

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

JUL 14 2026

BY 
DEBRA PEDROSA, DEPUTY

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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF SAN BERNARDINO**
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11 JOSEPH SCHWARTZ, as an individual and on
12 behalf of all employees similarly situated,

13 Plaintiff,

14 v.

15 ENERGY INSPECTORS, LLC, et al, a California
16 Corporation; and DOES 1 through 50, inclusive,

17 Defendants.
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Case No.: CIVSB2403749

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

Assigned for all purposes to:
Hon. Thomas S. Garza, Dept. S27

Date: July 14, 2026
Time: 8:30 a.m.
Dept.: S27

Complaint Filed: January 24, 2024

1 **[PROPOSED] ORDER**

2 Plaintiff Joseph Schwartz Motion for Preliminary Approval of Class and Representative
3 Action Settlement ("Motion") came before this Court on July 14, 2026, in Department S27 before
4 the Honorable Thomas S. Garza, presiding. The Court having considered the papers submitted in
5 support of the Motion and good cause appearing, therefore.

6 **IT IS HEREBY ORDERED**

7 1. The Court grants the preliminary approval of the Settlement and the Settlement Class
8 based upon the terms set forth in the Class and Representative Settlement Agreement between
9 Plaintiff JOSEPH SCHWARTZ ("Plaintiff") and Defendant ENERGY INSPECTORS, LLC.
10 ("Defendant") ("Settlement Agreement" or "Settlement") filed with the Motion. All terms used
11 herein shall have the same meaning as defined in the Settlement Agreement attached as **Exhibit A**.

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

16 3. A final fairness hearing on the question of whether the proposed Settlement,
17 attorneys' fees to Class Counsel, costs of settlement administration, PAGA Allocation and Class
18 Representative's Service Award should be finally approved as fair, reasonable and adequate as to
19 the members of the Class is scheduled on the date, time, and place set forth below.

20 4. This court approves as to form and content, the Notice of Class and Representative
21 Action Settlement and Hearing Date for Final Court Approval of Settlement ("Class Notice"). The
22 Court approves the procedure for Class Members to participate in, to opt out of, and to object to the
23 Settlement as set forth in the Settlement Agreement and the Class Notice.

24 5. The Court directs the mailing of the Class Notice by first-class mail to the Class
25 Members in accordance with the terms of the Settlement Agreement. The Court finds the Class
26 Notice meets the requirements of due process and provide the best notice practicable under the
27 circumstances and shall constitute due and sufficient notice to all persons entitled thereto.

1 6. It is ordered that the Settlement Class is preliminarily certified for Settlement
2 purposes only. The Settlement Class, for settlement purposes only, are all non-exempt employees
3 of Defendant who worked in California between January 24, 2020, through January 27, 2025.

4 7. The court approves the appointment of Plaintiff Joseph Schwartz as a Class
5 Representative and Jose Garay of Jose Garay, APLC, as Class Counsel.

6 8. The Court approves the appointment of Phoenix Settlement Administrator as the
7 Claims Settlement Administrator.

8 9. In the event the Settlement does not become effective in accordance with the terms
9 of the Settlement Agreement, or the Settlement is not finally approved by this Court, is not approved
10 in whole or in part by the Court or any appellate court and/or other court of review, or is terminated,
11 cancelled or fails to become effective for any reason, this Order shall be rendered null and void and
12 shall be vacated; the Parties shall have no further obligations under the Settlement; the Parties shall
13 be restored to their respective positions in the action prior to the Settlement; and neither the
14 Settlement Agreement nor any ancillary documents, actions, statements or filings in furtherance of
15 settlement (including all matters associated with the mediation) shall be admissible or offered into
16 evidence in the action or any other case or proceeding for any purpose whatsoever.

17 10. The Court hereby imposes a stay on all proceedings, dates, and deadlines in the action,
18 except such proceedings necessary to implement and complete the Settlement, pending the Final
19 Approval Hearing.

20 11. The Court hereby sets a hearing date for Plaintiff's Motion for Final Approval of
21 Class Action and Representative Action Settlement on: 4/14/2027 at 8:30 (a.m.) p.m. in
22 Department S27 of this Court.

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24 **IT IS HEREBY ORDERED.**

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26 Dated: July 14, 2026

27 
28 Hon. Thomas S. Garza
Judge of the Superior Court