

1 Joseph Lavi, Esq. (SBN 209776)  
2 Vincent C. Granberry, Esq. (SBN 276483)  
3 Win Pham, Esq. (SBN 347399)  
4 Alexander J. Aroeste, Esq. (SBN 332653)  
5 **LAVI & EBRAHIMIAN, LLP**  
6 8889 W. Olympic Boulevard, Suite 200  
7 Beverly Hills, California 90211  
8 Telephone: (310) 432-0000  
9 Facsimile: (310) 432-0001  
10 Email: jlavi@lclawfirm.com  
11 vgranberry@lclawfirm.com  
12 wpham@lclawfirm.com  
13 aaroeste@lclawfirm.com

14 Attorneys for Plaintiff RAUL YANES  
15 on behalf of himself and others similarly situated

11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
12 **FOR THE COUNTY OF SAN BERNARDINO**

14 RAUL YANES, on behalf of himself and  
15 others similarly situated,

16 Plaintiff,

17 vs.

18 BEST DRILLING AND PUMP, INC.; and  
19 DOES 1 to 100, inclusive,

20 Defendants.

**FILED**  
SUPERIOR COURT  
COUNTY OF SAN BERNARDINO  
SAN BERNARDINO DISTRICT

DEC 08 2025

BY: Kristen Collier Kosmatka, Deputy

CASE NO.: CIVSB2330696

**CLASS ACTION**

*[ASSIGNED FOR ALL PURPOSES TO THE  
HON. JAY H. ROBINSON, DEPT. S36]*

**JOSEPH WIDMAN**

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

*[Filed concurrently with Notice of Motion and  
Motion for Preliminary Approval of Class Action  
Settlement; Declaration of Alexander J. Aroeste  
in Support Thereof; and Declaration of Raul  
Yanes in Support Thereof]*

Hearing Information:

Date: December 8, 2025

Time: 9:00 a.m.

Dept.: S36

1 The Motion for Preliminary Approval of a Settlement came before this Court on that on  
2 December 8, 2025 at 9:00 a.m., or as soon thereafter as the matter can be heard in Department S36  
3 of the San Bernardino County Superior Court – San Bernardino Justice Center located at 247 W  
4 Third Street, San Bernardino, CA 92415. The Court, having considered the proposed Class Action  
5 and PAGA Settlement Agreement (“Settlement” or “Settlement Agreement”) and Class Notice  
6 entered into by and between Plaintiff Raul Yanes (“Plaintiff”) and Defendant BEST DRILLING  
7 AND PUMP, INC. (“Defendant”), attached as **Exhibit 1** to the Declaration of Alexander J. Aroeste  
8 in Support of Plaintiff’s Motion for Preliminary Approval of Class Action Settlement, and the  
9 Exhibits attached thereto (hereafter collectively, the “Settlement” or “Settlement Agreement”);  
10 having considered the Motion for Preliminary Approval of Class Action Settlement filed by the  
11 parties; having considered the respective points and authorities and declarations submitted by the  
12 parties in support thereof; and good cause appearing, HEREBY ORDERS THE FOLLOWING:

13 The Court grants preliminary approval of the settlement as set forth in the Settlement and  
14 finds the terms to be within the range of reasonableness of a settlement that ultimately could be  
15 granted approval by the Court at the Final Fairness Hearing. For purposes of the Settlement, the  
16 Court finds that the proposed Settlement Class is ascertainable and that there is a sufficiently well-  
17 defined community of interest among the Class in questions of law and fact. Therefore, for  
18 settlement purposes only, the Court grants conditional certification of the following “Class” defined  
19 as follows:

20 All current and former hourly, non-exempt employees of Defendant who worked for  
21 Defendant BEST DRILLING AND PUMP, INC. (“Defendant”) in the State of California at any  
22 time during the Class Period.

23 1. The “Class Period” is the period from November 21, 2019, through January 11,  
24 2025.

25 2. For purposes of settlement, the Court further designates named Plaintiff RAUL  
26 YANES Class Representative, and Joseph Lavi, Vincent Granberry, Win Pham, and Alexander J.  
27 Aroeste of Lavi & Ebrahimian, LLP as Class Counsel.

28 3. The Court appoints Apex Class Action, LLC (“Apex”) as the Settlement

1 Administrator.

2 4. A final fairness hearing on the question of whether the proposed settlement should  
3 be finally approved as fair, reasonable and adequate as to the members of the Class is scheduled in  
4 S36 of the San Bernardino County Superior Court – San Bernardino Justice Center located at 247  
5 W Third Street, San Bernardino, CA 92415, on \_\_\_\_\_, 2025, at \_\_\_\_\_ a.m./p.m.

6 5. At the final fairness hearing, the Court will consider: (a) whether the settlement  
7 should be approved as fair, reasonable, and adequate for the class; (b) whether a judgment granting  
8 approval of the settlement should be entered; and (c) whether Plaintiff's application for an award of  
9 Class Counsel Fees, Class Counsel Expenses, and Class Representative Service Payment should be  
10 granted.

