

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

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE**

MICHELLE TORRES, DANTE
TEDDINGTON, ASHLEY BEHNKEN, and
ANGELIQUE TEDDINGTON, each
individually, and on behalf of other members of
the general public similarly situated;

Plaintiffs,

vs.

JF RETAIL SERVICES, LLC d/b/a
FABLETICS, LLC; TECHSTYLES, INC.

Defendants.

Case No. 30-2022-01244519-CU-OE-CXC

*Assigned for all purposes to the Hon. Layne H.
Melzer, Dept. CX 102*

**ORDER GRANTING PLAINTIFFS’
MOTION FOR PRELIMINARY APPROVAL
OF CLASS ACTION AND PAGA
SETTLEMENT**

Date: October 2, 2025
Time: 2:00 p.m.
Dept.: CX102

Complaint Filed: February 8, 2022
First Amend. Compl. Filed: January 20, 2023
Second Amend. Compl. Filed: October 23, 2023
Third Amend. Compl. Filed: February 9, 2024
Fourth Amend. Compl. Filed: February 5, 2025
Trial Date: None

ORDER

Plaintiffs Dante Teddington, Angelique Teddington, and Ashley Behnken’s (“Plaintiffs”) Motion for Preliminary Approval of the Class Action and PAGA Settlement (“Motion”) came on regularly for hearing before this Court on October 2, 2025, at 2:00 p.m.

Plaintiff’s Motion seeks preliminary approval of the “Settlement” comprised of: (i) the Class Action and PAGA Settlement Agreement (“Original Settlement”), attached as Exhibit A to the Declaration of Carolyn H. Cottrell in Support of Plaintiffs’ Motion for Preliminary Approval of Class and PAGA Settlement (ROA No. 261) (“Cottrell Decl.”); (ii) the Addendum to Class Action and PAGA Settlement Agreement (“First Addendum”), attached as Exhibit B to the Cottrell Decl. (ROA No. 261); and (iii) the Second Addendum to Class Action and PAGA Settlement Agreement (“Second Addendum”), attached as Exhibit 1 to the Supplemental Declaration of Carolyn H. Cottrell in Support of Plaintiffs’ Motion for Preliminary Approval of Class and PAGA Settlement (ROA No. 285).

The Court, having considered the Motion, the Memorandum of Points and Authorities in support thereof, the declarations of Plaintiffs Dante Teddington, Angelique Teddington, and Ashley Behnken, the declaration and supplemental declaration of Carolyn H. Cottrell, all supporting documents, the pleadings and papers on file in this action, and any argument and/or evidence presented at the hearing on the Motion, and good cause appearing therefore, **HEREBY ORDERS AND MAKES THE FOLLOWING DETERMINATIONS:**

1. This Order incorporates by reference the parties’ Settlement and all defined terms herein shall have the same meaning as set forth in the Settlement.

2. The Court **GRANTS** preliminary approval of the Settlement and finds its terms to be fair, adequate, and within the range of reasonableness of a settlement that ultimately could be finally approved by the Court at a Final Approval Hearing.

3. For purposes of the Settlement only, the Court finds that the proposed Class is ascertainable and that there is a sufficiently well-defined community of interest among the Class Members in questions of law and fact. Therefore, for settlement purposes only, the Court **GRANTS** conditional certification of the Class, which is defined as “All current and former non-

1 exempt, hourly paid retail store employees who worked in California for Defendants, or either of
2 them, between February 8, 2018 and December 6, 2024.” All Class Members who do not opt out
3 are bound by the terms of the Settlement.

4 4. For purposes of the Settlement, the Court designates Plaintiffs Dante Teddington,
5 Angelique Teddington, and Ashley Behnken as Class Representatives and designates Schneider
6 Wallace Cottrell Kim LLP (“SWCK”) and SW Employment Law (“SW”) as Class Counsel.

7 5. The Court preliminarily approves the Gross Settlement Amount of \$500,000.00
8 which excludes Defendants’ share of federal, state, and local payroll taxes on the wage portion of
9 the Settlement Awards.

10 6. The Court preliminarily approves a PAGA Payment of \$75,000.00 of which
11 \$18,750.00 will be distributed to Aggrieved Employees on a *pro rata* pay period basis according
12 to the number of pay periods worked during the PAGA period, and \$56,250 will be paid to the
13 LWDA for PAGA claims.

