forty-five (45) days after mailing of the Class Notice.]
f.	Deadline for Settlement Administrator to Provide Class Counsel with Declaration of Due Diligence	[At least twenty-one (21) calendar days prior to final approval and fairness hearing.]
f	Final Approval and Fairness Hearing	October 6, 2025, _____ at 10:00 a.m.

IT IS HEREBY ORDERED.

Dated: 06/16/2025



Honorable Colleen K. Sterne
Colleen K. Sterne