11 6. Counsel for the parties shall file memoranda, declarations, or other statements and  
12 materials in support of their request for final approval by no later than 16 court days prior the final  
13 fairness hearing.

14 7. Class Counsel shall file a motion for an award of Class Counsel Fees Payment,  
15 Class Counsel Litigation Expenses Payment, and Class Representative Service Payment by no later  
16 than 16 court days prior to the final fairness hearing.

17 8. The Court approves, as to form and content, the Class Notice which is attached to  
18 the Settlement as **Exhibit A.**

19 9. No later than fifteen (15) calendar days following the date the Court enters this  
20 order, Defendant shall provide the following information to the Settlement Administrator: Class  
21 Member identifying information in Defendant's possession including the Class Member's name,  
22 last-known mailing address, Social Security number, and number of Class Period Workweeks and  
23 PAGA Pay Periods ("Class Data").

24 10. No later than fourteen (14) calendar days after receiving the Class Data, the  
25 Settlement Administrator shall disseminate the Class Notice to all the Class Members identified in  
26 the Class Data by first-class U.S. Mail.

27 11. Class Members shall have forty-five (45) calendar days from the date the  
28 Settlement Administrator mails Notice to the Class Members to fax, email, or mail Requests for

1 Exclusion from the Settlement or fax, email, or mail an Objection to the Settlement (“Response  
2 Deadline”). Class Members to whom Notice Packets are re-sent after having been returned  
3 undeliverable to the Administrator shall have an additional fourteen (14) calendar days beyond  
4 the Response Deadline has expired.

5 12. The Court finds that the forms of Class Notice to the Class regarding the pendency  
6 of the action and of this settlement, and the methods of giving notice to members of the Class  
7 constitute the best notice practicable under the circumstances and constitute valid, due, and  
8 sufficient notice to all members of the Class. They comply fully with the requirements of  
9 California Code of Civil Procedure section 382, California Civil Code section 1781, California  
10 Rules of Court 3.766 and 3.769, the California and United States Constitutions, and other  
11 applicable law.

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

14 14. Class Members who wish to exclude themselves (opt-out of) the Class Settlement  
15 must send the Administrator, by fax, email, or mail, a signed written Request for Exclusion not  
16 later than 45 days after the Administrator mails the Class Notice (plus an additional 14 days for  
17 Class Members whose Class Notice is re-mailed). A Request for Exclusion is a letter from a Class  
18 Member or his/her representative that reasonably communicates the Class Member’s election to  
19 be excluded from the Settlement and includes the Class Member’s name, address and email  
20 address or telephone number. To be valid, a Request for Exclusion must be timely faxed, emailed,  
21 or postmarked by the Response Deadline.

22 15. Participating Class Members may send written objections to the Administrator, by  
23 fax, email, or mail. In the alternative, Participating Class Members may appear in Court (or hire  
24 an attorney to appear in Court) to present verbal objections at the Final Approval Hearing. A  
25 Participating Class Member who elects to send a written objection to the Administrator must do  
26 so not later than 45 days after the Administrator’s mailing of the Class Notice (plus an additional  
27 14 days for Class Members whose Class Notice was re-mailed).

1           16. Pending the Fairness Hearing, all proceedings in this action, other than proceedings  
2 necessary to carry out or enforce the terms and conditions of the Settlement Agreement and this  
3 Order, are stayed.

4           17. Counsel for the parties are hereby authorized to utilize all reasonable procedures in  
5 connection with the administration of the settlement which are not materially inconsistent with  
6 either this Order or the terms of the Settlement.

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

| Event                                                                                                                                               | Timing                                                         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| Class Data: Last day for Defendant to provide the Settlement Administrator the Class Database                                                       | 15 calendar days after the Court's entry of this Order         |
| Notice Date: last day for Administrator to mail Class Notice to Class Members.                                                                      | 14 calendar days after receipt of the Class Data               |
| Response Deadline: (i) last day for Settlement Class Members to submit Requests for Exclusion; (ii) last day for class members to submit Objections | 45 calendar days after the date of mailing of the Class Notice |
| Last day for class counsel to file motion for award of attorneys' fees, reimbursement of litigation expenses and class representative enhancement.  | 16 court days prior to the final fairness hearing              |
| Last day for parties to file motion and supporting documents for final approval of class action settlement.                                         | 16 court days prior to the final fairness hearing              |
| Last day for the Parties to respond to Objections                                                                                                   | 5 court days prior to the final fairness hearing               |
| Hearing on final approval of class action settlement.                                                                                               |                                                                |

19           19. The Fairness Hearing and related prior deadlines set forth above may, from time to  
20 time and without further notice to the Class (except those who have filed timely and valid  
21 objections), be continued or adjourned by Order of the Court.  
22

23 **IT IS SO ORDERED.**

24 Dated: 12/8/25

25   
26 **JOSEPH WIDMAN**  
27 Judge of the Superior Court  
28