14 7. The Court preliminarily approves an Enhancement Award of \$10,000.00 each to
15 Plaintiffs Ashley Behnken, Dante Teddington, and Angelique Teddington for a total of
16 \$30,000.00.

17 8. The Court preliminarily approves an award of attorneys’ fees up to \$175,000.00 and
18 actual costs, estimated to be \$26,310.33, to Class Counsel.

19 9. The Court designates Apex Class Action Administration as the third-party
20 Settlement Administrator for mailing notices, administering the Settlement, and carrying out all of
21 the other responsibilities outlined in the Settlement, and preliminarily approves Settlement
22 Administration Costs of up to \$13,000.00.

23 10. The Court approves as to form and content the Class Notice in the form attached to
24 the Second Addendum as Exhibit A. Minor, non-substantive changes are permitted to the extent
25 required to facilitate notice administration.

26 11. The Court finds that the form of notice to the Class Members regarding the
27 pendency of the action and Settlement and the method of giving notice to Class Members
28 constitute the best notice practicable under the circumstances and constitute valid, due, and

1 sufficient notice to all Class Members. The form and method of giving notice comply fully with
2 the requirements of Cal. Code Civ. Proc. § 382, Cal. Rules of Court 3.766 and 3.769, the
3 California and United States Constitutions, and other applicable law.

4 12. The Court further approves the procedures for Class Members to opt out of or
5 object to the Settlement, as set forth in the Class Notice.

6 13. The procedures and requirements for submitting written objections in connection
7 with the Final Approval Hearing are intended to ensure the efficient administration of justice and
8 the orderly presentation of any Class Member's objection to the Settlement, in accordance with
9 the due process rights of all Class Members. Class Members are permitted to appear at the Final
10 Approval Hearing and object to the Settlement even if they do not submit written objections.

11 14. The Court **DIRECTS** the Settlement Administrator to send the Settlement Notice to
12 the Class Members via U.S. Mail in accordance with the terms of the Settlement.

13 15. The Settlement Notice shall provide 60 days from the date of mailing for Class
14 Members to opt out of or object to the Settlement. This response deadline shall be extended by an
15 additional 30 days if the Class Notice is re-mailed.

16 16. The Final Approval Hearing on the question of whether the Settlement should be
17 finally approved as fair, reasonable, and adequate is scheduled for May 7, 2026 at the Orange
18 County Superior Court Civil Complex Center, 751 W. Santa Ana Blvd., Santa Ana, CA 92701 in
19 Department CX-102.

20 17. At the Final Approval Hearing, the Court will consider: (a) whether the Settlement
21 should be finally approved as fair, reasonable, and adequate for the Class; (b) whether a judgment
22 granting final approval of the Settlement should be entered; and (c) whether Plaintiffs' application
23 for reasonable attorneys' fees, reimbursement of litigation costs, Plaintiffs' service awards, and
24 Settlement administration costs should be granted.

25 18. Counsel for the parties shall file memoranda, declarations, and other materials in
26 support of their request for final approval of the Settlement, attorneys' fees, litigation expenses,
27 Plaintiffs' service awards, and Settlement administration costs prior to the Final Approval Hearing
28 according to the time limits set by the Code of Civil Procedure and California Rules of Court.

1 19. Administration of the Settlement shall proceed according to the implementation
2 schedule set forth in Plaintiffs' Notice of Motion and Motion for Preliminary Approval of Class
3 Action and PAGA Settlement.

4 20. Pending the Final Approval Hearing, all proceedings in this action, other than
5 proceedings necessary to carry out or enforce the terms and conditions of the Settlement and this
6 Order, are hereby stayed, and all deadlines are vacated. The time period for bringing this action to
7 trial pursuant to Cal. Code Civ. Proc. §§ 583.310 *et seq.* is hereby tolled until further order of the
8 Court.

9 21. Counsel for the parties are hereby authorized to utilize all reasonable procedures in
10 connection with the administration of the Settlement that are not materially inconsistent with
11 either this Order or the terms of the Settlement.

12 22. The Court will retain jurisdiction over the Parties to enforce the Settlement until
13 performance in full of the terms of the Settlement pursuant to California Code of Civil Procedure
14 § 664.6 and California Rule of Court 3.769(h).

15 **IT IS SO ORDERED.**

16 Date: **October 31, 2025**



17 _____
18 Hon. Layne H. Melzer
19 Superior Court Judge
20
21
22
23
24
25
26
27
28